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**Provincial Gazette**  
 OF  
**KwaZulu-Natal**

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DIE  
**Provinsiale Koerant**  
 VAN  
**KwaZulu-Natal**

Op Gesag Uitgegee  
 (As 'n nuusblad by die poskantoor geregistreer)

**IGazethi**  
 YESIFUNDAZWE  
 saKwaZulu-Natali

Ishicilelwe ngegunya  
 (Irejistiwe njengephephandaba eposihhovisi)

No. 6438 ULWESINE, 20 KUMFUMFU 2005

Ukuze uthole *iGazethi yesiFundazwe* kwi-INITHANETHI ngaphandle kokukhokha, iya ku: <http://www.lawsoc.co.za/kznprovince/index.htm>

No. Ikhasi

ISIMEMEZELO

3 Ukudluliselwa kokuphathwa kwemithetho ethile kwiLungu loMkhandlu oPethe elibhekele ezoBuciko, amaSiko kanye nezokuVakasha esiFundazweni saKwaZulu-Natali ngokwesigaba 137 soMthethosisekelo weRiphabhuliki yaseNingizimu Afrika, 1996 ..... 2993

IZAZISO ZESIFUNDAZWE

1980 Ukwehulwa kwemigwaqo emikhulu ..... 2995  
 1981 Isaziso ngokwesigaba 16(1)(a) soHulumeni baseKhaya: uMthetho weziNhlaka zoMasipala, 1998 – kuMasipala waseMsunduzi ..... 2996

IMIKHANGISO

Ezingxubevange (bhaka uhlu oluseceleni, ekhasini 3129)

No. 6438 DONDERDAG, 20 OKTOBER 2005

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No. Bladsy

PROKLAMASIE

3 Oordrag van die administrasie van sekere wette aan die Lid van die Uitvoerende Raad Verantwoordelik vir Kuns, Kultuur en Toerisme in die Provinsie KwaZulu-Natal kragtens artikel 137 van die grondwet van die Republiek van Suid-Afrika, 1996 ..... 2993

PROVINSIALE KENNISGEWING

1981 Kennisgewing ingevolge artikel 16(1)(a) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 – Msunduzi Munisipaliteit ..... 2996

No. 6438 THURSDAY, 20 OCTOBER 2005

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<http://www.lawsoc.co.za/kznprovince/index.htm>

No. Page

PROCLAMATION

3 Transfer of the Administration of certain laws to the Member of the Executive Council responsible for Arts, Culture and Tourism in the Province of KwaZulu-Natal in terms of section 137 of the Constitution of the Republic of South Africa, 1996 ..... 2994

PROVINCIAL NOTICES

1980 Declaration of provincial roads ..... 2995  
 1981 Notice in terms of section 16(1)(a) of the Local Government: Municipal Structures Act, 1998 – Msunduzi Municipality ..... 2996  
 1982 KwaZulu-Natal Procurement Office: Invitation to tender ..... 2997  
 1983 Department of Health: Clairwood Hospital: Award of quotation ..... 2998  
 1984 Department of Health: Catherine Booth Hospital: Award of quotation ..... 2998  
 1985 Department of Health: Health Promotion: Award of quotation ..... 2998  
 1986 Department of Health: uMngeni Care and Rehab Centre: Invitation of quotations ..... 2998  
 1987 Department of Health: Vryheid Hospital: Invitation of quotations ..... 2999  
 1988 Department of Health: Bethesda Provincial Hospital: Award of quotations ..... 2999  
 1989 Department of Health: Wentworth Hospital: Invitation of quotations ..... 3000  
 1990 Department of Health: Ugu District Health Office: Invitation of quotations ..... 3000  
 1991 Department of Health: Polela CHC: Invitation of quotations ..... 3001  
 1992 Department of Health: Polela CHC: Invitation of quotations ..... 3001  
 1993 Department of Health: Ndwedwe CHC: Award of quotations ..... 3001  
 1994 Department of Health: Mental Health and Substance Abuse: Invitation of quotations ..... 3002

1995	Department of Health: Church of Scotland: Invitation of quotations .....	3002
1996	Department of Housing: Corporate Services: Award of tender .....	3002
1997	Department of Health: Regional Laundry Northern Natal: Invitation of quotations .....	3003
1998	Department of Health: KZN PMTCT UNIT: Invitation of quotations .....	3003
1999	Department of Health: Sisonke District Health Offices: Invitation of quotations .....	3003
2000	Department of Health: Human Resource Development: Invitation of quotations .....	3005
2001	Department of Health: Phoenix CHC: Invitation of quotations .....	3005
2002	Department of Health: Nkonjeni Hospital: Invitation and award of quotations .....	3006
2003	Department of Health: uNtunjambili Hospital: Invitation and non-acceptance of quotation .....	3009
2004	Department of Health: Emmaus Hospital: Invitation of quotations .....	3010
2005	Department of Health: Gamalakhe Sub-District Office: Invitation of quotations .....	3010
2006	Department of Health: Provisioning Administration: Award of tender .....	3010
2007	Department of Health: Clairwood Hospital: Invitation of quotations .....	3011
2008	Department of Health: Clairwood Hospital: Invitation and award of quotations .....	3012
2009	Department of Health: Mosvold Hospital: Invitation of quotations .....	3012
2010	Department of Health: King Edward VIII Hospital: Invitation of quotations .....	3013
2011	Department of Health: King Edward VIII Hospital: Invitation of quotations .....	3014
2012	Department of Health: Benedictine Hospital: Invitation and award of quotations .....	3016
2013	Department of Health: Ilembe Health District Office: Invitation of quotations .....	3017
2014	Department of Health: Health Services Cluster: Invitation of quotations .....	3018
2015	Department of Health: Christ the King Hospital: Invitation and award of quotations .....	3018
2016	Department of Health: King Edward VIII Hospital: Invitation, award and cancellation of quotations .....	3019
2017	Department of Health: Ngwelezana Hospital: Invitation and award of quotations .....	3026
2018	Department of Health: LUDWM Hospital: Invitation of quotations .....	3027
2019	Department of Health: Facilities Management (CAPSO): Award of quotations .....	3028
2020	Department of Health: Stanger Hospital: Invitation of quotations .....	3029
2021	Department of Health: KwaMashu CHC: Award and withdrawal of quotation .....	3029
2022	Department of Health: Ugu District Health Office: Invitation of quotations .....	3030
2023	Department of Health: St Mary's KwaMagwaza Hospital: Award of quotation .....	3030
2024	Department of Health: CPS: Invitation of quotations .....	3031
2025	Department of Health: Ceza Hospital: Invitation of quotations .....	3034
2026	Department of Health: Addington Hospital: Invitation of quotations .....	3035
2027	Department of Health: Human Resource Development: Cancellation of quotations .....	3035
2028	Department of Health: KwaDabeka CHC: Invitation of quotations .....	3036
2029	Department of Health: Malaria Control Programme: Invitation of quotations .....	3037
2030	Department of Health: Addington Hospital: Invitation of quotations .....	3037
2031	Department of Health: St Andrew's Hospital: Invitation of quotations .....	3038
2032	Department of Health: CJM Hospital: Invitation of quotations .....	3039
2033	Department of Health: HTU: Clinical Engineering: Invitation and award of quotations .....	3039
<b>MUNICIPAL NOTICES</b>		
47	Matatiele Local Municipality: Public Health Bylaws .....	3042
48	Matatiele Local Municipality: Bylaws relating to keeping of animals, Birds and Poultry and Business involving the keeping of animals, Birds poultry or pets .....	3076
49	Matatiele Local Municipality: Electricity Bylaws .....	3082
50	Matatiele Local Municipality: Regulation of parks and open spaces Bylaws .....	3093
51	Matatiele Local Municipality: Street Trading Bylaws .....	3096
52	Matatiele Local Municipality: Advertising Sign Bylaws .....	3099
53	Matatiele Local Municipality: Waste Management Bylaws .....	3109
<b>GENERAL NOTICE</b>		
94	Municipal Demarcation Board: Redetermination of municipal boundaries and the withdrawal of the declaration of a district management area in terms of the Local Government: Municipal Demarcation Act, 1998, read with the Constitution, the Local Government: Cross-boundary Municipalities Act, 2000, and the Local Government: Municipal Structures Act, 1998 (KwaZulu-Natal/Eastern Cape) .....	3124

**ADVERTENSIES**

Diverse (kyk afsonderlike bladwyser, bladsy 3129)

**ADVERTISEMENTS**

Miscellaneous (see separate index, page 3129)

## PROKLAMASIE

van die Premier van die Provinsie KwaZulu-Natal

### OORDRAG VAN DIE ADMINISTRASIE VAN SEKERE WETTE AAN DIE LID VAN DIE UITVOERENDE RAAD VERANTWOORDELIK VIR KUNS, KULTUUR EN TOERISME IN DIE PROVINSIE KWAZULU-NATAL KRAGTENS ARTIKEL 137 VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1996

**K**RAGTENS artikel 137 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996) –

(a) dra ek hierby –

- (i) die administrasie van die Ordonnansie op die Biblioteek van Stanger, 1948 (Ordonnansie No. 18 van 1948);
- (ii) die administrasie van die Ordonnansie op die Natalse Provinsiale Biblioteekdiens, 1952 (Ordonnansie No. 5 van 1952);
- (iii) die administrasie van die Natalse Provinsiale Biblioteekdiensregulasies uitgevaardig ooreenkomstig artikel 7 van Ordonnansie No. 5 van 1952, en gepubliseer in Provinsiale Kennisgewing No. 568 van 16 November 1978;
- (iv) die administrasie van die KwaZulu Biblioteekwet, 1980 (Wet No. 18 van 1980);
- (v) die administrasie van die KwaZulu Wet op Argiewe, 1992 (Wet No. 12 van 1992);
- (vi) die administrasie van die Wet op Bevordering van Kultuur, 1983 (Wet No. 35 van 1983);
- (vii) die administrasie van die Wet op Kulturele Aangeleenthede (Volksraad), 1989 (Wet No. 65 van 1989); en
- (viii) die bevoegdhede en funksies kragtens die wette vermeld in subparagrafe (i) – (vii),

toevertrou aan die Lid van die Uitvoerende Raad verantwoordelik vir Onderwys en Kultuur, oor aan die Lid van die Uitvoerende Raad verantwoordelik vir Kuns, Kultuur en Toerisme in die Provinsie KwaZulu-Natal; en

(b) dra ek hierby –

- (i) die administrasie van die Ordonnansie op die Natalse Haairaad, 1964 (Ordonnansie No. 10 van 1964);
- (ii) die administrasie van die volgende regulasies uitgevaardig ooreenkomstig artikel 12 van die Ordonnansie op die Natalse Haairaad, 1964 (Ordonnansie No. 10 van 1964) –
  - (aa) die regulasies gepubliseer in Provinsiale Kennisgewing No. 644 van 15 November 1973;
  - (bb) die regulasies gepubliseer in Provinsiale Kennisgewing No. 754 van 29 Desember 1975; en
  - (cc) die regulasies gepubliseer in Provinsiale Kennisgewing No. 41 van 12 Februarie 1987; en
- (iii) die bevoegdhede en funksies kragtens die wette vermeld in subparagrafe (i) en (ii),

toevertrou aan die Lid van die Uitvoerende Raad verantwoordelik vir Ekonomiese Sake en Toerisme, oor aan die lid van die Uitvoerende Raad verantwoordelik vir Kuns, Kultuur en Toerisme in die Provinsie KwaZulu-Natal.

Gegee onder my hand te Pietermaritzburg op hierdie 22ste dag van September, Tweeduisend-en-vyf.

**J. S. NDEBELE**

Premier

## ISIMEMEZELO

sikaNdunankulu wesiFundazwe saKwaZulu-Natali

### UKUDLULISELWA KOKUPHATHWA KWEMITHETHO ETHILE KWILUNGU LOMKHANDLU OPHETHE ELIBHEKELE EZOBUCIKO, AMASIKO KANYE NEZOKUVAKASHA ESIFUNDAZWENI SAKWAZULU-NATALI NGOKWESIGABA 137 SOMTHETHO-SISEKELO WERIPHABHULIKHI YASENINGIZIMU AFRIKA, 1996

**N**GALOKHU, ngokwesigaba 137 soMthethosisekelo weRiphabhuliki yaseNingizimu Afrika, 1996 (uMthetho No. 108 ka 1996) –

(a) ngidlulisela –

- (i) ukuphathwa kwe-Odinensi yoMtapowolwazi yaKwaDukuza, 1948 (I-Odinensi No. 18 ka 1948);
- (ii) ukuphathwa kwe-Odinensi yezeMisebenzi yeMitapoyolwazi esiFundazweni saseNatali, 1952 (I-Odinensi No. 5 ka 1952);
- (iii) ukuphathwa kweMithethonqubo yezeMisebenzi yeMitapoyolwazi ekhishwe ngokwesigaba 7 se-Odinensi No. ka 1952, futhi yashicilelwa kwiSaziso sesiFundazwe No. 568 ziyi -16 kuLwezi 1978;
- (iv) ukuphathwa koMthetho weMitapoyolwazi KwaZulu, 1980 (uMthetho No. 18 ka 1980);
- (v) ukuphathwa koMthetho wokuGcinwa kwamaGugu waKwaZulu 1992 (uMthetho No. 12 ka 1992);
- (vi) ukuphathwa koMthetho wokuGququzelwa kwamaSiko, 1983 (uMthetho No. 35 ka 1983);
- (vii) ukuphathwa koMthetho weziNdaba zaMasiko (House of Assembly), 1989 (uMthetho No. 65 ka 1989); kanye
- (viii) namandla nemisebenzi ngokwemithetho okukhulunywe ngayo kwizindinyana (i) – (vii);

okuphathiswe iLungu loMkhandlu oPhethe elibhekele ezeMfundo kanye namaSiko, kwiLungu loMkhandlu oPhethe elibhekele ezobuCiko, amaSiko kanye nezokuVakasha esiFundazweni saKwaZulu-Natali; futhi

(b) ngidlulisela –

- (i) ukuphathwa kwe-Odinensi yeBhodi ephethe oShaka olwandle, 1964 (I-Odinensi No. 10 ka 1964);
- (ii) ukuphathwa kwale Mithethonqubo elandelayo ekhishwe ngokwesigaba 12 se-Odinensi yeBhodi ephethe oShaka olwandle, 1964 (I-Odinensi No. 10 ka 1964) –
  - (aa) iMithethonqubo eshicilelwe kwiSaziso sesiFundazwe No. 644 ziyi -15 kuLwezi 1973;
  - (bb) iMithethonqubo eshicilelwe kwiSaziso sesiFundazwe No. 754 zingama -29 kuZibandlela 1975; kanye
  - (cc) neMithethonqubo eshicilelwe kwiSaziso sesiFundazwe No. 41 ziyi -12 kuNhlojanja 1987; kanye
- (iii) namandla nemisebenzi ngokwemithetho okukhulunywe ngayo kwizigatshana (i) – (ii),

okuphathiswe iLungu loMkhandlu oPhethe elibhekele ezoMnotho kanye nezokuVakasha, kwiLungu loMkhandlu oPhethe elibhekele ezobuCiko, amaSiko kanye nezokuVakasha esiFundazweni saKwaZulu-Natali.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku lwama-22 kuMandulo, oNyakeni weziNkulungwane eziMbili naNhlanu.

**J. S. NDEBELE**

uNdunankulu

## PROCLAMATION

by the Premier of the Province of KwaZulu-Natal

### TRANSFER OF THE ADMINISTRATION OF CERTAIN LAWS TO THE MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR ARTS, CULTURE AND TOURISM IN THE PROVINCE OF KWAZULU-NATAL IN TERMS OF SECTION 137 OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

I hereby, in terms of section 137 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) –

(a) transfer –

- (i) the administration of the Stanger (Library) Ordinance, 1948 (Ordinance No. 18 of 1948);
- (ii) the administration of the Natal Provincial Library Services Ordinance, 1952 (Ordinance No. 5 of 1952);
- (iii) the administration of the Natal Provincial Library Service Regulations issued in terms of section 7 of Ordinance No. 5 of 1952, and published in Provincial Notice No. 568 of 16 November 1978;
- (iv) the administration of the KwaZulu Library Act, 1980 (Act No. 18 of 1980);
- (v) the administration of the KwaZulu Archives Act, 1992 (Act No. 12 of 1992);
- (vi) the administration of the Culture Promotion Act, 1983 (Act No. 35 of 1983);
- (vii) the administration of the Cultural Affairs Act (House of Assembly), 1989 (Act No. 65 of 1989); and
- (viii) the powers and functions in terms of the laws referred to in subparagraphs (i) – (vii),

entrusted to the Member of the Executive Council responsible for Education and Culture, to the Member of the Executive Council responsible for Arts, Culture and Tourism in the Province of KwaZulu-Natal; and

(b) transfer –

- (i) the administration of the Natal Sharks Board Ordinance, 1964 (Ordinance No. 10 of 1964);
- (ii) the administration of the following regulations issued in terms of section 12 of the Natal Sharks Board Ordinance, 1964 (Ordinance No. 10 of 1964) –
  - (aa) the Regulations published in Provincial Notice No. 644 of 15 November 1973;
  - (bb) the Regulations published in Provincial Notice No. 754 of 29 December 1975; and
  - (cc) the Regulations published in Provincial Notice No. 41 of 12 February 1987; and
- (iii) the powers and functions in terms of the laws referred to in subparagraphs (i) and (ii),

entrusted to the Member of the Executive Council responsible for Economic Affairs and Tourism, to the Member of the Executive Council responsible for Arts, Culture and Tourism in the Province of KwaZulu-Natal.

Given under my hand at Pietermaritzburg this 22<sup>nd</sup> day of September, Two Thousand and Five.

**J. S. NDEBELE**  
Premier



**PROVINSIALE KENNISGEWINGS — IZAZISO ZESIFUNDAZWE — PROVINCIAL NOTICES**

**O**NDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

IZAZISO ezilandelayo zikhishelwe ulwazi lwawonkewonke.

PROFESSOR M. A. MCHUNU  
Direkteur-generaal

USOLWAZI M. A. MCHUNU  
uMqondisi-Jikelele

Natalia  
Langmarkstraat  
Pietermaritzburg  
20 Oktober 2005

Natalia  
Longmarket Street  
Pietermaritzburg  
20 kuMfumu 2005

**T**HE following notices are published for general information.

PROFESSOR M. A. MCHUNU  
Director-General

Natalia  
Longmarket Street  
Pietermaritzburg  
20 October 2005

**No. 1980, 2005**

20 kuMfumu 2005

**UKWETHULWA KWEMIGWAQO EMIKHULU**

**N**GOKWESIGABA 7 soMthetho wezeMigwaqo KwaZulu-Natali, 2001 (uMthetho No. 4 ka 2001), uNgqongqoshe wethula ukuthi kusukela ngosuku lokushicilelwa —

- (a) imigwaqo ecaciswe kuHlelo A lapha ngaphansi, ngokwesigaba 7(2)(b)(iii) kufanele ivalwe kuphele ukuba ibe imigwaqo yezifunda leyo imiphakathi enegunya lokuyisebenzisa; kanye
- (b) imigwaqo ecaciswe kuHlelo B lapha ngaphansi, ngokwesigaba 7(2)(b)(iii) kufanele ivalwe kuphele ukuba imigwaqo yangaphakathi leyo imiphakathi enegunya lokuyisebenzisa; futhi
- (c) imigwaqo ecaciswe kuHlelo C lapha ngaphansi, ngokwesigaba 7(2)(a) kufanele ibe imigwaqo emikhulu; kanye
- (d) nemigwaqo ecaciswe kuHlelo D lapha ngaphansi, ngokwesigaba 7(2)(a) kufanele ibe imigwaqo yangaphakathi; kanye

**DECLARATION OF PROVINCIAL ROADS**

**I**N terms of section 7 of the KwaZulu-Natal Roads Act, 2001 (Act No. 4 of 2001), the Minister declares that as from the date of publication hereof —

- (a) the roads specified in Schedule A hereunder, shall in terms of section 7(2)(b)(iii) be closed and cease to be district roads, which the public has the right to use; and
- (b) the roads specified in Schedule B hereunder, shall in terms of section 7(2)(b)(iii) be closed and cease to be local roads which the public has the right to use; and
- (c) the roads specified in Schedule C hereunder, shall in terms of section 7(2)(a) be district roads; and
- (d) the roads specified in Schedule D hereunder, shall in terms of section 7(2)(a) be local roads; and

**SCHEDULE/UHLELO A**

District Road 599: Windy Hill – Mkabela

Umgwaqo Wesifunda u-599: Windy Hill – Mkabela

**SCHEDULE/UHLELO B**

Local Road 677: Sandspruit – Makeni River

Umgwaqo Wangaphakathi u-677: Sandspruit – Umfula iMakeni

**SCHEDULE/UHLELO C**

District Road 599: Windy Hill – Mkabela

From its junction with Main Road 479 near Windy Hill, proceeding in a general south-easterly direction over Windy Hill No. 15135 and Gcumisa No. 16545, passing KwaMaphumulo and Mkabela, changing to a southerly direction passing the Mayizekanye School, terminating south-east of Mkabela.

Umgwaqo Wesifunda u-599: Windy Hill – Mkabela

Usukela enhlanganweni yawo nomgwaqo omkhulu u-479 eduze nase Windy Hill, uqhubeke ubheke eningizimu-mpumalanga phezu kwase Windy Hill No. 15135 kanye nase Gcumisa No. 16545, udlule nase KwaMaphumulo kanye eMkabela, ujike ubheke eningizimu udlule nesikole uMayizekanye, uphele eningizimu-mpumalanga yeMkabela.

District Road 2035: Main Road 522-2 – Ngwavuma River

From its junction with Main Road 522-2, proceeding in a general northerly direction over Wanhoop No. 14926 and Aloe Flats No. 14928, passing the Mbodla and Ezinhlabeni Schools, terminating near the Ngwavuma River.

Umgwaqo Wesifunda u-2035: Umgwaqo Omkhulu u-522-2 – Umfula iNgwavuma

Usukela enhlanganweni yawo nomgwaqo omkhulu u-522-2, uqhubeke ubheke enyakatho phezu kwase Wanhoop No.14926 kanye nase Aloe Flats No. 14928, udlule nesikole uMbodla kanye nase Ezinhlabeni, uphele eduze nomfula iNgwavuma.

**SCHEDULE/UHLELO D**

Local Road 609: Mabuka – Makholwase River

From its junction with District Road 1585 near Mabuka, proceeding in a general south-westerly direction over Riverlands No. 11896, crossing the Makholwase River, over Lot 289 Empangeni No. 13389, terminating near the Makholwase River.

Umgwaqo Wangaphakathi u-609: Mabuka – Umfula uMakholwase

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1585 eduze nase Mabuka, uqhubeke ubheke eningizimu-ntshonalanga phezu kwase Riverlands

No. 11896, uwele nomfula uMakholwase, phezu kwase Lot 289 Empangeni No.13389, uphele eduze nomfula uMakholwase.

**Local Road 677: Local Road 676 – Ngabantu Cemetery**

From its junction with Local Road 676, proceeding in a general south-westerly direction over Frenchay West No. 2235, changing to a general southerly direction, terminating at the Ngabantu Cemetery.

**Umgwaqo Wangaphakathi u-677: Umgwaqo Wangaphakathi u-676– eMathuneni iNgabantu**

Usukela enhlanganweni yawo nomgwaqo wangaphakathi u-676, uqhubeke ubheke eningizimu-ntshonalanga phezu kwase Frenchay West No. 2235, ujike ubheke eningizimu, uphele eMathuneni iNgabantu.

**No. 1981 2005**

20 Oktober 2005

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELESAKE**

**KENNISGEWING INGEVOLGE ARTIKEL 16(1)(a) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 –  
MSUNDUZI MUNISIPALITEIT**

**E**K, Michael Mabuyakhulu, lid van die KwaZulu-Natal Uitvoerende Raad vir Plaaslike Regering, Behuising en Tradisionele Sake, kragtens die byvoegdheid aan my verleen by artikel 16(1)(a) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), wysig hierby Provinsiale Kennisgewing No. 352 van 2000 deur die invoeging van die woorde “gekombineer met ’n wyk deelnemende stelsel” na die woord “stelsel” in paragraaf 3 van stel 7.

Gegee onder my hand te Pietermaritzburg, op hierdie 16de dag van September Tweeduisend-en-vyf.

M. MABUYAKHULU

LUR VIR PLAASLIKE REGERING, BEHUISING EN TRADISIONELE SAKE

**No. 1981, 2005**

20 kuMfumfu 2005

**UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO**

**ISAZISO NGOKWESIGABA 16(1)(a) SOHULUMENI BASEKHAYA: UMTHETHO WEZINHLAKA ZOMASIPALA, 1998 –  
KUMASIPALA WASEMSUNDUZI**

**M**INA, Michael Mabuyakhulu, iLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele ohulumeni basekhaya, ezeziNdlu kanye nezindaba zendabuko, ngaphansi kwamandla engiwanikiwe yisigaba 16(1)(a) soMthetho weziNhlaka zoMasipala: woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), ngalokho lapha ngichibiyela iSaziso sesiFundazwe No. 352 sika 2000, ngokufaka esigaba 3 seNgxenywe 7 ngemuva kwegama “uhlelo” lwamagama “ahlanganiswe nohlelo lokusebenzisana namawadi”.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu, ngalolu sulu lwama 16 kuMandulo oNyakeni weziNkulungwane eziMbili naNhlanu.

M. MABUYAKHULU

Ilungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya KwaZulu-Natali

**No. 1981, 2005**

20 October 2005

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NOTICE IN TERMS OF SECTION 16(1)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 –  
MSUNDUZI MUNICIPALITY**

**I**, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, under powers vested in me by section 16(1)(a) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), hereby amend Provincial Notice No. 352 of 2000 by the insertion in paragraph 3 of Part 7 after the word “system” of the words “combined with a ward participatory system”.

Given under my hand at Pietermaritzburg, on this 16th day of September Two Thousand and Five.

M. MABUYAKHULU

Member of the Executive Council for the Province of KwaZulu-Natal responsible for local government

No. 1982, 2005

20 October 2005

## KWAZULU-NATAL PROCUREMENT ADMINISTRATION OFFICE

TENDERS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Tenders must be on the official tender form which shall be completed in all respects and all information must be supplied as stipulated in the tender document.
- (ii) Tenders must be submitted in separate sealed envelopes.
- (iii) Separate envelopes must be used for each tender invitation.
- (iv) The address, tender number and closing date must be endorsed on the back of the envelope.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.

SERVICE: 11x Incubator Infant Transport for EMRS: Health Technology Unit  
 Tender number: ZNT 7430/2005 H  
 Closing date: 2005-11 -17  
 Time: 11:00  
 Documents available from: Procurement Administration, Treasury House (a.k.a. NBS Building) , Ground Floor, 145 Commercial Road, (cnr. Commercial Road and Church Street), Pietermaritzburg, Telephone: (033) 8974243 and (033) 8974219  
 Contact person: Miss M. Govender, Telephone: (033) 3946519  
 Compulsory site meeting: No

SERVICE: New Cost Centre Building: DC 25 Newcastle  
 Tender number: ZNT 2301/05T  
 Closing date: 2005-11 -23  
 Time: 11:00  
 Documents available from: Department of Transport, Cost Centre Newcastle, 6 Faraday Street, Newcastle  
 Contact person: S. Mthilal, Telephone: (034) 3284000, Ext. 4008  
 Compulsory site meeting: Yes  
 Venue: Department of Transport, Cost Centre Newcastle, 6 Faraday Street Newcastle  
 Time: 10:00  
 Date: 2005-11-03  
 Cost per document: R50-00 per set (Non Refundable)

**No. 1983, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****CLAIRWOOD HOSPITAL****Award of quotation**

**SUPPLY:** Liquid Soap Dispenser with Elbow Action Plastic Size 1.25 litre  
**Quotation number:** ZNQ 300/2005  
**Contact:** Mildstain Engineering

**No. 1984, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****CATHERINE BOOTH HOSPITAL****Award of quotation**

**SERVICE:** Renovation of bathroom at Nurses Home No. 1  
**Quotation number:** ZNQ 1433/2005  
**Contact:** Siyashesha Maintenance

**No. 1985, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****HEALTH PROMOTION – HEAD OFFICE****Award of quotation**

**SUPPLY:** 100 000 Health Promoting School pamphlets  
**Quotation number:** ZNQ 1779/05/06  
**Contact:** Impress Investments (Pty) Ltd

**No. 1986, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****UMNGENI CARE AND REHAB CENTRE****QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Umngeni Care and Rehab. Centre, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotations documents are available from Umngeni Care & Rehab. Centre, Stores Department, Old Main Road, Howick, Telephone: (033) 3306146, Ext. 234, Fax: (033) 3308637.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted as well as an original Tax Clearance Certificate (regardless of price).

**SUPPLY:** Hospital beds  
**Quotation number:** ZNQ 164/05  
**Closing date:** 2005-11-11  
**Closing time:** 11:00  
**Contact person:** Mrs A. Bekker  
**Enquiries regarding specifications:** Mrs A. Bekker, Telephone: (033) 3306146, Ext. 234

No. 1987, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## VRYHEID HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATOR OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Vryheid Hospital, together with the quotation number and closing date.
- (v) Quotation contractors must be registered with the Provincial Database.
- (vi) For quotations exceeding R30 000,00 an original Tax Clearance Certificate must be submitted.
- (vii) Quotations must be dropped into the tender box at Vryheid Hospital, Ground Floor right hand side of lifts.
- (viii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (ix) Quotation documents are available from the Department of Health, Vryheid Hospital, Stores Department, Private Bag X9371, Vryheid, 3100, Telephone: (034) 49822111, Ext. 265, Facsimile: (034) 9821658.

SERVICE:	Annual service of fire fighting equipment in terms of specifications
Quotation number:	ZNQ/NSI 250/2005
Closing date:	2005-11-09
Closing time:	11:00
Compulsory site inspection:	No
Contact person:	Mr J. Porter
Enquiries regarding specification:	Mr J. Porter, Telephone: (0314) 9822111, Ext. 256
Specification to be collected by Contractor or by couriers. No faxed copies.	

No. 1988, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## BETHESDA PROVINCIAL HOSPITAL

## Award of quotations

SERVICE:	Security Services (Gedleza Clinic)
Quotation number:	ZNQ 200/05/06
Contractor:	Jundu Business Services cc

SERVICE:	Security Services (Mkuze Clinic)
Quotation number:	ZNQ 202/05/06
Contractor:	Jundu Business Services cc

SERVICE:	Security Services (Bethesda Hospital)
Quotation number:	ZNQ 199/05/06
Contractor:	Jundu Business Services cc

SUPPLY/SERVICE:	Supply and installation of Loffelstein Retaining Wall and reveling helipad as per specification
Quotation number:	ZNQ 216/05/06
Contractor:	Smiso Investment

SERVICE:	Tree felling and reveling of ground
Quotation number:	ZNQ 226/05/06
Contractor:	S'bongisipho Construction cc

SERVICE:	Development of Institution Strategic Planning
Quotation number:	ZNQ 215/05/06
Contractor:	Mhlambi and Associates

SERVICE:	Security Services (Makhathini Clinic)
Quotation number:	ZNQ 201/05/06
Contractor:	Jundu Business Services cc

SERVICE:	Tiling of walkways and classroom
Quotation number:	ZNQ 225/05/06
Contractor:	Kalanga Multi Services cc

SERVICE:	Renovation to Chapel
Quotation number:	ZNQ 217/05/06
Contractor:	Kalanga Multi Services cc

SERVICE:	Maintenance of garden and grounds (Mkuze Clinic)
Quotation number:	ZNQ 228/05/06
Contractor:	Golden Rewards 327 cc
SERVICE:	Maintenance of garden and grounds (Makhathini Clinic)
Quotation number:	ZNQ 227/05/06
Contractor:	Golden Rewards 327 cc

**No. 1989, 2005**

20 October 2005

## DEPARTMENT OF HEALTH

## WENTWORTH HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The sealed envelope must be addressed to Wentworth Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Wentworth Hospital Maintenance Department, Telephone: (031) 4605201, Fax: (031) 4605233 on the day of the site meeting. Only companies registered on CidB may quote.
- (vii) For quotations exceeding R30 000.00 an official ZNT 30 (application for preference points) form must be submitted to Wentworth Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE:	Painting and repairs to roof of Wards C4 and D4
Quotation number:	ZNQ W296 of 2005/6
Closing date:	2005-11-17
Closing time:	11:00
Site meeting date:	2005-11-8
Site meeting time:	11:00
Enquiries regarding specifications:	Henry Mtambo, Telephone: (031) 4605215

SERVICE:	Painting and repairs to roof of Wards C5 and D5
Quotation number:	ZNQ W297 of 2005/6
Closing date:	2005-11-17
Closing time:	11:00
Site meeting date:	2005-11-8
Site meeting time:	11:00
Contact person:	Henry Mtambo, Telephone: (031) 4605215

**No. 1990, 2005**

20 October 2005

## DEPARTMENT OF HEALTH

## UGU DISTRICT HEALTH OFFICE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Each quotation must be in sealed envelope.
- (iii) The envelope must be addressed to Ugu District Health Office, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Documents are available from the Department of Health, Ugu District Health Office, Telephone: (039) 6883000, Fax: (039) 6826296.

SUPPLY:	6 x 4 Drawer filing cabinet (1320 x 470 x 635) – Code 540704HG
	6 x Stationery cupboard grey (1800 x 900 x 450) – Code 540707HG
	12 x Round conference table with Dish Leg (1200 Diameter) – Code 540174RD
	12 x Rickstacker chair red – Code 540220CB
	60 x Alpine chair blue (450mm) – Code 540202CR
	<b>All codes are as per new Waltons Catalogue</b>
Quotation number:	ZNQ 540/2005
Closing date:	2005-10-27
Closing time:	11:00
Enquiries:	Mr M. Dlamini, Telephone: (039) 6883000
Enquiries regarding specification:	Melusi or Mrs Zanele Ncama, Telephone: (039) 6883000

**SUPPLY:** 150 Boxes x Protein porridge (1 kg x 20 pkt)  
60 Boxes x Nutridrink shake  
**Quotation number:** ZNQ 534/2005  
**Closing date:** 2005-10-27  
**Closing time:** 11:00  
**Enquiries:** Mr M. Dlamini, Telephone: (039) 6883000  
**Enquiries regarding specification:** Melusi or Mrs Zanele Ncama, Telephone: (039) 6883000

**No. 1991, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****PHOLELA COMMUNITY HEALTH CENTRE****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.  
(ii) Each quotation must be submitted in a sealed envelope.  
(iii) Quotation documents are available from the Department of Health, Pholela Community Health Centre, Private Bag X502, Bulwer, 3244.

**SUPPLY:** Minus 40 Fridges x 3  
**Quotation number:** ZNQ 383/2005  
**Closing date:** 2005-11-03  
**Closing time:** 11:00  
**Contact person:** Ms T. P. Phungula, Telephone: (039) 8329491, 2, 3, 5, Fax: (039) 8329494

**SUPPLY:** CTG Machine x 1 (For monitoring a single Fetus)  
**Quotation number:** ZNQ 466/2005  
**Closing date:** 2005-11-03  
**Closing time:** 11:00  
**Contact person:** Ms E. H. Mkhize, Telephone: (039) 8329491, 2, 3, 5, Fax: (039) 8329494

**SUPPLY:** Autoclave x 1  
**Quotation number:** ZNQ 400/2005  
**Closing date:** 2005-11-03  
**Closing time:** 11:00  
**Contact person:** Ms T. P. Phungula, Telephone: (039) 8329491, 2, 3, 5, Fax: (039) 8329494

**No. 1992, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****PHOLELA COMMUNITY HEALTH CENTRE****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.  
(ii) Each quotation must be submitted in a sealed envelope.  
(iii) Quotation documents are available from the Department of Health, Pholela Community Health Centre, Private Bag X502, Bulwer, 3244.

**SUPPLY:** Lounge Suites with coffee tables Solid Imbuia (2-2-1-1) x 7  
**Quotation number:** ZNQ 465/2005  
**Closing date:** 2005-11-03  
**Closing time:** 11:00  
**Contact person:** Ms E. H. Mkhize, Telephone: (039) 8329491, 2, 3, 5, Fax: (039) 8329494

**No. 1993, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****NDWEDWE COMMUNITY HEALTH CENTRE****Award of quotations**

**SERVICE:** Four Grade "D" Security Guards for 6 months  
**Quotation number:** ZNQ 105/2005-06  
**Contact:** Indlondlo Security

**SUPPLY:** Lounge Suite – Residential furniture  
**Quotation number:** ZNQ 54/2005-06  
**Contact:** Thenjy Trading

## DEPARTMENT OF HEALTH

## MENTAL HEALTH AND SUBSTANCE ABUSE-HEAD OFFICE

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in a tender box written Transport and Office Services, in a sealed envelope situated at 330 Longmarket Street, Natalia Building.
- (iii) The sealed envelope must be addressed to Mental Health and Substance Abuse together with the quotation number and closing date. of the quotation.
- (iv) The name and address of the quoting contractor/supplier must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please note that the Department/Section reserves the right to award the quote as a whole or a part thereof to the company/contractor as desired.
- (vii) Quotation documents and samples are available from Ms B. Dlamini, Natalia Building, Longmarket Street (6th Floor Room 20 North Tower), or Miss Sbongile Mthethwa, 6th floor, Room 17, North Tower, Pietermaritzburg, Telephone: (033) 3952702, Fax: (033) 3458644.

## SUPPLY:

Quotation number:

10 000 Badges (Bells) Mustard in colour to have wording "Ring out hope for mental health"

Closing date:

ZNQ 1957/2005-06

Closing time:

2005-11-09

Enquiries regarding specifications:

11:00

Ms B. Dlamini, Natalia Building, Longmarket Street (6th Floor Room 20 North Tower), or Miss Sbongile Mthethwa, 6th floor, Room 17, North Tower, Pietermaritzburg, Telephone: (033) 3952702, Fax: (033) 3458644.

No. 1995 2005

20 October 2005

## DEPARTMENT OF HEALTH

## CHURCH OF SCOTLAND HOSPITAL

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the tender document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each tender.
- (iv) The envelope must be addressed to Church of Scotland Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Church of Scotland Hospital, Stores Department, Private Bag X502, Tugela Ferry, 3010, Telephone: (033) 4930004, Fax.: (033) 4930828.

## SUPPLY:

Quotation number:

Connected chairs (Waiting area) Sample will be faxed on request

Closing date and time:

ZNQ 1328

Contact person:

2005-11-08 at 11:00

Mr T. A. Sokhela, Telephone: (033) 4930004, Ext. 3034

## SUPPLY:

Quotation number:

6 Classique office desk 1 600 x 800 x 730 oak with 4 drawers

Closing date and time:

6 Pisa high back swivel and tilt chair (maroon)

Contact person:

ZNQ 1329

2005-11-08 at 11:00

Mr T. A. Sokhela, Telephone: (033) 4930004, Ext. 3034

No. 1996, 2005

20 October 2005

## DEPARTMENT OF HOUSING

## CORPORATE SERVICES

## Award of tenders

## SERVICE:

Tender number:

Provision of Security Services: Austerville Agency: 114 Austerville Drive, Austerville, Durban

Contactor:

ZNT 1035/2005HSE

Magoda Security Services



SERVICE: Provision of Cleaning Services: Department of Housing, Tolaram House,  
Durban  
Tender number: ZNT 1034/2005HSE  
Contactor: Norma Ndlovu: Njabulo Cleaning Services

No. 1997, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## REGIONAL LAUNDRY NORTHERN NATAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) Quotation documents are available from the Department of Health, Regional Laundry Northern Natal, Telephone: (034) 2123161, Fax: (034) 2121211.

SUPPLY: 100 x Tons Coal Industrial mixed small  
Quotation number: ZNQ 164/2005  
Closing date: 2005-10-28  
Closing time: 11:00  
Contact person: Mrs A. S. Bhartu  
Enquiries regarding specification: Mrs A. S. Bhartu, Telephone: (034) 2123161

No. 1998, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## KZN PMTCT UNIT

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation forms obtainable at the Department of Health, No 9-12 Doncaster park, Derby downs office park, 10 Derby place, Westville or any Provincial government department, alternatively the suppliers may prepare a proposal sighting all necessary requirements.
- (ii) Specifications (if any) may only be obtainable from the Department of Health in Westville.
- (iii) Quotations/proposals must be hand delivered to the above address and must be sealed.
- (iv) The envelopes must be marked for the attention of Mr S. Z. Shelembe with a quotation number and closing date stipulated.
- (v) Name and address of the contractor must be written at the back of the envelope.
- (vi) All department of Health contracts awarded are subject to appeals, which are timeously lodged (if any) and letters of acceptance being issued.
- (vii) The closing date for the quotations below is Friday 28 October 2005 at 11:00.

SUPPLY: ART patient follow up cards with plastic covers (30 000)  
Quotation number: HIV 0189/05-6  
Closing date: 2005-10-28  
Closing time: 11:00  
Requirement: Suppliers must produce samples  
Enquires regarding specifications: Sphiwe Shelembe, Telephone: (031) 2665410

No. 1999, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## SISONKE DISTRICT HEALTH OFFICES

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied in the quotation document.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) Quotation documents are available from the Department of Health, Sisonke District Health Office, Private Bag X502, Ixopo, 3276, Telephone: (039) 8348219, Fax: (039) 8341301.

SUPPLY/SERVICE: Supply and paint 9 staff cottages including minor repairs at Polela Community Health Centre (Bulwer)  
Quotation number: ZNQ 441/2005  
Closing date: 2005-10-26

- Closing time 11:00  
*Compulsory site inspection:* 2005-10-21 at 10:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Musa Zuma, Telephone: (039) 8348216/072199
- SUPPLY:** Protein porridge – 1 kg packet (20 packets in a box)  
 220 x boxes and suppliers need to send sample of Protein porridge together with quotations  
 ZNQ 363/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Khumbu Mthinjana, Telephone: (039) 8341081/0733870209
- SUPPLY:** Calenders size 59 cm width 84 cm length x 30 000 units with AIDS ribbon at the corners, MEC for Health photo and District Manager's photo  
 ZNQ 361/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Khumbu Mthinjana, Telephone: (039) 8341081/0733870209
- SUPPLY:** T-shirts 180 g black x 600  
 T-shirts 180 g white x 600 with red ribbon and Government logo, Sisonke Health District and World AIDS  
 Day message for 2005  
 ZNQ 362/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Khumbu Mthinjana, Telephone: (039) 8341081/0733870209
- SUPPLY:** Facilitation for five (5) days workshop for Support x 3 Groups on caring for carers. Disclose an income generating projects for sustainability, company/organization to be sensitive to PLWA  
 ZNQ 366/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Khumbu Mthinjana, Telephone: (039) 8341081/0733870209
- SUPPLY:** Facilitation (1) of Home Based Care training in accordance with SAQA HBC Unit Standards.  
 Facilitator to include accommodation of the facilitation x eight (8) groups.  
 Company/organization to be HWSETA accredited  
 ZNQ 367/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: Khumbu Mthinjana, Telephone: (039) 8341081/0733870209
- SUPPLY/SERVICE:** Training facilities, dinner bed and breakfast for 30 people, morning tea and scones, lunch and afternoon tea and biscuits. Preferable accommodation to at Kokstad or Pietermaritzburg on 31 October–4 November 2005  
 ZNQ 449/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: B. A. Mkhize, Telephone: (039) 8341576/0732112530
- SUPPLY/SERVICE:** Training facilities, dinner bed and breakfast for 30 people, morning tea and scones, lunch and afternoon tea and biscuits. Preferable accommodation to at Kokstad or Pietermaritzburg on 21–25 November 2005  
 ZNQ 450/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: B. A. Mkhize, Telephone: (039) 8341576/0732112530
- SUPPLY:** STI Pamphlets Zulu version x 10 000  
 STI Pamphlets English version x 5 000  
 STI Flow charts – Treatment x 200  
 STI Pamphlets Sotho x 1 000  
 ZNQ 451/2005  
 Closing date: 2005-10-26  
 Closing time 11:00  
 Contact person: Ms P. K. Zungu, Telephone: (039) 8348219, Fax: (039) 8341301  
 Specification enquiry: B. A. Mkhize, Telephone: (039) 8341576/0732112530

## DEPARTMENT OF HEALTH

## HUMAN RESOURCE DEVELOPMENT

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document. Quotations over R30 000 require the completion of the ZNT 30 form.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Human Resource Development quoting the tender number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents (detailed in i above) are available from Department of Health, Human Resource Development, Room 115A, 8th Floor, South Tower, Natalia Building, Pietermaritzburg, 3201, Telephone: (033) 3952803.
- (viii) Tenderers must note that courses will be held on-site at Natalia Building, 330 Longmarket Street, Pietermaritzburg.
- (ix) Tenderers must be fully accredited by Saqa/Umelusi.
- (x) Tax Clearance Certificate to be attached.
- (xi) NB: A full specification outlining the courses requirements and outcomes and quotation documents must be collected from Mrs C. Hippolite, Room 115A, 8th Floor, South Tower, Natalia Building, 330 Longmarket Street, Pietermaritzburg, 3201, Before submitting a quotation document.

SUPPLY/SERVICE: To supply an Office Administration Course for the KwaZulu-Natal Department of Health – Head Office at Natalia Building, January 2006–March 2006  
 Number of delegates: 20 people  
 Office Administration Course to be 5 days  
 ZNQ 1982/2005-06  
 Quotation number: 2005-11-04  
 Closing date: 11:00  
 Closing time: 11:00  
 Enquiries regarding specifications: Mrs C. Hippolite, Natalia Building, Longmarket Street (8th Floor Room 115A, South Tower), Pietermaritzburg, Telephone: (033) 3952803

A full specification must be collected together with quotation documents prior to tender being submitted

## DEPARTMENT OF HEALTH

## PHOENIX COMMUNITY HEALTH CENTRE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects and all information must be supplied as stipulated in the quotation documents.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) The envelopes must be addressed to The C.H.C Manager, Phoenix Community Health Centre, Private Bag X007, Mount Edgecombe, 4300, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents and specifications are available from the Department of Health, (Phoenix Community Health Centre), Telephone: (031) 5076774, Fax: (031) 5007029.

SUPPLY: Office furniture  
 Quotation number: ZNQ 169/2005  
 Closing date: 2005-10-31  
 Closing time: 11:00  
 Contact person: Mr A. Udayan, Telephone: (031) 5076774, Ext. 267

## DEPARTMENT OF HEALTH

## NKNJENI HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Department of Health, Nkonjeni Hospital, with the quotation number and the closing date.
- (v) Quotation contractors must be registered with the provincial database.
- (vi) For quotations exceeding R30 000.00 an original Tax Clearance Certificate must be submitted.
- (vii) Quotations must be dropped into the tender box, near the Switchboard Area.
- (viii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (ix) Quotation documents are available from the Department of Health, Nkonjeni Hospital, Stores Department, Ekudubekeni Reserve, Private Bag X509, Mahlabathini, 3865, Telephone: (035) 8730013, Ext. 2227, Facsimile: (035) 8730031.

SUPPLY: Vision floor plosh 25 l x 81  
 Quotation number: ZNQ 669/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Floor liquid soap 25 l x 93  
 Quotation number: ZNQ 67/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Leverline softcare handsoap 800 ml x 6 in a box of 300 cartons  
 Quotation number: ZNQ 671/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: LSD 64 powder soap 25 kg x 45  
 Quotation number: ZNQ 672/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Royal powder soap 25 kg x 30  
 Quotation number: ZNQ 673/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Plastic bags clear 760 x 970 mm 100 mic. pack of 1 000  
 Quotation number: ZNQ 674/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Fitted garments – small box of 72–96 boxes  
 Quotation number: ZNQ 677/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

SUPPLY: Fitted garments – med box of 72–105 boxes  
 Quotation number: ZNQ 678/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

**SUPPLY:** Fitted garments – large box of 72–110 boxes  
 Quotation number: ZNQ 679/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss A. D. Ntuli, Telephone: Ext. 2323  
 Enquiries regarding specification: Ms A. D. Ntuli

**SUPPLY:** Unsterile gloves (Examtex) small 30 carton  
 Unsterile gloves (Examtex) large 40 carton  
 Quotation number: ZNQ 684/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2207  
 Enquiries regarding specification: Miss V. Jiyane

**SUPPLY:** Sterile gloves size 6 and 1/2 (20 carton) 8 box per carton  
 Sterile gloves size 7 (20 carton) 8 box per carton  
 Sterile gloves size 7 and 1/2 (20 carton) 8 box per carton  
 Sterile gloves sizes 8 (20 carton) 8 box per carton  
 Sterile gloves size 8 and 1/2 (20 carton) 8 box per carton  
 Quotation number: ZNQ 685/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227

**SUPPLY:** Vycril 359 g (1 x 12) 20 box  
 Vycril 486 g (1 x 12) 40 box  
 Vycril 524 g (1 x 12) 20 box  
 Vycril 474 g (1 x 12) 20 box  
 Quotation number: ZNQ 686/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227

**SUPPLY:** Chromic 763 (1 x 12) 20 box  
 Chromic 761 (1 x 12) 40 box  
 Chromic 6-0.794 g (1 x 12) 10 box  
 Chromic 4/0.635 g (1 x 12) 10 box  
 Chromic 3/0.636 g (1 x 12) 10 box  
 Quotation number: ZNQ 687/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227

**SUPPLY:** Silk 792 (1 x 12) 20 box  
 Silk 793 (1 x 12) 20 box  
 Sutures silk 794 (1 x 12) 20 box  
 Silk 6/0.5694 (1 x 12) 10 box  
 Silk 6-0 769 g (1 x 12) 10 box  
 Silk 3.5 794 (1 x 12) 10 box  
 Quotation number: ZNQ 688/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227

**SUPPLY:** Ethilon O. W796 (1 x 12) 10 box  
 Ethilon 6/0 5694 (1 x 12) 10 box  
 Quotation number: ZNQ 698/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane

**SUPPLY:** Injection needles blue 25 g 400 box (100 per box)  
 Injection needles green 21 g 400 box (100 per box)  
 Injection needles yellow 20 g 400 box (100 per box)  
 Quotation number: ZNQ 689/05  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227

**SUPPLY:** Syringes 2.5 ml 400 box (100 per box)  
 Syringes 5 ml 400 box (100 per box)  
 Syringes 10 ml 400 box (100 per box)  
 Quotation number: ZNQ 690  
 Closing date: 2005-11-08  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane, Telephone: Ext. 2227  
 Closing time: 11:00  
 Contact person: Miss V. Jiyane

<b>SUPPLY:</b>	Crepe bandages 50 cm (80 dozen) Crepe bandages 75 cm (80 dozen) Crepe bandages 100 mm (80 dozen)
Quotation number:	ZNQ 691/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Granuflex wound dressing 20 x 20 cm (100 box)
Quotation number:	ZNQ 692/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Katlostat wound dressing 10 x 20 cm (50 box)
Quotation number:	ZNQ 693/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Central venous pressure catheterisation sets with blue flextip catheter arrow 20 cm catheter length 16 ga (100 each) Central venous pressure catheterisation sets with blue flextip catheter arrow 20 cm catheter length 14 ga (100 each)
Quotation number:	ZNQ 694/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Wooden crutches-medium (90 pairs) Wooden crutches-large (60 pairs)
Quotation number:	ZNQ 695/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Colostomy bags sur-fit drainable pouch (70 mm) 42 box Colostomy flanges sur-fit (70 mm) 56 bags Colostomy flanges sur-fit (70 mm) 20 bags
Quotation number:	ZNQ 699/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227
<b>SUPPLY:</b>	Colostomy flanges (50 mm) 10 bags Colostomy flanges (60 mm) 20 bags
Quotation number:	ZNQ 700/05
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Miss V. Jiyane, Telephone: Ext. 2227

#### Award of quotations

<b>SUPPLY/SERVICE:</b>	Supply and fitting of window curtains and rails including doors in paediatric ward
Quotation number:	ZNQ 531/05
Contractor:	Shana Signs & Multi Sales
<b>SUPPLY/SERVICE:</b>	Supply and fitting of screens curtains in paediatric ward
Quotation number:	ZNQ 532/05
Contractor:	Top Deck Interior
<b>SERVICE:</b>	Security services Nkojeni Hospital clinics: Mdumezulu, Ulundi A, Mabedlana, Makhosini and Mpungamhlophe
Quotation number:	ZNQ 539/05
Contractor:	Senzangakhona Security co.
<b>SERVICE:</b>	Security services Nkojeni Hospital clinics: Mame, Wela, Lomo, Ncemaneni, Zilulwane and Nhlungwane clinics
Quotation number:	ZNQ 540/05
Contractor:	Mvimbeni Security Co.
<b>SERVICE:</b>	Catching/Trapping of cats Nkonjeni Hospital and communication with nearest SPCA to deliver the cats
Quotation number:	ZNQ 545/05
Contractor:	Somlomo Trading Solutions
<b>SUPPLY:</b>	Nursing school books
Quotation number:	ZNQ 568/05
Contractor:	Brainwave Projects 704

SUPPLY:	Office furniture
Quotation number:	ZNQ 569/05
Contractor:	Alert Stationers cc
SUPPLY:	Patient trolley with mattresses
Quotation number:	ZNQ 570/05
Contractor:	New Horizons Metals cc
SUPPLY:	Medical Equipment
Quotation number:	ZNQ 573/05
Contractor:	Royal Medical & Surgical Supplies
SUPPLY:	Medical Equipment
Quotation number:	ZNQ 574/05
Contractor:	Royal Medical & Surgical Supplies
SUPPLY:	Medical Equipment
Quotation number:	ZNQ 575/05
Contractor:	Mageba Capital Projects
SUPPLY:	Medical Equipment
Quotation number:	ZNQ 576/05
Contractor:	Royal Medical & Surgical Supplies cc
SUPPLY:	Soccer kit (jersey)
Quotation number:	ZNQ 578/05
Contractor:	SIB-Marvin Trading cc
SUPPLY/SERVICE:	Remove, Supply and fitting of floor sheeting in paediatric ward
Quotation number:	ZNQ 538/05
Contractor:	Ingelengele Construction & Cleaning

No. 2003, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## UNTUNJAMBILI HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF  
THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in a sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Dept. of Health, Sub-directorate: Provisioning Administration together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must endorsed at the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Untunjambili Hospital Private Bag X216, Kranskop, 3268, Telephone: (033) 4440818, Fax: (033) 4440179/4440987.

SERVICE:	Installation of a 12 m Steel Container for Storing of Pharmacy Medicine
Quotation number:	ZNQ 174/2005-2006
Closing date:	2005-11-15
Closing time:	11:00
<i>Compulsory site inspection (once off):</i>	2005-11-01
Closing time:	11:00
Contact person:	T. D. Goge, Telephone: (033) 4440818
Contact person for specification:	T. D. Goge, Ext. 215

SERVICE/SUPPLY:	Supply and nstallation of Display Notice Boards with double door glass and two locks
Quotation number:	ZNQ 175/2005-2006
Closing date:	2005-11-15
Closing time:	11:00
<i>Compulsory site inspection (once off):</i>	2005-11-01
Closing time:	11:00
Contact person:	T. D. Goge, Telephone: (033) 4440818
Contact person for specification:	T. D. Goge, Ext. 215

**Non-acceptance of quotation**

SERVICE:	Building of retaining walls and concrete ramps for laundry and stores
Quotation number:	ZNQ 21/2005-2006

No. 2004, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## EMMAUS HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENT OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Emmaus Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contract must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Emmaus Hospital, Stores Department, Cathedral Peak Road, Winterton, Telephone: (036) 4888211, Fax: (036) 4881156.

SERVICE:	Painting, concreting and replacement of roof gutters and downpipes
Quotation number:	ZNQ 300/05
Closing date:	2005-11-03
Closing time:	11:00
Contact person:	Ms T. D. Hlatshwayo, Telephone: (036) 4888211
Enquiries regarding specifications:	Mr R. B. Lalbeharie, Telephone: (036) 4888215
<i>Compulsory site inspection:</i>	Yes
Venue:	Emmaus Hospital Workshop
Date:	2005-10-28
Time:	10:00

No. 2005, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## GAMALAKHE SUB DISTRICT OFFICE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENT OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotation/sale must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotation/sale must be in the sealed envelopes.
- (iii) The envelope must be addressed to Gamalakhe Health Ward, Private Bag 887 Portshepstone 4240, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and the address of the contractor must be endorsed on the back of the envelope.
- (v) Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Gamalakhe Health Ward, Lot 317 Gamalakhe Main Road, Gamalakhe Township, 4249, Telephone: (039) 3181045, Fax: (039) 3181343.

SERVICE/SUPPLY:	For sale Gestetner 313 printing machine
Closing date:	2005-11-04
Time:	11:00
Contact person:	N. R. Memela (Mr)
Enquiries regarding specifications:	H. M. Kunene (Mr)

No. 2006, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## SUB-DIRECTORATE: PROVISIONING ADMINISTRATION

## Award of tender

SUPPLY:	Multiple medical anaesthetic gas monitors: King Edward VIII Hospital
Tender number:	ZNT 7402/2005-H
Contractor:	The Cupboard Group t/a Medhold GEMS



## DEPARTMENT OF HEALTH

## CLAIRWOOD HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Clairwood Hospital, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Clairwood Hospital, Mobeni, Telephone: (031) 4515071, Facsimile: (031) 4620430.

## SUPPLY/SERVICE:

Quotation number:	Upgrade male and female toilets as O.P.D. ZNQ 283 W/2005
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	Mr Nelson Jaganathan, Telephone: (031) 4515071
Enquiries regarding specification:	Mr R. Adlington, Telephone: (031) 4515008
<i>Compulsory site inspection:</i>	2005-10-26
Time:	11:00
Venue:	Clairwood Hospital Workshop

## DEPARTMENT OF HEALTH

## CLAIRWOOD HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Clairwood Hospital, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are separate subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Clairwood Hospital, Mobeni, Telephone: (031) 4515071, Facsimile: (031) 4620430.

## SUPPLY:

Quotation number:	Meat ZNQ 407/05
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	Mr Kessie Govindsamy, Telephone: (031) 4515071

## Award of quotations

## SUPPLY:

Quotation number:	Pedal Bins ZNQ 301/2005
Contractor:	Thandanani Chemicals cc

## SUPPLY:

Quotation number:	CCTV ZNQ 229/2005
Contractor:	Electronic Contral Lab.

No. 2009, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## MOSVOLD HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE  
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation documents.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Mosvold Hospital, Quotation Evaluation Committee, together with quotation number and closing date.
- (iv) The name and the address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents available at Mosvold Hospital, Stores Department, Ingwavuma Main Road, Telephone: (035) 5910145, Ext. 155, Fax: (035) 5910148/5910039.

## SUPPLY:

1 Statim 2 000 – 2 liter capacity 202102  
Including standard cassette without printer  
Four cycles – plus an abort program  
Unwrapped cycle – for sterilizing instruments unwrapped  
Wrapped cycle-for sterilizing instruments wrapped that need to be stored,  
delicate cycle for sterilizing certain rubber and plastic items, drying cycle for  
dyeing instruments left inside the cassette  
ZNQ 330/05/06  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039  
Mrs S. A. Nhleko

Quotation number:

Closing date:

Closing time:

Contact person:

Enquiries regarding specification:

## SUPPLY:

16 Units bed side locker with stainless steel  
Top and 1 drawer  
ZNQ 331/05/06  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039

Quotation number:

Closing date:

Closing time:

Contact person:

## SUPPLY:

2 set Grafton Everest lounge suite with 3 piece consist of foam and dacron on  
spring  
ZNQ 332/05/06  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039

Quotation number:

Closing date:

Closing time:

Contact person:

## SUPPLY:

1 Delivery bed (Birthing chair electric – Model Mv – 6090 electric remote  
control high-low Trendellenburg and reverse trendellingburg, raising backrest  
length 187 cm x width 89 cm height including mattress 122 cm–70 cm minimum  
height 60, maximum height 90  
Patient weight capacity 300 kg, 4 castors  
Three section mattress, with sealed  
Sealed to prevent fluid retractable safety sides 1 pair support arches.  
1 pair – 8 position feet support  
ZNQ 333/2005  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039

Quotation number:

Closing date:

Closing time:

Contact person:

## SUPPLY:

4 Electronic baumanometer criticare system 506dxn (pulse rate display and  
alarm)  
ZNQ 334/male/tb/opd 2005  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910145

Quotation number:

Closing date:

Closing time:

Contact person:

Enquiries regarding specification:

## SUPPLY:

85 Boxes gloves, elbow length procedure gloves similar or equal to dermagrip  
toenhance  
Preventive/precautions measures for HIV/AIDS  
Powder free size medium  
Length 450 mm width 95=5  
Packaging = 4 x 25 = 25 pairs per box  
ZNQ 325/mos/05/06  
2005-11-08  
11:00  
Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039

Quotation number:

Closing date:

Closing time:

Contact person:

SUPPLY:	75 Boxes gloves, elbow length procedure gloves Similar or equal to dermagrip to enhance Preventive/precautionary measures for HIV/AIDS type: powder free Size: medium Width 95 = 5 length 450 mm Packaging: 25 pairs per box = 4 x 25
Quotation number:	ZNQ 326/mos/05/06
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039
SUPPLY:	17 Boxes demacarries
Quotation number:	ZNQ 327/mos/2005
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039
SUPPLY:	1 Statim 2 000 cassette sterilizer
Quotation number:	ZNQ 330/eye/2005
Closing date:	2005-11-08
Closing time:	11:00
Contact person:	Mrs S. A. Nhleko, Telephone/Fax: (035) 5910039

**No. 2010, 2005**

20 October 2005

## DEPARTMENT OF HEALTH

## KING EDWARD VIII HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: King Edward VIII Hospital together with the quotation number and closing date.
- (v) The name and address of the tendered must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health: King Edward VIII Hospital, Stores Department, Private Bag X02, Congella, 4013, Telephone: (031) 3603446.

SUPPLY:	11 units of hollow core masonite doors 18 units of meranti double door frame 18 units of meranti double door frame and ledge 13 units of rebate lock mortice 2 sheets of cream formica
Quotation number:	ZNQ SR 227
Closing date:	2005-11-07
Time:	11:00
Contact person:	Sathie Reddy, Telephone: (031) 3603446
Enquiries regarding specification:	Mr H. Killian, Telephone: (031) 3603468

SUPPLY/SERVICE:	Supply and fitting of broken glass at N Block
Quotation number:	ZNQ SR 228
Closing date:	2005-11-14
Time:	11:00
Contact person:	Sathie Reddy, Telephone: (031) 3603446
Enquiries regarding specification:	Mr G. Cronje, Telephone: (031) 3603717
<i>Compulsory site meeting:</i>	2005-11-02 at 11:00

SUPPLY/SERVICE:	Supply and fitting of a/con units (4)
Quotation number:	ZNQ SR 229
Closing date:	2005-11-14
Time:	11:00
Contact person:	Sathie Reddy, Telephone: (031) 3603446
Enquiries regarding specification:	Mr R. Gopal, Telephone: (031) 3603716
<i>Compulsory site meeting:</i>	2005-11-02 at 11:00

SUPPLY/SERVICE:	Supply and fit a/con units (38)
Quotation number:	ZNQ SR 230
Closing date:	2005-11-14
Time:	11:00
Contact person:	Sathie Reddy, Telephone: (031) 3603446
Enquiries regarding specification:	Mr R. Gopal, Telephone: (031) 3603716
<i>Compulsory site meeting:</i>	2005-11-02 at 11:00

DEPARTMENT OF HEALTH  
KING EDWARD VIII HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: King Edward VIII Hospital together with the quotation number and closing date.
- (v) The name and address of the tendered must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health: King Edward VIII Hospital, Stores Department, Private Bag X02, Congella 4013. Telephone: (031) 3603707 – Percy Hlongwa.

**SERVICE:** Supply Chain Management Training Course  
**Quotation number:** ZNQ PH 443  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Electric Tow Tractor Truck Diving (Hyster) Training Course  
**Quotation number:** ZNQ PH 486  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Basic Computer Skills Training Course  
**Quotation number:** ZNQ PH 441  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** HIV/AIDS Management in the Workplace Training Course  
**Quotation number:** ZNQ PH 439  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Public Finance Management Training Course  
**Quotation number:** ZNQ PH 444  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Public Management Training Course  
**Quotation number:** ZNQ PH 438  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Welding Training Course Phase 1  
**Quotation number:** ZNQ PH 436  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Carpentry Training Course Phase 1  
**Quotation number:** ZNQ PH 437  
**Closing date:** 2005-10-31  
**Time:** 11:00  
**Contact person:** Percy Hlongwa, Telephone: (031) 3603707  
**Enquiries regarding specification:** Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:** Basic Life Support Training Course  
**Quotation number:** ZNQ PH 487

Closing date: 2005-10-31  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SERVICE:**  
 Quotation number: Fire Fighting Training Course  
 ZNQ PH 486  
 Closing date: 2005-10-31  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 55 Boxes of One Piece Closed Pouch Stoma Barrier  
 ZNQ PH 473  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 70 Boxes of Drainage Pouch  
 ZNQ PH 474  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 140 Boxes of Sur-Fit Plus Stoma Flex Wafer  
 ZNQ PH 475  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 480 Units of Dialysis Lines  
 ZNQ PH 476  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 12 Units of Medical Tmg Equipment  
 ZNQ PH 477  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 145 Units of Blood Pressure Cuffs  
 ZNQ PH 353  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: Vicryl 1 round bodies needle W359  
 ZNQ PH 155  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 9 Boxes Vicryl knitted Mesh 15 cm x 15 cm and Loop PDS II 244 cm  
 ZNQ PH 517  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 400 Units Closed suction catheter 14fr  
 ZNQ PH 526  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:**  
 Quotation number: 40 Units Merocel standard nasal dressing 8 cm  
 ZNQ PH 165  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:** 60 Boxes of Sutures Viicryls 1 and 3  
 Quotation number: ZNQ PH 558  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:** 16 Boxes of Colostomy stomahesive different sizes  
 Quotation number: ZNQ PH 559  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

**SUPPLY:** Books for KEH Library (see attached)  
 Quotation number: ZNQ PH 560  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Percy Hlongwa, Telephone: (031) 3603707  
 Enquiries regarding specification: Percy Hlongwa, Telephone: (031) 3603707

No. 2012, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## BENEDICTINE HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
 KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Benedictine Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Benedictine Provincial Hospital, Stores Department, Private Bag X5007, Nongoma, 3950, Telephone: (035) 8310314, Ext. 7062, Fax: (035) 8317007.
- (vii) To obtain quotation forms, please fax your request to the number below. No calls will be taken, except for queries relating to specification that are not clearly understood, see number of contact person.

**SUPPLY:** Mobile suction unit/Cattani Aspi Jet 6 (built-in motor, separating tank and electronic level control)  
 Quotation number: ZNQ 176/2005/2006  
 Closing date: 2005-11-11  
 Closing time: 11:00  
 Contact person: Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating to unclear specification, see paragraph (vii)  
 Enquiries regarding specifications: Please send fax to (035) 8317007, no telephone calls will be accepted to obtain quotation forms, see paragraph (vii)

**SUPPLY:** Robin, Lawnmower (01), Mitsubishi T.L 43 Brush Cutter (03), Grazer rotary 750 lawnmower (01)  
 Quotation number: ZNQ 177/05/06  
 Closing date: 2005-11-11  
 Closing time: 11:00  
 Contact person: Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating to unclear specification, see paragraph (vii)  
 Enquiries regarding specifications: Please send fax to (035) 8317007, no telephone calls will be accepted to obtain quotation forms, see paragraph (vii)

**Award of quotation**

**SERVICE:** Security services  
 Quotation number: ZNQ 161/2005/2006  
 Contractor: Mvimbeni Security Services

## DEPARTMENT OF HEALTH

## ILEMBE HEALTH DISTRICT OFFICE

QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Ilembe Health District Office, Quotation Evaluation Committee together with the quotation number and closing date and must be deposited into the tender box, which is next to the entrance of the office.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotations documents are available from Ilembe Health District Office – 36/40 Chief Albert Luthuli Street, 1st Floor OK Mall, KwaDukuza, 4450, Telephone: (032) 4373500, Fax: (032) 5511425.
- (v) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to Ilembe Health District Office, an original Tax Clearance Certificate must be submitted regardless of price.

## SUPPLY:

Hiring of 8 buses to Groutville transporting people attending KwaDukuza Sub-District Imbizo on 2005-12-03

Quotation number:  
Closing date:  
Closing time:  
Contact person:  
Enquiries regarding specification:

ZNQ 576/05/06  
2005-11-02  
11:00  
Mr N. E. Nxasana, Telephone: (032) 4373537  
Mr Sizwe Mabaso, Telephone: (032) 4373538

## SERVICE:

Catering for 5 000 people attending Imbizo at Groutville on 2005-12-03

Quotation number:  
Closing date:  
Closing time:  
Contact person:  
Enquiries regarding specification:

ZNQ 577/05/06  
2005-11-02  
11:00  
Mr N. E. Nxasana, Telephone: (032) 4373537  
Mr Sizwe Mabaso, Telephone: (032) 4373538

## SUPPLY:

Hiring of 5 000 seater marquee, with 5 000 chairs and 15 tables to be used at Groutville on 2005-12-03 for KwaDukuza Sub-District Imbizo

Quotation number:  
Closing date:  
Closing time:  
Contact person:  
Enquiries regarding specification:

ZNQ 578/05/06  
2005-11-02  
11:00  
Mr N. E. Nxasana, Telephone: (032) 4373537  
Mr Sizwe Mabaso, Telephone: (032) 4373538

## SERVICE:

Event Organiser to co-ordinate Imbizo to be held at KwaDukuza – Groutville on 2005-12-03

Quotation number:  
Closing date:  
Closing time:  
Contact person:  
Enquiries regarding specification:

ZNQ 579/05/06  
2005-11-02  
11:00  
Mr N. E. Nxasana, Telephone: (032) 4373537  
Mr Sizwe Mabaso, Telephone: (032) 4373538

## SUPPLY:

Provision of outside broadcasting, with DJ as MC, stage with roof, sound own power supply, 3 live well known performance artist, media coverage during event, promotion advert coverage before event, for KwaDukuza Sub-District Imbizo on 2005-12-03 to be held at Groutville

Quotation number:  
Closing date:  
Closing time:  
Contact person:  
Enquiries regarding specification:

ZNQ 576/05/06  
2005-11-02  
11:00  
Mr N. E. Nxasana, Telephone: (032) 4373537  
Mr Sizwe Mabaso, Telephone: (032) 4373538

No. 2014, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## HEALTH SERVICES CLUSTER

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official ZNQ24 quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes or faxed at the tenderer's risk.
- (iii) Separate envelopes must be used for each closing date.
- (iv) Quotations must be dropped into the quotation box at the undermentioned address.
- (v) Quotation documents are available from Human Resource Support, Room 103, 9<sup>th</sup> Floor, South Tower, Natalia Building, 330 Longmarket Street, Pietermaritzburg, 3200, Telephone: (033) 3952939, Facsimile: (033) 8450382.
- (vi) The quoting contractors must be registered with provincial database.
- (vii) An original ZNT 30 (Application for preference points) form must be submitted and a valid Original Tax Clearance Certificate must also be submitted regardless of the price. If documents are not submitted by the closing date, the quotation will not be considered.
- (viii) To obtain quotation forms please fax your request to the fax number mentioned below.

## SUPPLY:

Quotation number:

Closing date:

Time:

Enquiries regarding specification:

Client experience survey for all Hospitals in KwaZulu-Natal

ZNQ 0107/HSC/2005

2005-10-27

11:00

Please fax to (033) 8450382, no telephone calls will be accepted to obtain quotation forms (see paragraph viii)

## SUPPLY:

Quotation number:

Closing date:

Time:

Enquiries regarding specification:

Adverse health events monitoring and reporting systems for KwaZulu-Natal

ZNQ 01087/HSC/2005

2005-10-27

11:00

Please fax to (033) 8450382, no telephone calls will be accepted to obtain quotation forms (see paragraph viii)

No. 2015, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## CHRIST THE KING HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Christ the King Hospital, Private Bag X542, Ixopo, 3276 together with quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts are subject to appeals being timeously lodge (if any) and letter of acceptance being issued.
- (vii) Quotation documents are available at Christ the King Hospital, 1 Peter Hauff Drive, Ixopo, Telephone: (039) 8342067, Fax: (039) 8341116.

## SUPPLY/SERVICE:

Quotation number:

Closing date:

Closing time:

Site inspection date:

Site inspection time:

Contact person:

Supply and installation of elbow taps x127, Soap

Dispensers x127 and 16 x hand basins

ZNQ 298-05/06

2005-11-14

11:00

2005-11-08

13:00

Mr Mayaba

## Award of quotations

## SERVICE:

Quotation number:

Contractor:

Security Services

ZNQ 189-05/06

Paul &amp; Zane Security cc

## SERVICE:

Quotation number:

Contractor:

Cleaners

ZNQ 175-05/06

Nolinesa contractors



SERVICE:	Temporary cleks
Quotation number:	ZNQ 176-05/06
Contractor:	Biddas Business Project
SERVICE:	Driver (code 08)
Quotation number:	ZNQ 180-05/06
Contractor:	Jabulani Trading
SERVICE:	General Assistant (cooker)
Quotation number:	ZNQ 177-05/06
Contractor:	Jabulani Trading
SUPPLY:	NIBP Monitor
Quotation number:	ZNQ 179-05/06
Contractor:	Welch Allyn South Africa

No. 2016, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## KING EDWARD VIII HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: King Edward VIII Hospital together with the quotation number and closing date.
- (v) The name and address of the tendered must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, King Edward VIII Hospital, Stores Department, Private Bag X02, Congella, 4013, Telephone: (031) 3603448.

SUPPLY: 7 Units of twin lock binders/index/paper  
 Quotation number: ZNQ LS530  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: 732 Units of gfs 16 plus dialysis  
 Quotation number: ZNQ LS531  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: 2160 Units of fa104/fv104 dialysis lines  
 Quotation number: ZNQ LS532  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: 680 Units of av123 dialysis lines  
 Quotation number: ZNQ LS533  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: 15 Units of polyvinyl alcohol embolization particles  
 Quotation number: ZNQ LS534  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: 1152 Units of tape autoclave with indicator/sealing 24mm  
 Quotation number: ZNQ LS535  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

- SUPPLY:**  
Quotation number: 450 Units of needles biopsy 14fg  
Closing date: ZNQ LS471  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 11 000 Boxes of exam. Gloves n/sterile small/large  
Closing date: ZNQ LS529  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 68 800 Units of syringes 10ml  
Closing date: ZNQ LS536  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 105 Boxes of diff. sutures  
Closing date: ZNQ LS537  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 12 420 Units of crepe bandages 150 mm  
Closing date: ZNQ LS538  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 3725 Units of heat moist exchangers adult  
Closing date: ZNQ LS539  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 30 Boxes of clotless connectors  
Closing date: ZNQ LS540  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 1200 Units of bact/viral filters  
Closing date: ZNQ LS541  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 710 Boxes of wound dressing comfeel diff sizes.  
Closing date: ZNQ LS542  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 900 Boxes of wound dressing allevyn diff sizes  
Closing date: ZNQ LS543  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Louise Steyn, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 390 Boxes of wound dressing kalostat diff sizes  
Closing date: ZNQ LS544  
Time: 2005-11-07  
Contact person: 11:00  
Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448  
Mr D. Nzama, Telephone: (031) 3603448
- SUPPLY:**  
Quotation number: 580 Boxes of wound dressing biatain 100x100mm  
Closing date: ZNQ LS545  
Time: 2005-11-07

Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	4 Units of cardiocograph as per spec 4/1998 (electronics)
Quotation number:	ZNQ LS546
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	2 Units of flowmeter single oxygen as per specification a5keviii (anaesthetics)
Quotation number:	ZNQ LS547
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	160 Units of reinforced tracheal tubes different sizes
Quotation number:	ZNQ LS548
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SERVICE:</b>	Painting to exterior of main pharmacy
Quotation number:	ZNQ SR211
Site meeting:	2005-11-01
Time:	11:00
Closing date:	2005-11-14
Time:	11:00
Contact person:	Sathie Reddy, Telephone: (031) 3603446
Enquiries regarding specification:	Jeff Cronje, Telephone: (031) 3603717
<b>SUPPLY:</b>	6000 Boxes of gloves exam n/sterile large
Quotation number:	ZNQ LS656
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1300 Units of sets central venous pressure 15 drops/ml
Quotation number:	ZNQ LS657
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	2500 Units of syringes heparinized 1 ml with needle
Quotation number:	ZNQ LS658
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1140 Units of pressure monitoring tubing
Quotation number:	ZNQ LS659
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1100 Units of nebulizer kits adulting
Quotation number:	ZNQ LS660
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	2450 Units of pvc liners 2 lt blue/white
Quotation number:	ZNQ LS661
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	30 Boxes of dressing adher ster 28 x 45 cm
Quotation number:	ZNQ LS663
Closing date:	2005-11-07
Time:	11:00

Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	280 Boxes of dressing adher ster 180 x250 mm
Quotation number:	ZNQ LS664
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1800 Rolls of dressing adher ster 180 x250 mm
Quotation number:	ZNQ LS665
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	104 400 Units of syringes 5 ml
Quotation number:	ZNQ LS666
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	90 Units of catheter multi cvc 3 lumen 20 cm
Quotation number:	ZNQ LS667
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1020 Boxes of different sutures
Quotation number:	ZNQ LS668
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1 Unit of stretcher trolley
Quotation number:	ZNQ LS669
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	2 Unit of pelvic compression clamp/large distractor
Quotation number:	ZNQ LS670
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	4 Unit of infusion pumps peristaltic volumetric as per specification 10/1999
Quotation number:	ZNQ LS671
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1 Unit of laryngoscope battery operated as per specification s2
Quotation number:	ZNQ LS672
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	1 Unit of drying cabinet
Quotation number:	ZNQ LS673
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	90 Unit of plastic chairs
Quotation number:	ZNQ LS674
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448

SUPPLY:	1 Unit of patient recovery trolley
Quotation number:	ZNQ LS675
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	1 Unit of sphygmomanometer electronic as per specification e46
Quotation number:	ZNQ LS676
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	2 Unit of warming unit-forced air as per specification (electronics)
Quotation number:	ZNQ LS677
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	212 Unit of thermal printing paper
Quotation number:	ZNQ LS728
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	Different stationery for the hospitals
Quotation number:	ZNQ LS729
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	80 Boxes of labels 3 to view
Quotation number:	ZNQ LS730
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	800 Pkts of specimen bags (patients)
Quotation number:	ZNQ LS731
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	1 Unit of warmers blood/solution as per specification 6/2000
Quotation number:	ZNQ LS732
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	1 Unit of sphygmomanometers electronic as per specification e46
Quotation number:	ZNQ LS733
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	2 Unit of monitor apnoea as per specification 13/1999
Quotation number:	ZNQ LS734
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	1 Unit of defibrillator monitor as per specification 1/1997
Quotation number:	ZNQ LS735
Closing date:	2005-11-14
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
SUPPLY:	44 Unit of different. type of chairs
Quotation number:	ZNQ LS736
Closing date:	2005-11-07

Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	57 Unit of different type of mattresses
Quotation number:	ZNQ LS737
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	27 500 Unit of ecg electrodes adult/paed
Quotation number:	ZNQ LS739
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	10 000 Unit of anaesthesia ext set w/out luer lock 2 mm
Quotation number:	ZNQ LS740
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	Laparoscopic sheers/hook/blade
Quotation number:	ZNQ LS741
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	90 Units of different. catheters
Quotation number:	ZNQ LS742
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	2000 Units of filters bacterial
Quotation number:	ZNQ LS743
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	450 Units of diaries 2006 a4 & a5
Quotation number:	ZNQ LS744
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	100 Units of membrane sep. cartridges
Quotation number:	ZNQ LS745
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	10 Units of wooden benches
Quotation number:	ZNQ LS746
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	270 Units of tubes e/t different sizes
Quotation number:	ZNQ LS747
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448
<b>SUPPLY:</b>	18 Units of fridges
Quotation number:	ZNQ LS748
Closing date:	2005-11-07
Time:	11:00
Contact person:	Louise Steyn, Telephone: (031) 3603448
Enquiries regarding specification:	Louise Steyn, Telephone: (031) 3603448

SUPPLY: 2 Units of fridges (coke fridge)  
 Quotation number: ZNQ LS750  
 Closing date: 2005-11-07  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

**Award of quotations**

SUPPLY: 200 Units of front loading syringes  
 Quotation number: ZNQPH233  
 Contractor: Tyco Healthcare

SUPPLY: Gaspig forceps  
 Quotation number: ZNQ LS359  
 Contractor: Marcus Medical

SUPPLY: 25 Units of mopping units  
 Quotation number: ZNQ LS420  
 Contractor: Tugwana Floorcare

SUPPLY: 20 Units of catheter sp stamey 14fg  
 Quotation number: ZNQ LS348  
 Contractor: Progress Medical

SUPPLY: 10 000 Unit of syringes sterile single use with needle  
 Quotation number: ZNQ LS449  
 Contractor: Dynamed Medical & Pharmaceuticals

SUPPLY: 75 Boxes of different sutures  
 Quotation number: ZNQ LS451  
 Contractor: Clinisut

SUPPLY: 90 Boxes of different wound dressing  
 Quotation number: ZNQ LS356  
 Contractor: Coloplast

SUPPLY: 50 Boxes of different wound dressing  
 Quotation number: ZNQ LS450  
 Contractor: Icembe

SUPPLY: 1 Units of skinfolder callipers  
 Quotation number: ZNQ LS453  
 Contractor: Life Max

SUPPLY: 800 Pkts of paper towels 425 x 480 mm  
 Quotation number: ZNQ LS448  
 Contractor: Kimberly-clark

SUPPLY: Material/shower curtains/elastic/t/cloth  
 Quotation number: ZNQ LS415  
 Contractor: Oshlanga enterprises

SUPPLY/SERVICE: Supply and installation of pole/wall bins  
 Quotation number: ZNQ SR132  
 Contractor: S.E.T. Engineering supplies

SUPPLY: Suspended ceiling boards  
 Quotation number: ZNQ SR191  
 Contractor: Shain Trading

SUPPLY: 8000 Boxes of exam gloves s/m/l  
 Quotation number: ZNQ LS372  
 Contractor: Hospital Assise

SUPPLY: 640 Boxes of surg gloves size 81/2 and 7  
 Quotation number: ZNQ LS371  
 Contractor: Union Drug

SUPPLY: 1160 Units of fa104 and fv104 dialysers lines  
 Quotation number: ZNQ PH229  
 Contractor: B Braun

SUPPLY: 94 000 Units of clear/yellow bags  
 Quotation number: ZNQ LS452  
 Contractor: Rockdale Engineering and Hardware Supplies

**Cancellation of quotations**

SUPPLY: 4 Units of infusion pumps as per specification: 10/1999  
 Quotation number: ZNQ LS398

SUPPLY:	11 Boxes of linear cutters
Quotation number:	ZNQ PH347
SUPPLY:	100 Units of membrane sep. cartridges
Quotation number:	ZNQ PH268
SUPPLY:	1 Units of transport infant incubator
Quotation number:	ZNQ LS363

No. 2017, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## NGWELEZANA HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official form, which shall be completed in all respects.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Ngwelezana Hospital together with the quotation number and closing date.
- (v) Contracts will only be awarded to suppliers registered on the provincial database.
- (vi) Quotation documents must be deposited in the Quotation box at Ngwelezana Hospital.
- (vii) Quotation documents are available from The Department of Health, Ngwelezana Hospital, P/Bag X20021, Empangeni, 3880.

SUPPLY:	Universal primer metal 5 l (20) Duram flexicote grey 5 l (20) High gloss enamel black 5 l (02) High gloss enamel golden brown 5 l (02) School board black 5 l (02) NU gloss acrylic white 5 l (15) Velvagio cream VL042 5 l (20) Aqua shield 5 l (20) Paint remover 5 l (03) Bondine liquid 5 l (04) PVA acrylic white 5 l (20) ZNQ 144/09/2005/G
Quotation number:	2005-10-27
Closing date:	11:00
Time:	Mrs A. Mthwethwa, Telephone: (035) 9017180
Contact person:	A. Kruger or A. P. Mchunu, Telephone: (035) 9017124
Enquiries regarding specification:	

SUPPLY:	Toilet seat heavy duty puc (300) Rubber cone for flush master (30) Jumpers 15 mm (30) Jumpers 15 mm (30) Supa flush beta valve comp (60) Toilet ballvalve pul res union flexi hose comp with spray (60) Handle 150m x15 mm (20) Gulley grate 110 mm puc (20) T - piece with I/E puc 50 mm (06) 90 bend with I/E puc 50mm (06) ZNQ 83/10/2005/G
Quotation number:	2005-10-27
Closing date:	11:00
Time:	Mrs T. A. Mthethwa, Telephone: (035) 9017180
Contact person:	A. Kruger or A. P. Mchunu, Telephone: (035) 9017124
Enquiries regarding specification:	

SERVICE:	Cleaning Services -Ngwelezana Hospital
Quotation number:	ZNQ 90/10/2005
Closing date:	2005-11-03
Closing time:	11:00
Contact person:	Mrs T. A. Mthethwa, Telephone: (035) 9017180
Enquiries regarding specification:	Ms Z. K. Buthelezi, Telephone: (035) 9017043
<i>Compulsory site inspection:</i>	
Date:	2005-10-27
Time:	09:00
Venue:	Auditorium

SERVICE:	Porter and Messenger Services - Ngwelezana Hospital
Quotation number:	ZNQ 91/10/2005
Closing date:	2005-11-03
Closing time:	11:00
Contact person:	Mrs T. A. Mthethwa, Telephone: (035) 9017180
Enquiries regarding specification:	Ms Z. K. Buthelezi, Telephone: (035) 9017043



**Compulsory site inspection:**

Date: 2005-10-27  
 Time: 11:00  
 Venue: Auditorium

**Award of quotations**

**SERVICE:** Professional dancer  
**Quotation number:** ZNQ 28/09/2005/G  
**Contractor:** Frivoices Production

**SUPPLY:** Marquee  
**Quotation number:** ZNQ 221/08/2005/G  
**Contractor:** T.F.net cc

**SUPPLY:** Building cement 50kg, tile cement 20 kg, wall tiles white 152 x 152  
**Quotation number:** ZNQ 06/09/2005/G  
**Contractor:** Siphamandla

**SERVICE:** Reseal of roof repair  
**Quotation number:** ZNQ 199/09/2005/G  
**Contractor:** Malamlela Ngwane Thanon Multi Service

**SUPPLY:** Tidy wipers roll 200 x 1500m  
**Quotation number:** ZNQ 53/09/2005/G  
**Contractor:** Turbo Marketing

**SERVICE:** Cleaning of garden and grounds -Thokozani clinic  
**Quotation number:** ZNQ 81/08/2005/G  
**Contractor:** Ntulis Frivoices Production

**SUPPLY:** Big screen  
**Quotation number:** ZNQ 277/08/2005/G  
**Contractor:** Vide Quipt

**SUPPLY:** 515-12 cobra pila tap  
**Quotation number:** ZNQ 96/08/2005/G  
**Contractor:** Titanic Steel & Tube

**SUPPLY:** Toothed grasper  
**Quotation number:** ZNQ 79/09/2005/G  
**Contractor:** Johnson & Johnson

**SUPPLY:** Medical bib tap elbow action  
**Quotation number:** ZNQ 47/09/2005/G  
**Contractor:** AES Electrical Hardware

**SUPPLY:** Different forces and scissors for catarat operation  
**Quotation number:** ZNQ 91/09/2005/G  
**Contractor:** I - sight

**No. 2018, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****LOWER UMFOLOZI DISTRICT WAR MEMORIAL HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotations form, which shall be completed in all respects.
- (ii) Each quotation must be submitted in a sealed envelope
- (iii) The envelope must be addressed to Lower Umfolozi District War Memorial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letter of acceptance being issued.
- (vi) Quotation documents are available from Lower Umfolozi District War Memorial Hospital, Security Division, Union Street Empangeni, Telephone: (035) 9028523, Fax: (035) 7726630.

Institution: Lower Umfolozi District War Memorial Hospital

Telephone: (035) 9028523

Fax: (035) 7726630

Closing time: 11: 00

**SERVICE:** Basic Fire Fighting Course with certificates for 400 employees  
**Quotation number:** ZNQ 1064/2005/2006

Closing date:	2005-11-15
Closing time:	11:00
Contact person:	S. Naidoo, Telephone: (035) 9028503
Enquiries regarding specification:	Mr S. Naidoo, Telephone: (035) 9028502
<b>SUPPLY:</b>	Single use Bowie Dick test pack –steam penetration test for daily use in pre-vacuum steam sterilizers working at 134 degrees C to 137 degrees c for up to 3.5 minutes as required in EN:1995 conforms to class B steam:EN 867-4
Quantity:	60 boxes
Quotation number:	ZNQ 1063/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr S. Naidoo, Telephone: (035) 9028624
<b>SUPPLY:</b>	Vented/unvented Infusion set, 20 drops, 2 smart site Needleless valve ports with 15 filter, 250cm
Quantity:	800 units
Quotation number:	ZNQ 1062/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624
<b>SUPPLY:</b>	Disposable Sterile surgical Latex gloves size:71/2 (50 pairs)
Quantity:	600 boxes
Quotation number:	ZNQ 1061/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624
<b>SUPPLY:</b>	Disposable sterile surgical gloves size;61/2 (50 pairs)
Quantity:	336 boxes
Quotation number:	ZNQ 1060/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624
<b>SUPPLY:</b>	Non sterile Latex examination gloves –long cuff ambidextrous size: medium 310 mm (100 pieces)
Quantity:	1600 Boxes
Quotation number:	ZNQ 1059/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624
<b>SUPPLY:</b>	Hooks amino disposable
Quantity:	140 Boxes
Quotation number:	ZNQ 1058/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624
<b>SUPPLY:</b>	Hydropolymer adhesive dressing (8cm x 20cm)
Quantity:	300 Boxes
Quotation number:	ZNQ 1057/2005/2006
Closing date:	2005-11-01
Closing time:	11:00
Contact person:	A. Samputh, Telephone: (035) 9028624
Enquiries regarding specification:	Mr A. Samputh, Telephone: (035) 9028624

No. 2019, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## FACILITIES MANAGEMENT SUB-DIRECTORATE (CAPSO)

## Award of quotations

<b>SERVICE:</b>	Disposal of two (2) boilers and accessories at Ceza Hospital
Quotation number:	ZNQ 90.05/06-H
Contractor:	Zululand Steam Africa cc
<b>SERVICE:</b>	Demolition of disused buildings at Thulasizwe Hospital
Quotation number:	ZNQ 106.05/06-H
Contractor:	Turftrade 113 cc t/a Londeka

SERVICE: Ablution odour extraction system at Edendale Nursing Campus  
 Quotation number: ZNQ 92.05/06-H  
 Contractor: Khuthala Construction

No. 2020, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## STANGER HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
 KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in a sealed envelope.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Sub-directorate: Provisioning Administration together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) The department is not obliged to accept the lowest quotation.
- (viii) Quotation documents are available from The Department of Health, Sub-Directorate: Stanger Hospital, Corner King Shaka and Patterson Street, Stanger, Telephone: (032) 4376000, Fax: (032) 5512479.

SUPPLY: Quick Snap Aluminium frames  
 Quotation number: ZNQ 110 of /2005  
 Closing date: 2005-10-31  
 Closing time: 11:00  
 Contact person: Mr T. Ganasan  
 Enquiries: Mrs Nomusa Maphumulo  
 Enquiries for documents: All requests for documents will only be entertained after 14:00.

SUPPLY: Sutures  
 Quotation number: ZNQ 111 of /2005  
 Closing date: 2005-10-31  
 Closing time: 11:00  
 Contact person: Mr T. Ganasan  
 Enquiries: Mrs Nomusa Maphumulo  
 Enquiries for documents: All requests for documents will only be entertained after 14:00.

SUPPLY: Syringes  
 Quotation number: ZNQ 112 of /2005  
 Closing date: 2005-10-31  
 Closing time: 11:00  
 Contact person: Mr T. Ganasan  
 Enquiries: Mrs Nomusa Maphumulo  
 Enquiries for documents: All requests for documents will only be entertained after 14:00

SUPPLY: Needles Hypo Leur 21 g and 23 g  
 Quotation number: ZNQ 113 of /2005  
 Closing date: 2005-10-31  
 Closing time: 11:00  
 Contact person: Mr T. Ganasan  
 Enquiries: Mrs Nomusa Maphumulo  
 Enquiries for documents: All requests for documents will only be entertained after 14:00

No. 2021, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## KWAMASHU COMMUNITY HEALTH CENTRE

## Award of quotations

SUPPLY: 1 x Office desk x 3 drawers  
 6 Swivel chairs with armrest and high back  
 1 Swivel chair with armrest and back rest  
 20 Upholstery chairs without armrest  
 1 Half steel cupboard x 2 doors  
 1 Long steel cabinet x 2 drawers  
 1 Steel lockable cabinet x 4 drawers  
 1 Steel lockable cupboard 80 cm (w) x 180 cm (h) with 9 shelves 20 cm apart x 2 doors  
 1 Steel lockable cupboard with 5 shelves – 20 cm apart 100 cm (h) x 120 cm (D) x 15 cm (w)

Quotation number: 1 Side table 60 x 90  
 Contractor: 5 Stackable chairs  
 ZNQ 94 of 2005-06-H  
 Alert stationers c.c.

SUPPLY:

5 Basin – taps – cobra 515 – 21  
 4 Basin – wall taps – cobra 515/05521  
 4 Single taps basin cobra 503 – 21  
 5 Single taps Bib taps cobra 500 – 21  
 6 Basin with cobra 515/05521 elbow mixer  
 2 Elbow actin mixer 055 – 21  
 4 Medical mixer cobra 521 – 21  
 5 Bib taps with extension pieces  
 6 Bow bracket taps cobra 500 – 21  
 All taps be colour coded (Hot and Cold)

Quotation number: ZNQ 135 of 2005-06-H  
 Contractor: Lug Business Enterprises

**Withdrawal of quotation**

SERVICE/SUPPLY: Erect, supply, commission of various signs, boards and directions marking for KwaMashu Community Health Centre  
 Also supply and installation of – 7.5 m aluminium flag pole with swivel base and two pinnacles – pole to be mounted on a 500 x 600 cm deep concrete base

Quotation number: ZNQ 154(b) of 2005-06-H

**No. 2022, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****UGU DISTRICT HEALTH OFFICE****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes. Faxed quotations will not be accepted.
- (iii) The envelope must be addressed to Ugu District Health Office, Private Bag X735, Port Shepstone, 4240.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from: Ugu District Health Office, 41 Bisset Street, Port Shepstone, Main Entrance Nelson Mandela Drive, Telephone: (039) 6883000, Ext. 3049, Fax: (039) 6826296.

SUPPLY/SERVICE: Supply, Deliver, Install And Commission Modular Sewage Treatment Plant At Mgayi Clinic As Per Specification.

Quotation number: ZNQ 623 of 2005  
 Closing date: 2005-11-02  
 Closing time: 10:00  
 Compulsory site meeting: 2005-10-25  
 Time of meeting: 10:00  
 Contact person: Charles N. Khuzwayo, Telephone: (039) 6883000, Ext. 3049  
 Enquiries regarding specification: Bruce Jamieson, Telephone: (039) 6883000, Ext. 3042

**Tenderers must submit quotation documents together with original copy of Tax Clearance Certificate and ZNT 30 form available at Ugu District Office, Port Shepstone and at site meeting.**

**Tenderers must be registered on the Provincial Suppliers Database.**

**Award of quotation**

SERVICE: Painting of West Wing at Elim Clinic as per specification  
 Quotation number: ZNQ 304/05  
 Contractor: RNF Contractors

**No. 2023, 2005**

20 October 2005

**DEPARTMENT OF HEALTH****ST MARY'S KWAMAGWAZA HOSPITAL****Award of quotation**

SERVICE: Maintenance of gardens and grounds at KwaMagwaza Hospital  
 Quotation number: ZNQ121/05/6  
 Contractor: Nsakansaka Business Projects cc

SUPPLY:	3450 Packets, overshoe, single use
Quotation number:	ZNQ 427/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	2800 Packets of 48, toilet paper
Quotation number:	ZNQ 428/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	250 Boxes, toilet paper interfolded size: 105mmWide x 213mmLong
Quotation number:	ZNQ 429/2005/6
Closing date:	2005-11-03
Closing time: 11:00	
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	500 Boxes, paper, towels, kitchen
Quotation number:	ZNQ 430/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	500 Rolls, paper towel Rolls, size: 203mm wide x (Approximately). 330M Long
Quotation number:	ZNQ 431/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	400 Books, Occurrence
Quotation number:	ZNQ 077/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	1700 Books, Operation Theatre Record
Quotation number:	ZNQ 078/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	16050 Books, daily clinic register
Quotation number:	ZNQ 079/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	2500 Covers, Record: Department of Health KZN
Quotation number:	ZNQ 080/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)

- SUPPLY:**  
 Quotation number: 2350 Books, inspection sheets  
 Closing date: ZNQ 081/2005/6 P  
 Closing time: 2005-11-03  
 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted  
 For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 400 Boxes, envelope, Buff, 125 x 324 B6/C4, 100GSM  
 Closing date: ZNQ 445/2005/6  
 Closing time: 2005-11-03  
 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted  
 For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 3500 Units, stapling machine to take 26/6 staples  
 Closing date: ZNQ 446/2005/6  
 Closing time: 2005-11-03  
 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted  
 For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 150 Units, trousers men navy security, 102cm  
 Closing date: ZNQ 447/2005/6  
 Closing time: 2005-11-03  
 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted  
 For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 550 Units, theatre nurses' uniform, jade green, 117 cm  
 Closing date: ZNQ 448/2005/6  
 Closing time: 2005-11-03  
 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted  
 For queries relating to unclear specifications (see top of Page-viii)

No. 2025, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## CEZA HOSPITAL

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotation must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ceza Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Ceza Hospital, Telephone number: (035) 8320006, Fax number: (035) 83200.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the Ceza Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

**SERVICE:**  
 Quotation number: Pest control for Ceza Hospital for the period of 1 year (one year)  
 Closing date: ZNQ 305/2005-2006  
 Closing time: 2005-11-01  
 11:00  
 Enquiries regarding specification: Mr D. K. Nyandeni, Telephone: (035) 8320006  
*Compulsory site inspection:* 2005-10-27 at 11:00

**SUPPLY/SERVICE:**  
 Quotation number: Supply and installation of the Silhouette infold (shower) Flat No. 1  
 Closing date: ZNQ 301/2005-2006  
 Closing time: 2005-11-01  
 11:00  
 Enquiries regarding specification: Mr D. K. Nyandeni, Telephone: (035) 8320006  
*Compulsory site inspection:* 2005-10-27 at 11:00

## DEPARTMENT OF HEALTH

## CENTRAL PROVINCIAL STORES

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official ZNQ24 quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes or faxed at the tender's risk.
- (iii) Separate envelopes must be used for each closing date.
- (iv) Quotations must be dropped into the quotation box on the under mentioned address.
- (v) Quotation documents are available from CPS, 200 Mayors Walk, Pietermaritzburg 3201, Telephone: (033) 3946519, Facsimile: (033) 3428525.
- (vi) The quoting contractors must be registered with provincial database
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (Application for preference points) forms must Be submitted to Central Provincial Stores, an original Tax Clearance Certificate must also be submitted regardless of the price.
- (viii) To obtain quotation forms, please fax your request to number below. No calls will be taken, except for queries relating to specifications that are not clearly understood) see number by contact person.

SUPPLY:	3770 Pads, Trip Authorisation for the use of Government.Owned Motor Vehicle
Quotation number:	ZNQ 073/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquires regarding specifications	Please fax to (033) 3428525, no telephone calls will be Accepted to obtain quotation forms (see top of page- viii).
Contact person:	Mrs R. J. Morris, Telephone: (033) 3946519 -calls will only be taken For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	5000 Books, Ambulance return
Quotation number:	ZNQ 074/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms. (See top of page- viii)
Contact person:	Mrs R. J. Morris (033) 3946519-calls will only be taken For queries relating to unclear specifications (see top of Page- viii)
SUPPLY:	1300 Packets, Forms Nursing History: Assessment on Admission
Quotation number:	ZNQ 075/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms. (See top of page- viii)
Contact person:	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be taken For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	2500 Packets, File Cover, Case History
Quotation number:	ZNQ 076/2005/6 P
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person:	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	100 Boxes, 90 Grams A4 Mondi Platinum Bond Paper
Quotation number:	ZNQ 416/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	600 Boxes, White Paper: 1 Part Continuous, Plain, 60GSM
Quotation number:	ZNQ 417/2005/6
Closing date:	2005-11-03
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
Contact person	Mrs R.J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)

- SUPPLY:**  
 Quotation number: 418 Units, Body Bags, White, Baby/Infant  
 ZNQ 418/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 3000 Units, body bags, white, small/Child  
 ZNQ 419/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 5000 Units, body bags, white, medium  
 ZNQ 420/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 2000 Units, body bags, white, X-Large  
 ZNQ 421/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 2000 Units, body bags, white, XX-Large  
 ZNQ 422/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 100 Units, Patroller jacket with detachable liner, 102cm  
 ZNQ 423/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 3000 Units, pillowslips, with 23cm flap, maz. blue, 75cm x 50cm  
 ZNQ 424/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 1000 Units, sheets, Lithotomy jade green  
 ZNQ 425/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)
- SUPPLY:**  
 Quotation number: 220 Units, trousers, combat navy, mMale and female, 81cm  
 ZNQ 426/2005/6  
 Closing date: 2005-11-03  
 Closing time: 11:00  
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will Be accepted to obtain quotation forms (see top of page-viii)  
 Contact person: Mrs R. J. Morris, Telephone: (033) 3946519, calls will only be accepted For queries relating to unclear specifications (see top of Page-viii)



## DEPARTMENT OF HEALTH

## ADDINGTON HOSPITAL

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU - NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation documents.
- (ii) Each quotation must be in a sealed envelope.
- (iii) The envelope must be addressed to Addington Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractors must be endorsed on the back of the envelope.
- (v) All Department of Health Contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from the Department of Health, Addington Hospital, Telephone: (031) 3272000, Fax: (031) 3272758/9

**SUPPLY/SERVICE:** Supply and installation of Ceiling Mounted Light Fittings – as per specification  
**Quotation number:** ZNQ 665 C  
**Closing time:** 11:00  
**Closing date:** 2005-11-04  
**Site meeting time:** 10:30  
**Site meeting date:** 2005-10-31  
**Contact person:** Mr W. Vinden, Telephone: (031) 3272131  
**Enquiries regarding specification:** Mr N. Pieterse, Telephone: (031) 3272117

**SUPPLY/SERVICE:** Supply and installation of information signs – as per specification  
**Quotation number:** ZNQ 708 C  
**Closing time:** 11:00  
**Closing date:** 2005-11-03  
**Site meeting time:** 10:30  
**Site meeting date:** 2005-10-28  
**Contact person:** Mr W. Vinden, Telephone: (031) 3272131  
**Enquiries regarding specification:** Mr N. Pieterse, Telephone: (031) 3272112

**SUPPLY/SERVICE:** Supply and installation of security frames and doors – as per specification  
**Quotation number:** ZNQ 707 C  
**Closing time:** 11:00  
**Closing date:** 2005-11-04  
**Site meeting time:** 10:30  
**Site meeting date:** 2005-11-01  
**Contact person:** Mr W. Vinden, Telephone: (031) 3272131  
**Enquiries regarding specification:** Mr B. Dunsmuir, Telephone: (031) 3272113

**SUPPLY/SERVICE:** Supply and installation of stainless steel Razor Coil Wire – as per specification  
**Quotation number:** ZNQ 39/05 C  
**Closing time:** 11:00  
**Closing date:** 2005-11-04  
**Site meeting time:** 10:30  
**Site meeting date:** 2005-11-01  
**Contact person:** Mr W. Vinden, Telephone: (031) 3272131  
**Enquiries regarding specification:** Mr B. Dunsmuir, Telephone: (031) 3272113

**SUPPLY:** 180 x Toner cartridge Lexmark T430 12 A8420  
**Quotation number:** ZNQ 825 A  
**Closing time:** 11:00  
**Closing date:** 2005-11-03  
**Contact person:** Mr G. Pillay, Telephone: (031) 3272132/3  
**Enquiries regarding specification:** Mr G. Pillay, Telephone: (031) 3272132/3

## DEPARTMENT OF HEALTH

## HUMAN RESOURCE DEVELOPMENT

## Cancellation of quotation

**SUPPLY:** – Learnership training on food and beverage service (FSC04)  
 – Skills programme training for Foodservice Aids (FSSP1)  
 – Skills Programme training for Cooks (FSSP1)

**Quotation number:** ZNQ 1846/05-06

No. 2028, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## KWADABEKA COMMUNITY HEALTH CENTRE

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be submitted on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in the sealed envelopes.
- (iii) The envelope must be addressed to KwaDabeka Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from KwaDabeka Stores Department, 4 Spine Road, KwaDabeka, Tel.: (031) 7071355, Ext. 244, Fax: (031) 7111151.

**SUPPLY:** 3 x Sphygmomanometers Electronic (Hospital Grade)  
 Quotation number: ZNQ 355/05  
 Closing date: 2005-11-04  
 Closing time: 11:00  
 Contact person: Mr D. Ndlovu, Telephone: (031) 7071355, Ext. 244  
 Enquiries regarding specification: Mr R. Naidoo/B. Lewele, Telephone: (031) 7072371

**SUPPLY:** 13 x Diagnostic sets (Wall mounted)  
 Quotation number: ZNQ 354/05  
 Closing date: 2005-11-04  
 Closing time: 11:00  
 Contact person: Mr D. Ndlovu, Telephone: (031) 7071355, Ext. 244  
 Enquiries regarding specification: Mr R. Naidoo/B. Lewele, Telephone: (031) 7072371

**SUPPLY:** 1 x Minus 40 Refrigerator  
 Quotation number: ZNQ 353/05  
 Closing date: 2005-11-04  
 Closing time: 11:00  
 Contact person: Mr D. Ndlovu, Telephone: (031) 7071355, Ext. 244  
 Enquiries regarding specification: Mr R. Naidoo/B. Lewele, Telephone: (031) 7072371

No. 2029, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## MALARIA CONTROL PROGRAMME KZN

## QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotes must be on the official tender form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Each quotation must be submitted in a sealed envelope, with the name and address of the Tenderer, the quotation number and closing date indicated on the envelope. All quotations must be deposited in the Quotation box at either one of the two offices mentioned hereunder.
- (iii) No quotation received, even those through the post, will be considered if it is received after the closing date and time stipulated.
- (iv) Quotation documents can be obtained from the Department of Health, Malaria Control programme offices in Richards Bay and Jozini, Telephone: (035) 7892611 Contact person: Liezel Botes.
- (v) Failure to comply with these requirements may result in the quotations being disregarded.  
 Telephone: (035) 7892611, Fax: (035) 7894780  
 Closing time: 11:00  
 Closing date: 2005-11-15

**SUPPLY:** Shoes, mens brown parabellum x 622 pairs  
 Quotation number: ZNQ 203 of 2005/2006  
 Contact person: Liezel Botes  
 Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

**SUPPLY:** Gumboots, black x 134 pairs  
 Quotation number: ZNQ 204 of 2005/2006  
 Contact person: Liezel Botes  
 Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

**SUPPLY:** Boots, mens brown leather x 488 pairs  
 Quotation number: ZNQ 205 of 2005/2006

Contact person: Liezel Botes  
Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

**SUPPLY:** Socks anklets, mens khaki x 470 pairs  
Quotation number: ZNQ 206 of 2005/2006  
Contact person: Liezel Botes  
Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

**SUPPLY:** Socks half hose, mens khaki x 340 pairs  
Quotation number: ZNQ 207 of 2005/2006  
Contact person: Liezel Botes  
Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

**SUPPLY:** Epauettes, khaki with printing x 240 pairs  
Quotation number: ZNQ 208 of 2005/2006  
Contact person: Liezel Botes  
Enquiries regarding specifications: Liezel Botes, Telephone: (035) 7892611

No. 2030, 2005

20 October 2005

## DEPARTMENT OF HEALTH

## ADDINGTON HOSPITAL, COLLEGE OF NURSING

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation documents.
- (ii) Each quotation must be in a sealed envelope.
- (iii) The envelope must be addressed to Addington Hospital, College of Nursing Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractors must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from the Department of Health, Addington Hospital, College of Nursing, Telephone: (031) 3272103, Fax: (031) 3272756.

**SUPPLY:** 25 x Upholstered solid wooden chairs as per diagram and specification  
Quotation number: ZNQ 30/05  
Closing time: 11:00  
Closing date: 2005-11-03  
Contact person: Meryl van Tromp, Telephone: (031) 3272103  
Enquiries regarding specification: Meryl van Tromp, Telephone: (031) 3272103

**SUPPLY:** 25 x Cain Chairs as per diagram and specification  
Quotation number: ZNQ 29/05  
Closing time: 11:00  
Closing date: 2005-11-03  
Contact person: Meryl van Tromp, Telephone: (031) 3272103  
Enquiries regarding specification: Meryl van Tromp, Telephone: (031) 3272103

**SUPPLY:** 1 x Nursing Anne Vitalism Advance as per diagram and specification  
Quotation number: ZNQ 27/05  
Closing time: 11:00  
Closing date: 2005-11-03  
Contact person: Meryl van Tromp, Telephone: (031) 3272103  
Enquiries regarding specification: Meryl van Tromp, Telephone: (031) 3272103

**SUPPLY:** 1 x Maternal and Neonatal Birtching Simulator as per diagram and specification  
Quotation number: ZNQ 7/05  
Closing time: 11:00  
Closing date: 2005-11-03  
Contact person: Meryl van Tromp, Telephone: (031) 3272103  
Enquiries regarding specification: Meryl van Tromp, Telephone: (031) 3272103

**SUPPLY:** 2 x Surgical beds as per diagram and specification  
Quotation number: ZNQ 33/05  
Closing time: 11:00  
Closing date: 2005-11-03  
Contact person: Meryl van Tromp, Telephone: (031) 3272103  
Enquiries regarding specification: Meryl van Tromp, Telephone: (031) 3272103

## DEPARTMENT OF HEALTH

## ST ANDREW'S HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes. The envelope must be addressed to St Andrew's Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iii) The name and address of the quoting supplier/contractor must be endorsed on the back of the envelope.
- (iv) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (v) Quotation documents are available at St Andrew's Hospital, Stores Department, 14 Moodie Street, Harding, Telephone: (039) 4331955, Ext. 229, Fax: (039) 4332051.
- (vi) An original ZNT 30 (Application for preference points) forms and a valid original Tax Clearance Certificate must be submitted.

## SERVICE:

Quotation number: E Ward – Convert Ablution Block into a store room  
ZNSQ 120/05  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Himler Ogle  
Enquiries regarding specifications: Himler Ogle, Telephone: (039) 4331955, Ext. 229  
*Compulsory site meeting:* 2005-11-03  
Time: 11:00

## SERVICE:

Quotation number: Re-locate pigswill enclosure  
ZNSQ 121/05  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Himler Ogle  
Enquiries regarding specifications: Himler Ogle, Telephone: (039) 4331955, Ext. 229  
*Compulsory site meeting:* 2005-11-03  
Time: 11:00

## SERVICE:

Quotation number: Extend and modify existing garbage enclosure  
ZNSQ 122/05  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Himler Ogle  
Enquiries regarding specifications: Himler Ogle, Telephone: (039) 4331955, Ext. 229  
*Compulsory site meeting:* 2005-11-03  
Time: 11:00

## SERVICE:

Quotation number: Construct a storage area for condemned and excess items  
ZNSQ 123/05  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Himler Ogle  
Enquiries regarding specifications: Himler Ogle, Telephone: (039) 4331955, Ext. 229  
*Compulsory site meeting:* 2005-11-03  
Time: 11:00

## SUPPLY:

Quotation number: New wheelchair and stretcher bay – OPD  
ZNSQ 124/05  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Himler Ogle  
Enquiries regarding specifications: Himler Ogle, Telephone: (039) 4331955, Ext. 229  
*Compulsory site meeting:* 2005-11-03  
Time: 11:00

## SUPPLY:

Quotation number: (3 x 4 m) Pozzie Office/Wendy Office with veranda, sliding window in front,  
writing desk top and extra side opening window  
ZNSQ 283/05  
Closing date: 2005-11-04  
Closing time: 11:00  
Contact person: Mr Sosibo  
Enquiries regarding specifications: Mr Sosibo, Telephone: (039) 4331955, Ext. 270  
*Site meeting:* 2005-10-28  
Time: 11:00

## SUPPLY:

Bed sheet unbleached cotton sheets 160 x 275 cm with K Z N IMPRINT  
Quantity 500

Quotation number:	Draw Sheet unbleached white sheeting 100 x 180 cm with K Z N IMPRINT
Closing date:	Quantity 500
Closing time:	ZNQ 471/2005
Contact person:	2005-11-11
Enquiries regarding specifications:	11:00
Time:	Mr Sosibo
	Mr Sosibo, Telephone: (039) 4331955, Ext. 270
	11:00

**No. 2032, 2005**

20 October 2005

## DEPARTMENT OF HEALTH

## CHARLES JOHNSON MEMORIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENT OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Charles Johnson Memorial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Charles Johnson Memorial Hospital, Stores Department, Flint Street, Nqutu – Tel.: (034) 2711900, Fax: (034) 2710169
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the Charles Johnson Memorial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

## SUPPLY:

Quotation number:	Portable/Mobile Dental Unit = 1
Closing date:	Specification: H.T.U. – C.E. NO. S14 (Surgical)
Closing time:	ZNQ No. 0391 - 2005/2006
Contact person:	2005-11-03
Enquiries regarding specification:	11:00
	Ms Thabisile Malevu/Mr Sibusiso Hlatshwayo
	Mr Sibusiso Hlatshwayo, Telephone: (034) 2711900

**No. 2033, 2005**

20 October 2005

## DEPARTMENT OF HEALTH

## HEALTH TECHNOLOGY UNIT: CLINICAL ENGINEERING

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Department of Health, Health Technology Unit: Clinical Engineering, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) Suppliers must supply a valid, original, Tax Clearance Certificate.
- (vii) Suppliers must submit a ZNT 30 to claim preference points for items over R30.000.00 in value.
- (viii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (ix) Quotations documents are available from the Department of Health, Health Technology Unit: Assets Management, c/o Wentworth Hospital, Boston Road off Quality Street, Jacobs, Durban, Telephone: (031) 4614531, Fax: (031) 4689594, between 07:00 to 15:00.

**IMPORTANT NOTICE:**

**Tenderers to please note that tender/quotation documents will only be issued between 09:00 and 15:00 on the following days: Mondays, Tuesdays and Fridays. and a valid copy of the tenderer's Tax Clearance Certificate is produced with the KZN Treasury Database Number when collecting any tender document/s.**

**Also please note that Companies will be turned away on Wednesday and Thursday!!**

**NB: This office will not fax nor e-mail tender/quotation documents!**

## SUPPLY:

Quotation number:	2 x Cardiac monitors for Addington Hospital
Closing date:	ZNQ 801 of 2005/2006
Closing time:	2005-11-11
Contact person:	11:00
	Miss J. Jones, Telephone: (031) 4614531

Enquiries regarding specification: Specification number:	Mr R. Govender, Telephone: (031) 4614531 E68 (Electronics)
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification: Specification number:	15 x Infusion pumps – peristaltic volumetric for various hospitals ZNQ 802 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531 10/1999 (Electronics)
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification: Specification number:	4 x Defibrillator monitor – portable, built-in recorder for various hospitals ZNQ 803 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531 1/1997 (Electronics)
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification: Specification number:	16 x Electrocardiograph – multi channel with interpretation for various Hospitals ZNQ 804 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531 1/1998 (Electronics)
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification: Specification number:	14 x Monitor multiparameter for Dundee Hospital ZNQ 805 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531 11/12000 (Electronics)
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	72 x Double O2 flowmeters for area 3 ZNQ 823 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	29 x Portable Suction Units for Area 3 ZNQ 824 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	138 x Head boxes for area 3 ZNQ 825 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	20 x NIBP Monitors for area 3 ZNQ 826 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	71 x Apnoea monitors for area 3 ZNQ 827 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date: Closing time: Contact person: Enquiries regarding specification:	30 x Diagnostic sets for area 3 ZNQ 828 of 2005/2006 2005-11-11 11:00 Miss J. Jones, Telephone: (031) 4614531 Mr R. Govender, Telephone: (031) 4614531
<b>SUPPLY:</b> Quotation number: Closing date:	34 x Phototherapy lights for area 3 ZNQ 829 of 2005/2006 2005-11-11

Closing time: 11:00  
Contact person: Miss J. Jones, Telephone: (031) 4614531  
Enquiries regarding specification: Mr R. Govender, Telephone: (031) 4614531

**SUPPLY:** 43 x Infant warmers for area 3  
Quotation number: ZNQ 830 of 2005/2006  
Closing date: 2005-11-11  
Closing time: 11:00  
Contact person: Miss J. Jones, Telephone: (031) 4614531  
Enquiries regarding specification: Mr R. Govender, Telephone: (031) 4614531

#### Award of quotations

**SUPPLY:** 1 x Tablet counter for Ngwelezana Hospital (Revit)  
Quotation number: ZNQ 577 of 2005/2006  
Contractor: Pakmatic Co (Pty) Ltd

**SUPPLY:** 41 x Cholesterol testing machines for various clinics  
Quotation number: ZNQ 578 of 2005/2006  
Contractor: Roche

**MUNISIPALE KENNISGEWINGS — IZAZISO ZIKAMASIPALA — MUNICIPAL NOTICES**

No. 47, 2005

20 October 2005

**T**HE Council of Matatielé Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following By-laws:

**MATATIELE LOCAL MUNICIPALITY  
PUBLIC HEALTH BY-LAWS**

**TABLE OF CONTENTS**

**CHAPTER 1**

**INTERPRETATION AND FUNDAMENTAL PRINCIPLES**

1. Definitions and interpretation
2. Purpose

**CHAPTER 2**

**PUBLIC HEALTH**

**Part 1: Public health principles**

3. Principles
4. Application of principles

**Part 2: Public health hazards and public health nuisances**

5. Prohibition on causing public health hazards
6. Duty to report public health hazards
7. Prohibition on causing public health nuisances

**CHAPTER 3**

**POTENTIALLY HAZARDOUS USES OF PREMISES AND ENFORCEMENT**

**Part 1: Potentially hazardous uses**

8. Duty to list potentially hazardous uses
9. Scheduled uses
10. Exemption certificates
11. Public health permits
12. Approval of measures, objects and materials
13. Application procedure
14. General terms applicable to certificates and permits
15. Suspension, cancellation and amendment of exemption certificates and permits

**Part 2: Enforcement, remedial work and costs**

16. Demolition orders
17. Municipal remedial work
18. Cost orders

**CHAPTER 4:**

**SANITARY SERVICES**

19. Compulsory connection to municipal sewage system
20. Prohibition against obstruction of sanitary service
21. Requirements in respect of toilet facilities
22. Toilets for workers
23. Prohibition against use of a bucket toilet under the same roof as a dwelling
24. Condition of toilets, urinals, backyards and refuse areas
25. Separate storage of urine
26. Provision of tank for waste liquids in areas without sewers
27. Pumping of contents of underground tank to surface tank
28. Blocked or defective outlet pipes
29. Prohibition against urine in slops tanks

**CHAPTER 5**

**PRIVATE SEWAGE WORKS**

30. Permit for provision of service for the removal of human excrement or urine
31. Permit for installation of sewage works
32. Maintenance of sewage works
33. Disposal of sewage, sewage effluent and wastewater without causing a public health nuisance and/or hazard
34. Compulsory use of Council's sewage removal service

**CHAPTER 6**

**WATER**

35. Definitions
36. Pollution of sources of water supply



37. Dangerous wells, boreholes and excavations
38. Provision of adequate water supply
39. Use of water from sources other than the municipal supply
40. Furnishing of particulars of the source of water
41. Notice of the sinking or digging of boreholes or wells
42. Storm water runoff from premises which may impact on public health
43. Containment of waste water

**CHAPTER 7  
OFFENSIVE TRADES**

44. Definitions
45. Permit requirement
46. Requirements for premises
47. Duties of offensive traders
48. Liquid refuse from bone and tripe boiling
49. Liquids, tanks and tubs in leather making
50. Storage of rags, bones and waste

**CHAPTER 8  
HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICES**

51. Definitions
52. Permit requirement
53. Requirements for premises
54. Duties of salon operators
55. Required minimum health standards for the operation of a salon
56. Prohibition against the use of salon premises for other purposes

**CHAPTER 9  
SECOND-HAND GOODS**

57. Definitions
58. Requirements for premises
59. Duties of second-hand goods traders

**CHAPTER 10  
ACCOMMODATION ESTABLISHMENTS**

60. Definitions
61. Permit requirement
62. Requirements for premises of accommodation establishments
63. Duties of operators of accommodation establishments

**CHAPTER 11  
DRY-CLEANING AND LAUNDRY ESTABLISHMENTS**

64. Definitions
65. Premises for dry-cleaning or laundry businesses
66. Premises for dry-cleaning or laundry receiving depots
67. Premises for coin-operated laundries
68. General requirements for dry-cleaning and laundry businesses

**CHAPTER 12  
SWIMMING POOLS AND SPA-BATHS**

69. Definitions
70. Requirements for premises
71. Duties of spa-bath keepers
72. Duties of swimming pool keepers
73. Water supply
74. Safety of water
75. Order and behaviour

**CHAPTER 13  
NURSING HOMES**

76. Definitions
77. Use of premises
78. General requirements
79. Floor requirements
80. Maintenance and construction
81. Ventilation
82. Ward requirements

83. Maternity homes
84. Operating theatres
85. Ablution and sanitary requirements
86. Sluice-rooms
87. Kitchens and sculleries
88. Storage of foodstuffs
89. Layout of rooms
90. Medicines and poisons
91. Sterilisation
92. Laundering
93. Reception rooms for soiled articles
94. Laundry rooms
95. Storage rooms
96. Linen
97. Refuse receptacles
98. Accommodation for nursing staff

**CHAPTER 14  
CHILD - CARE SERVICES**

99. Definitions
100. Permit requirement
101. General requirements for child-care premises
102. Indoor play areas
103. Outdoor play areas
104. Toilet and wash facilities
105. Toilet and wash facilities for children under the age of 2 years
106. General requirements
107. Resting and play equipment
108. After-school facilities
109. Medical care for children
110. Safety Measures
111. General duties of a child-care service provider
112. Application for admission
113. Registers
114. Medical reports
115. General journal
116. Medical journal

**CHAPTER 15  
KEEPING OF ANIMALS**

117. Definitions
- Part 1: General provisions relating to the keeping of animals**
118. Application of Chapter
- Part 2: Keeping of cattle, horses, mules and donkeys**
119. Requirements for premises
120. Duties of keeper of cattle, horses, mules and donkeys
- Part 3: Keeping of goats and sheep**
121. Application
122. Requirements for premises
123. Duties of keeper of goats and sheep
- Part 4: Keeping of poultry**
124. Application
125. Permit requirement
126. Requirements for premises
127. Duties of keepers of poultry
- Part 5: Keeping of rabbits**
128. Application
129. Permit requirement
130. Requirements for the premises
131. Duties of keepers of rabbits
- Part 6: Keeping of birds other than poultry**
132. Requirements for the premises
133. Duties of keepers of aviaries

**Part 7: Kennels and catteries**

- 134. Requirements for premises
- 135. Food preparation areas
- 136. Duties of keepers of kennels or catteries

**Part 8: Pet shops and pet parlours**

- 137. Requirements for premises
- 138. Duties of pet shop or pet parlour keepers

**Part 9: Keeping of wild animals**

- 139. Requirements for the premises
- 140. Duties of keepers of wild animals

**Part 10: Keeping of pigs**

- 141. Requirements for premises
- 142. Duties of keepers of pigs

**Part 11: General provisions**

- 143. Drainage
- 144. Dangerous animals
- 145. Requirements for keeping of bees
- 146. Illness attributable to animals, poultry or birds
- 147. Keeping of and slaughtering animals for religious and ceremonial purposes

**CHAPTER 16  
MISCELLANEOUS**

- 148. Offences and penalties
- 149. Serving of notices
- 150. Application to the State
- 151. Repeal
- 152. Application

**SCHEDULE 1:****PUBLIC HEALTH NUISANCES**

- 1. General Nuisances
- 2. Pest control
- 3. Air pollution
- 4. Fouling and littering on public places and open spaces

**SCHEDULE 2:****SCHEDULED USES**

Part A: Activities for which a permit is required

Part B: Scheduled uses

**SCHEDULE 3:****REPEALED BY-LAWS**

**CHAPTER 1**

**INTERPRETATION AND FUNDAMENTAL PRINCIPLES**

**1. DEFINITIONS AND INTERPRETATION**

- (1) In these By-laws, unless the context otherwise indicates —

“**adequate**” when used to describe a standard or manner in which anything required by these By-laws must be done, means the standard or manner that, in the opinion of an environmental health practitioner, is sufficient to safeguard public health, and to achieve the purpose and apply the principles of these By-laws and “adequately” has a corresponding meaning;

“**approved**” when used to describe a particular object, measure or material, means an object, measure or material which has been approved in terms of section 12 as being adequate in specified circumstances to prevent, or reduce to a level acceptable to the Council, the risk of any public health hazard or public health nuisance occurring, continuing or recurring;

“**authorised official**” means any official of the Council who has been authorised by the Council to administer, implement and enforce the provisions of these By-laws;

“**communicable diseases**” means any disease which can be communicated directly or indirectly from any animal or through any agent to any person or from any person suffering therefrom or who is a carrier thereof, to any other person;

“**Council**” means —

- (a) the Matatielle Local Municipality exercising its legislative and executive authority through its municipal Council; or
- (b) its successor in title; or
- (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these By-laws has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or
- (d) a service provider fulfilling a responsibility under these By-laws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, or any other law, as the case may be;

“**dwelling**” means any house, room, shed, hut, tent, cave, container, shelter, vehicle, boat or any other structure or place whatsoever, any part of which is used or appears intended for use by any human being for sleeping or in which any human being dwells or sleeps and “room” has a corresponding meaning;

**“environmental health practitioner”** means an official appointed by the Council, and who is duly registered as an environmental health practitioner or environmental health practitioner with the Health Professions Council of South Africa in terms of section 33(1) of the Medical Dental and Supplementary Health Services Professions Act, 1974 (Act No. 56 of 1974);

**“exemption certificate”** means a certificate issued in terms of section 10;

**“hot water”** means water which has a minimum temperature of 55°C at the point of discharge;

**“municipal area”** means the area under the jurisdiction of the Council;

**“municipal manager”** means a person appointed as such by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“National Building Regulations and Building Standards Act”** means the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977);

**“nuisance”** means a nuisance as defined in the Health Act, 1977 (Act No. 63 of 1977) or any amendment thereof;

**“occupier”**, in relation to any premises, means any person —

- (a) occupying the premises;
- (b) leasing the premises;
- (c) who is not occupying the premises but is entitled to do so; or
- (d) who manages the premises or a business on the premises on behalf of a person referred to in paragraph (a), (b) or (c);

**“organ of state”** means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996);

**“owner”**, in relation to any premises, means —

- (a) the person in whose name the title to the premises is registered, and includes the holder of a stand licence; or
- (b) if the person referred to in paragraph (a) is dead, insolvent, mentally ill, a minor or under any legal disability, the executor, guardian or other person who is legally responsible for administering that person’s estate;

**“permit”** means a public health permit issued by the Council in terms of the section 11;

**“person”** means a natural person or a juristic person, and includes an organ of state;

**“pest”** means any animal or mammal which may create a public health hazard or public health nuisance if it is present in significant numbers and without limitation,

includes rats, mice, flies, mosquitoes, bed bugs, fleas, lice, termites and cockroaches;

**“potable water”** means water that complies with the requirements set out in SABS 241: Water for Domestic Supplies;

**“premises”** means —

- (a) any land without any buildings or other structures on it;
- (b) any building or other structure and the land on which it is situated;
- (c) any land which adjoins land referred to in paragraph (a) or (b) and any building or other structure on the adjoining land, if that land, building or structure is occupied or used in connection with any activity carried out on the premises referred to in paragraph (a) or (b); or
- (d) any vessel, vehicle or movable structure which is used for a scheduled use;

**“prescribed fee”** means a fee determined by the Council by resolution in terms of section 10G(7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

**“public health”** means the mental and physical health and well-being of people in the municipal area;

**“public health hazard”** means any actual threat to public health, and without limitation, includes —

- (a) the circumstances referred to in section 5 (3);
- (b) unsanitary conditions;
- (c) circumstances which make it easier for a communicable disease to spread;
- (d) circumstances which make food or drink, including water for domestic consumption, unhygienic or unsafe to eat or drink; and
- (e) circumstances which allow pests to infest any place where they may affect public health;

**“public health nuisance”** means the use of any premises or place in a manner which creates conditions that significantly increase the risk of a public health hazard occurring or which compromises any aspect of public health to an extent that is more than trivial or insignificant, and without limitation, includes those circumstances in which a public health nuisance is considered to exist in terms of Schedule 1;

**“public place”** means any road, street, thoroughfare bridge, overhead bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden park, path, bus or taxi rank, servitude or enclosed space vested in the Council and includes any road, place or thoroughfare which is in the undisturbed use of the public or which the public have the right to use;

**“scheduled use”** means a use listed in Schedule 2.

- (2) Unless the context otherwise indicates, any word or expression which is defined in any Chapter, has the same meaning wherever it is used in these By-laws.
- (3) If any provision in these By-laws vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000, or any other law, been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

## 2. PURPOSE

- (1) The purpose of these By-laws is to enable the Council to protect and promote the long term health and well-being of people in the municipal area by —
  - (a) providing, in conjunction with any other applicable law, an effective legal and administrative framework within which the Council can —
    - (i) manage and regulate activities that have the potential to impact adversely on public health; and
    - (ii) require premises to be properly maintained and managed; and
  - (b) defining the rights and obligations of the Council and the public in relation to this purpose.

**CHAPTER 2  
PUBLIC HEALTH**

**Part 1: Public health principles**

**3. PRINCIPLES**

- (1) Every person has a constitutional right to an environment that is not harmful to his or her health or well-being and to have access to sufficient water and the Council has a constitutional duty to strive, within its financial and administrative capacity, to promote a safe and healthy environment.
- (2) The risk of a public health hazard occurring, continuing or recurring must be eliminated wherever reasonably possible, and if it is not reasonably possible to do so, it must be reduced to a level acceptable to the Council.
- (3) Any person who owns or occupies premises in the municipal area must ensure that it is used for and maintained in a manner that ensures that no public health hazard or public health nuisance occurs on the premises.
- (4) Any person who wishes to undertake an activity which creates a risk to public health that is more than trivial or insignificant must —
  - (a) take all reasonable measures to eliminate that risk, and if that is not reasonably possible, to reduce the risk to a level acceptable to the Council; and
  - (b) bear the costs of taking those measures and of any reasonable costs incurred by the Council in ensuring that the risk is eliminated or reduced to an acceptable level.
- (5) The Council must regulate all activities and administer all matters for which it is legally responsible in a manner that —
  - (a) avoids creating a public health hazard or a public health nuisance;
  - (b) does not make it easier for any human or animal disease to spread;
  - (c) does not give rise to unsanitary or unhygienic conditions;
  - (d) prevents unsafe food or drink from being eaten or drunk;
  - (e) avoids creating conditions favourable for infestation by pests; or
  - (f) wherever reasonably possible, improves public health in the municipal area.
- (6) In dealing with matters affecting public health the Council must —
  - (a) adopt a cautious and risk-averse approach;
  - (b) prioritise the collective interests of the people of the municipal area, and of South Africa, over the interests of any specific interest group or sector of society;
  - (c) take account of historic inequalities in the management and regulation of activities that may have an adverse impact on public health and redress these inequalities in an equitable and non-discriminatory manner;
  - (d) adopt a long-term perspective that takes account of the interests of future generations; and
  - (e) take account of, and wherever possible without compromising public health, minimise any adverse effects on other living organisms and ecosystems.

**4. APPLICATION OF PRINCIPLES**

The public health principles set out in section 3 must be considered and applied by any person —

- (a) exercising a power or function or performing a duty under these By-laws;
- (b) formulating or implementing any policy that is likely to have a significant effect on, or which concerns the carrying on of activities likely to impact on, public health in the municipal area; or
- (c) exercising a public power or function or performing a public duty in the municipal area which is likely to have a significant effect on public health in that area.

**Part 2: Public health hazards and public health nuisances**

**5. PROHIBITION ON CAUSING PUBLIC HEALTH HAZARDS**

- (1) No person may create a public health hazard anywhere in the municipal area.
- (2) Every owner or occupier of premises must ensure that a public health hazard does not occur on those premises.
- (3) An owner or occupier of premises creates a public health hazard if —
  - (a) the premises are infested with pests or pests are breeding in large numbers on the premises;
  - (b) there are conditions on the premises which are conducive to the spread of a communicable disease or which may cause a non-communicable disease;
  - (c) there is any unsanitary condition in any part of the premises; or
  - (d) any water supply for domestic consumption on the premises is unsafe for human consumption.

**6. DUTY TO REPORT PUBLIC HEALTH HAZARDS**

The owner or occupier of premises who knows of a public health hazard on those premises, must within 24 hours of becoming aware of its existence —

- (a) eliminate the public health hazard; or
- (b) if the owner or occupier is unable to comply with paragraph (a), take reasonable steps to reduce the risk to public health and forthwith report the existence of the public health hazard to the Council in writing.

**7. PROHIBITION ON CAUSING PUBLIC HEALTH NUISANCES**

- (1) No person may cause a public health nuisance anywhere in the municipal area.
- (2) Every owner or occupier of premises must ensure that a public health nuisance does not arise on those premises.

## CHAPTER 3

## POTENTIALLY HAZARDOUS USES OF PREMISES AND ENFORCEMENT

## Part 1: Potentially hazardous uses

**8. DUTY TO LIST POTENTIALLY HAZARDOUS USES**

If the Council reasonably believes that any premises have been, or are likely to be, used for a purpose or in a manner that has caused, or is likely to cause, a public health hazard or to create a public health nuisance unless reasonable measures are taken to avoid the risk or to reduce it to an acceptable level, the Council must list the activity concerned in Schedule 2 and must prescribe measures that must be taken to avoid the risk or reduce it to a level acceptable to the Council.

**9. SCHEDULED USES**

- (1) Any person who uses premises in a manner or for a purpose listed in Schedule 2 must comply with every provision specified in the Chapter of these By-laws relating to that use, unless that person has been granted an exemption in terms of section 10 from complying with any such provision.
- (2) Any person who uses premises in a manner or for a purpose that is listed in Part A of Schedule 2, must obtain a permit in terms of section 11 before commencing that use and must comply with the terms and conditions of that permit.

**10. EXEMPTION CERTIFICATES**

- (1) Any person who wants to undertake a scheduled use on any premises but wishes to be exempted from complying with any requirement of these Bylaws relating to the use concerned, may apply to the Council in accordance with section 13 for an exemption certificate.
- (2) The Council may grant an exemption certificate, subject to such conditions as it may impose, if an environmental health practitioner is satisfied that —
  - (a) the measures taken to avoid or reduce the risk to public health arising from the scheduled use are equivalent to or better than the measures required by the relevant requirement of these By-laws; and
  - (b) the scheduled use in respect of which the exemption is required, is not likely to cause a public health hazard or a public health nuisance.

**11. PUBLIC HEALTH PERMITS**

- (1) Any person who wants to undertake a scheduled use that is listed in Part A of Schedule 2, must apply to the Council in accordance with section 13 for a public health permit.
- (2) The Council may issue a public health permit to the owner or occupier of any premises, if an environmental health practitioner is satisfied that the use for which the permit is required is not likely to cause a public health hazard or a public health nuisance.
- (3) A public health permit —
  - (a) must be issued subject to conditions aimed at reducing the risk to public health created by the scheduled use, to a level acceptable to the Council;
  - (b) may exempt the permit holder from complying with any relevant provision of these By-laws, if the Council reasonably believes that the permit requires the permit holder to take measures to avoid or reduce the risk to public health arising from the activity that are equivalent to, or better than, the measures required by the relevant provision of these By-laws; and
  - (c) may approve any measure or material in connection with the activity authorised by the permit that must be approved in terms of these By-laws.

**12. APPROVAL OF MEASURES, OBJECTS AND MATERIALS**

- (1) The Council may approve any object or material used, or any measure taken, in specified circumstances as being adequate to eliminate the risk of any public health hazard or public health nuisance occurring, continuing or recurring, or to reduce that risk to a level acceptable to the Council.
- (2) An object, material or measure referred to in subsection (1) may be approved by the Council in —
  - (a) a public health permit; or
  - (b) guidelines prescribed by the Council in terms of subsection (3).
- (3) The Council may publish guidelines in the *Provincial Gazette* which describe —
  - (a) appropriate measures that can be taken and objects and materials that can be used, to eliminate the risk of any public health hazard or public health nuisance occurring, continuing or recurring, or to reduce that risk to a level acceptable to the Council; and
  - (b) the circumstances in which taking these measures or using these objects or materials are acceptable to the Council.

**13. APPLICATION PROCEDURE**

- (1) Any person who wants to obtain an exemption certificate or a permit must apply to the Council in writing in a form prescribed by the Council, prior to undertaking the scheduled use concerned.
- (2) When the Council receives an application contemplated in subsection (1), it must ensure that the relevant premises concerned are inspected by an environmental health practitioner as soon as reasonably possible.
- (3) Before deciding whether or not to approve an application contemplated in subsection (1), the Council —
  - (a) must ensure that any persons in the vicinity of the premises whose health or well-being may be affected if the premises are used for the scheduled use concerned, have been consulted and had an opportunity to make representations; and
  - (b) may require the applicant to provide any further information which the Council considers relevant to enable it to make an informed decision.
- (4) In deciding whether or not to issue an exemption certificate or a permit, and what terms and conditions, if any, to include in it, the Council must apply the public health principles set out in section 3.

**14. GENERAL TERMS APPLICABLE TO CERTIFICATES AND PERMITS**

- (1) An exemption certificate or a permit-
  - (a) is not transferable from one person to another; and
  - (b) applies only to the premises specified in that certificate or permit.
- (2) Every exemption certificate or permit must-
  - (a) specify the address and other relevant details regarding the location of the premises concerned;
  - (b) describe the premises concerned;

- (c) describe the activity concerned;
  - (d) specify terms and conditions imposed, if any; and
  - (e) indicate when it expires.
- (3) An applicant must pay a prescribed fee, if determined by the Council, in respect of an application for a permit or exemption certificate and such fee must accompany the application.
- (4) The Council may refuse to consider an application until it has been provided with the information that it reasonably requires to make an informed decision and until the prescribed fee has been paid.

#### 15. SUSPENSION, CANCELLATION AND AMENDMENT OF EXEMPTION CERTIFICATES AND PERMITS

- (1) An environmental health practitioner may by written notice to the holder of an exemption certificate or permit, suspend, amend or cancel that certificate or permit.
- (2) An environmental health practitioner may suspend or cancel an exemption certificate or permit with immediate effect if —
- (a) the environmental health practitioner reasonably believes that it is urgently necessary to do so to eliminate or to reduce a significant risk to public health posed by a public health hazard or a public health nuisance; or
  - (b) the holder of such certificate or permit fails to comply with a compliance notice, in which is stated that such certificate or permit may be suspended or cancelled without further notice if the holder fails to comply with that notice.
- (3) An environmental health practitioner may suspend or cancel an exemption certificate or permit after having given the holder thereof a reasonable opportunity of making representations as to why the permit or exemption certificate should not be suspended or cancelled if —
- (a) the environmental health practitioner reasonably believes that it is desirable to do so to eliminate or reduce the risk to public health posed by a public health hazard or a public health nuisance; or
  - (b) the holder of such certificate or permit contravenes or fails to comply with any relevant provision of these By-laws.
- (4) An environmental health practitioner may amend an exemption certificate or permit by endorsing such certificate or permit or by written notice to the holder thereof, if the environmental health practitioner reasonably believes that it is necessary to do so to protect public health or to take account of changed circumstances since the exemption certificate or permit concerned was issued.

#### Part 2: Enforcement, remedial work and costs

#### 16. DEMOLITION ORDERS

- (1) If the Council believes that a public health hazard would be eliminated or a public health nuisance would be significantly reduced by demolishing a building or other structure, it may, subject to the provisions of any other law, apply to any court having jurisdiction for an order directing any person to demolish the building or structure or authorising the Council to do so and to recover the costs of doing so from the owner or the occupier of the premises concerned, or from both.
- (2) The Council may not apply to court in terms of subsection (1) unless it has given the owner and the occupier of the premises not less than 14 days' notice in writing of its intention to make the application and has considered any representations made within that period.

#### 17. MUNICIPAL REMEDIAL WORK

The Council may, subject to the provisions of any other law, enter any premises and do anything on the premises that it reasonably considers necessary —

- (a) to ensure compliance with these By-laws or with any compliance notice;
- (b) to reduce, remove or minimise any other significant public health hazard; or
- (c) to reduce, remove or minimise any public health nuisance.

#### 18. COST ORDERS

- (1) The Council may recover any costs reasonably incurred by it in taking measures contemplated in section 16 from any person who was under a legal obligation to take those measures, including —
- (a) a person on whom a compliance notice referred to in section 17(a) that required those steps to be taken, was served;
  - (b) the owner or occupier of the premises concerned; or
  - (c) any person responsible for creating a public health hazard or a public health nuisance.
- (2) The municipal manager may issue a cost order requiring a person who is liable to pay costs incurred by the Council in terms of subsection (1), to pay those costs by a date specified in the order and such order constitutes prima facie evidence of the amount due.

#### CHAPTER 4:

#### SANITARY SERVICES

#### 19. COMPULSORY CONNECTION TO MUNICIPAL SEWAGE SYSTEM

Every owner of premises to which a municipal sewage service is available, must ensure that all waste water drainage pipes from any bath, wash-hand basin, toilet, shower or kitchen sink is connected to the municipal sewer in an approved manner.

#### 20. PROHIBITION AGAINST OBSTRUCTION OF SANITARY SERVICES

No person may prevent, obstruct or interfere with any sanitary service provided by the Council.

#### 21. REQUIREMENTS IN RESPECT OF TOILET FACILITIES

Every owner of premises must ensure that the number of toilets provided on those premises comply with the provisions of the National Building Regulations and Building Standards Act.

#### 22. TOILETS FOR WORKERS

Every contractor must provide his or her workers with toilet facilities as prescribed by the National Building Regulations and Building Standards Act.

#### 23. PROHIBITION AGAINST USE OF A BUCKET TOILET UNDER THE SAME ROOF AS A DWELLING

No person may provide, erect, retain or use any bucket toilet inside, or under the same roof, as a dwelling.

#### 24. CONDITION OF TOILETS, URINALS, BACKYARDS AND REFUSE AREAS

Every owner or occupier of any premises must keep every backyard, refuse area, toilet, and urinal in a sanitary condition and good state of repair.

#### 25. SEPARATE STORAGE OF URINE

- (1) Any owner or occupier required by the Council to provide for the separate storage of urine, due to the size, extent of occupation or use of any

premises, must comply with any notice issued by the Council calling on him or her to provide an adequate urine tank or an adequate number of urine buckets on the premises.

(2) Every owner or occupier referred to in subsection (1) must use the urine tank or urine bucket exclusively for the reception of urine.

#### 26. PROVISION OF TANK FOR WASTE LIQUIDS IN AREAS WITHOUT SEWERS

(1) Any owner of premises not connected to a public sewer or not provided with other adequate measures for the disposal of waste liquid, must provide the premises with a tank big enough to contain the slops, bath water or other waste water produced on the premises during a period of 48 hours.

(2) Subject to the provisions of subsection (3), premises referred to in subsection (1), must be equipped either with —

(a) an overhead tank placed in a way that its contents can be gravity fed into the Council's waste removal vehicles; or

(b) an adequate filter, pump and indicator, with outlet pipes constructed and placed in a way that the tank may be easily emptied and cleansed.

(3) The provisions of subsection (2) do not apply if —

(a) adequate arrangements have been made for dispersing waste water produced on the premises, other than urine, over land associated with the premises concerned; and

(b) the waste water is dispersed in a way that will not create a public health nuisance.

#### 27. PUMPING OF CONTENTS OF UNDERGROUND TANK TO SURFACE TANK

Any occupier of premises on which both underground and overhead tanks are provided for the storage of waste water, must pump the contents of the underground tank to the overhead tank immediately prior to the overhead tank being emptied by the Council.

#### 28. BLOCKED OR DEFECTIVE OUTLET PIPES

Every owner or occupier of premises must keep any drainage system free from obstruction and in a good condition.

#### 29. PROHIBITION AGAINST URINE IN SLOPS TANKS

No person may discharge or allow any urine or excrement to be discharged into a slops tank situated on any premises.

### CHAPTER 5

#### PRIVATE SEWAGE WORKS

#### 30. PERMIT FOR PROVISION OF SERVICE FOR THE REMOVAL OF HUMAN EXCREMENT OR URINE

No person may provide any service for the removal or disposal of human excrement and urine on any premises except in terms of a permit authorising that service.

#### 31. PERMIT FOR INSTALLATION OF SEWAGE WORKS

No person may, on any private premises, install, alter, re-site, operate or maintain any septic tank, filter installation or other works for the disposal of sewage, except in terms of a permit authorising that activity.

#### 32. MAINTENANCE OF SEWAGE WORKS

Any person operating a sewage works must ensure that it is maintained in a sanitary condition and good state of repair at all times.

#### 33. DISPOSAL OF SEWAGE, SEWAGE EFFLUENT AND WASTE WATER WITHOUT CAUSING A PUBLIC HEALTH NUISANCE AND/OR HAZARD

No person may dispose of sewage or waste water from any bath, wash-hand basin, toilet, shower or kitchen sink in a way or in a location that may —

(a) cause dampness in or on any premises;

(b) endanger the quality of any water supply, surface water, stream or river; or

(c) create a public health nuisance and/or hazard.

#### 34. COMPULSORY USE OF COUNCIL'S SEWAGE REMOVAL SERVICE

Every occupier of premises must use the sewage removal service prescribed by the Council for those premises.

### CHAPTER 6

#### WATER

#### 35. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“domestic consumption” in relation to water, means the use of water for —

(a) human consumption;

(b) preparing or manufacturing food or drink for human consumption;

(c) cleaning vessels or utensils used in the preparation or manufacture of food or drink for human consumption; or

(d) any other domestic purpose.

“effluent” means any waste water which may be generated as a result of undertaking any scheduled use or an activity which is likely to cause a public health nuisance.

#### 36. POLLUTION OF SOURCES OF WATER SUPPLY

No person may pollute or contaminate any catchment area, river, canal, well, reservoir, filter bed, water purification or pumping works, tank, cistern or other source of water supply or storage in a way that creates a public health nuisance or a public health hazard.

#### 37. DANGEROUS WELLS, BOREHOLES AND EXCAVATIONS

Every owner or occupier of premises must ensure that any well, borehole or other excavation located on his or her premises —

(a) is fenced, filled in or covered over in a way that adequately safeguards it from creating a public health nuisance or public health hazard; and

(b) is not filled in a way, or with material, that may cause any adjacent well, borehole or underground water source to be polluted or contaminated to an extent that may create a public health nuisance or a public health hazard.

#### 38. PROVISION OF ADEQUATE WATER SUPPLY

Every owner of premises must provide every resident on the premises with an adequate and readily available potable water supply at all times.



municipal or private property during such escape all costs in recapturing such animal or repairing any damage so done by such animal shall be for the account of the owner or occupier of the premises on which the animal concerned was to have been slaughtered.

- (5) Any authorised officer may at any time, subject to compliance with the provisions of any other applicable law, enter onto and inspect any premises on which any animal is to be slaughtered in terms of these By-laws, to ensure compliance with these By-laws.
- (6) Any owner or occupier of premises where the slaughtering of an animal is to take place in terms of authority granted in accordance with these By-laws, shall at least 72 hours prior to the date of the intended slaughtering advise in writing all owners and or occupiers of premises contiguous to the premises where the animal is to be slaughtered, of the intended slaughtering.
- (7) If any person who applies for authority to slaughter an animal, as contemplated in section 147(2)(h) of these By-laws, resides on premises which consists of multi residential units, the application for authority to slaughter shall be accompanied by a written permission of the body corporate or legal personae who owns the premises concerned as the case may be.

#### CHAPTER 16 MISCELLANEOUS

##### 148. OFFENCES AND PENALTIES

- (1) Any person who —
  - (a) contravenes or fails to comply with any provisions of these By-laws; or
  - (b) fails to comply with any notice issued in terms of or for the purposes of these By-laws; or
  - (c) fails to comply with any lawful instruction given in terms of or for the purposes of these By-laws; or
  - (d) obstructs or hinders any authorised representative or employee of the Council in the execution of his or her duties under these By-laws, is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding 6 (six) months and in the case of a continuing offence, to a further fine not exceeding R50.00 (Fifty Rand), or in default of payment to imprisonment not exceeding one day, for every day during the continuance of such offence after a written notice has been issued by the Council and served on the person concerned requiring the discontinuance of such offence.

##### 149. SERVING OF NOTICES

- (1) A notice, order or other document is regarded as having been properly served if-
  - (a) it has been delivered to the person concerned personally;
  - (b) it has been sent by registered post or speed post to the person to whom it is addressed at his or her last known address;
  - (c) it is served on a person apparently not less than 16 years of age and apparently in charge of the premises at the addressee's last known address;
  - (d) if the address of the person concerned in the Republic of South Africa is unknown, if it has been served on that person's agent or representative in the Republic of South Africa in the manner provided for in paragraph (a),(b) or (c); or
  - (e) if the address of the person concerned and of his or her agent or representative in the Republic of South Africa is unknown, if it has been posted in a conspicuous place on the premises to which it relates.
- (2) A notice, order or other document which may in terms of these By-laws be served on the owner or occupier of premises may be addressed to the owner or occupier of the specified premises and need not bear the name of the owner or occupier.

##### 150. APPLICATION TO THE STATE

These By-laws bind the State, including the Council.

##### 151. REPEAL

The By-laws relating to Public Health for the Matatiele Local Municipality, are hereby repealed and replaced by these By-laws, which are to become effective on promulgation hereof.

##### 152. APPLICATION

The Council may by Council resolution, determine that the provision of these By-laws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

#### SCHEDULE 1

#### PUBLIC HEALTH NUISANCES

##### 1. General Nuisances

An owner or occupier of premises creates a public health nuisance if he or she causes or allows —

- (a) any premises or part thereof to be of such a construction or in such a state as to be offensive, injurious or dangerous to health;
- (b) any street, stream, pool, lagoon, ditch, gutter, watercourse, sink, cistern, water-closet, earth closet, pail closet, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap to be so foul or in such a state or so situated or constructed as to be offensive or to be injurious or dangerous to health;
- (c) any stable, kraal, shed, run or premises used for the keeping of animals or birds and which is so constructed, situated, used or kept as to be offensive or to be injurious or dangerous to health;
- (d) any accumulation of refuse, offal, manure or other matter which is offensive or is injurious or dangerous to health;
- (e) any public building to be so situated, constructed, used or kept as to be unsafe or to be injurious or dangerous to health;
- (f) any dwelling to be occupied without proper and sufficient supply of potable water within a reasonable distance;
- (g) any factory or industrial or business premises not to be kept in a clean state and free from offensive smells arising from any drain, water closet, earth-closet, urinal or any other source, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gas, vapour, dust or other impurity generated, or so overcrowded or so badly lighted or ventilated, as to be injurious or dangerous to the health of those employed therein or thereon;
- (h) any factory or industrial or business premises to cause or give rise to any smell or effluvia which is offensive or injurious or dangerous to health;
- (i) any building, room or structure to be used wholly or partly by a greater number of persons than will allow less than 11,3 m<sup>3</sup> of free air space and 3,7 m<sup>2</sup> of floor space for each person aged 10 years or more and 5,7 m<sup>3</sup> of free air space and 1,9 m<sup>2</sup> of floor space for each person less than 10 years of age; or
- (j) any other activity, condition or thing declared to be a nuisance by the Minister in terms of the Health Act, 1977.

##### 2. Pest control

- (1) An owner or occupier of premises creates a public health nuisance if —

- (b) maintain the premises and any equipment, apparatus, containers and receptacles concerned in a clean and sanitary condition and in good repair;
- (c) provide portable storage receptacles, of impervious material and with close fitting lids, to store manure;
- (d) keep all manure storage receptacles on a platform that complies with the provisions of section 141(j);
- (e) remove all manure from the pigsty at least once every 24 hours and place it in the manure storage receptacles;
- (f) remove the contents of the manure storage receptacles from the premises at least once every second day and dispose of the manure in a manner that will not create a public health nuisance;
- (g) provide a rodent-proof store-room of adequate size in which all feed, other than swill, must be stored; and
- (h) provide rodent-proof receptacles, with close fitting lids, in which to store all loose feed.

#### Part 11: General provisions

#### 143. DRAINAGE

Any person keeping animals must ensure that all sinks, wash-hand basins, baths, shower-baths, troughs, floor surfaces, channels and washing platforms required to be drained in terms of this Chapter, are drained in accordance with the provisions of the National Building Regulations and Building Standards Act.

#### 144. DANGEROUS ANIMALS

- (1) No person may without a permit issued by an environmental health practitioner, keep any wild animal of a species that is dangerous to humans, including without limitation, large carnivores, venomous snakes, spiders or scorpions.
- (2) Any person who keeps any animal which is known to behave in a manner that is dangerous to humans must keep it in an adequate enclosure and take adequate measures to ensure that it does not escape from the enclosure or pose a danger to the residents of, or visitors to, the premises or any other person.

#### 145. REQUIREMENTS FOR KEEPING OF BEES

- (1) No person may keep bees on any premises unless —
  - (a) that person is the holder of a permit authorising that activity; and
  - (b) every bee hive is situated —
    - (i) a minimum of five metres from any boundary of the premises; and
    - (ii) a minimum of twenty metres from any public place or building used for human habitation or from any place used for the keeping of animals, poultry and birds;
  - (c) the bees are kept in an approved bee hive; and
  - (d) the bee hive is —
    - (i) kept in an area inaccessible to children and animals;
    - (ii) kept in the shade at all times; and
    - (iii) supplied with a source of drinking water within five metres of the hive.
- (2) No person may dump or deposit any garbage, compost, grass cuttings or manure within five metres of any bee hive.

#### 146. ILLNESS ATTRIBUTABLE TO ANIMALS, POULTRY OR BIRDS

- (1) The illness of any person, which may be attributed to any animal, poultry or bird kept or handled by that person, must be reported to an environmental health practitioner within 24 hours of diagnosis, by the person making the diagnosis.
- (2) An environmental health practitioner may order the removal of an animal, poultry or bird from premises if he or she reasonably believes that the animal poses a public health nuisance or public health hazard.

#### 147. KEEPING OF AND SLAUGHTERING ANIMALS FOR RELIGIOUS AND CEREMONIAL PURPOSES

- (1) No person may (subject to section 147(2) hereof) —
  - (a) slaughter any animal at any place other than an abattoir;
  - (b) permit the slaughter of any animal at any premises of which he is the owner or occupier unless it is an abattoir;
  - (c) sell or provide meat of any animal for human consumption unless it has been slaughtered at an abattoir.
- (2) The provisions of section 147(1) of these By-laws shall not apply to any person who slaughters any animal for cultural or religious purposes provided that —
  - (a) any meat from any animal slaughtered in terms of the provisions of section 147(2) of these By-laws may not be sold to any person;
  - (b) the animal slaughtered in terms of section 147(2)(a) supra may only be brought in to the municipal area and onto the premises concerned on the day of the intended slaughter;
  - (c) any animal kept on premises within the municipal area for the purpose contemplated by section 147(2)(a) supra shall not be kept in conflict with any other municipal By-law;
  - (d) any animal kept on any premises for the purposes contemplated in this section shall be securely held to prevent it from escaping and shall be slaughtered in a humane way as is reasonable within the particular religious or cultural values of the person effecting the slaughter and subject to the requirements of the SPCA;
  - (e) all reasonable measures are taken by the owner or occupier of the premises on which the slaughter is to take place to screen such slaughter from public view;
  - (f) all reasonable steps are taken by the owner or occupier of such premises to prevent any and all health nuisance resultant from such slaughter;
  - (g) all blood, stomach contents and manure from such animal is disposed of by the owner or occupier on whose premises the slaughter takes place in the manner prescribed by the Municipal Manager or other authorised official so as to ensure that no fly development occurs as a consequence thereof;
  - (h) the prior written approval had been obtained for such slaughter from the Municipal Manager or duly authorised officer.
- (3) As animals slaughtered in terms of section 147(2) of these By-laws have not been subjected to the normal routine inspections at abattoirs, the municipality and its officials accepts no responsibility whatsoever for the consequences of the consumption of any meat of any animal slaughtered in terms of the authority given in terms of section 147(2)(h) of these By-laws.
- (4) Should any animal introduced into any premises in terms of authority granted in accordance with these By-laws, escape from the premises on which such slaughter was to take place and the municipality is required to recapture such animal, or should such animal cause damage to any

- (i) the enclosure and/or housing must satisfy the needs of the specific animal as specified by the relevant nature conservation authorities;
- (ii) the enclosure and/or housing may not be situated within 50 metres of —
  - (aa) any boundary of the premises;
  - (bb) any dwelling, building or structure used for human habitation;
  - (cc) any dwelling, building or structure where food is stored, handled or prepared for human consumption; or
  - (dd) any water resource intended for domestic consumption;
- (iii) an adequate supply of potable water for drinking and cleaning purposes must be provided; and
- (iv) the enclosure and/or housing must be graded and drained in a way that does not pollute any water resource or create a public health nuisance;
- (b) a separate room, equipped with a preparation table and wash-up sink, supplied with running potable water and drained in accordance with section 143, must be provided for the preparation of food;
- (c) adequate facilities must be provided for washing any cages, trays, crates, refuse receptacles and food containers in the form of either —
  - (i) a curbed platform constructed of concrete or other impervious material brought to a smooth finish; or
  - (ii) a stainless steel sink or trough adequate in size to accommodate the equipment to be washed;
- (d) both facilities referred to in paragraph (c) must be provided with a supply of running water adequate for drinking and cleaning and be drained in accordance with section 143;
- (e) any area and room in which fodder and food are stored must be rodent-proof; and
- (f) the enclosure and/or housing must be adequate in size to allow free unobstructed movement of animals kept therein.

#### 140. DUTIES OF KEEPERS OF WILD ANIMALS

Any person who keeps wild animals must —

- (a) maintain the premises in a clean and sanitary condition at all times;
- (b) clean all manure and food scraps from any enclosure and/or housing at adequate intervals;
- (c) prevent the soil beneath or around any enclosure and/or housing from becoming saturated with urine or polluted by any other matter or liquid; and
- (d) remove all bedding from any housing at least once every seven days and store it in a manure receptacle or manure container or area, until it is removed from the premises.

#### Part 10: Keeping of pigs

#### 141. REQUIREMENTS FOR PREMISES

No person may keep pigs on premises which do not comply with the following requirements:

- (a) every wall must —
  - (i) be constructed of brick, stone, concrete or other durable material;
  - (ii) have a minimum height of 1,5 metres; and
  - (iii) have a smooth, impervious internal surface;
- (b) the floor area must provide at least 3 m<sup>2</sup> for each pig accommodated in the pigsty, with an overall minimum floor area of 6 m<sup>2</sup>;
- (c) the roof over any portion of a pigsty must have a minimum height of 1,5 metres;
- (d) except in the case of a roofed structure having one of its long sides completely open, the lighting and ventilation openings must —
  - (i) be situated opposite one another in the external walls; and
  - (ii) provide a minimum of 0,15 m<sup>2</sup> for each pig;
- (e) the floor must be —
  - (i) at least 150 mm above the surrounding ground level;
  - (ii) constructed of concrete or other durable and impervious material brought to a smooth finish; and
  - (iii) graded for the run-off of liquids into an open channel outside the pigsty;
- (f) the open channel referred to in paragraph (e)(iii) must —
  - (i) be constructed of concrete or other durable and impervious material;
  - (ii) be a minimum of 100 mm in diameter; and
  - (iii) be drained in terms of section 143;
- (g) the pigsty must be strong enough to prevent the pigs breaking out;
- (h) the pigsty may not be situated within 100 metres of —
  - (i) the boundary of the premises;
  - (ii) any dwelling, building or structure used for human habitation;
  - (iii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iv) any water resource intended for domestic consumption;
- (i) a roofed over concrete platform must be provided for —
  - (i) the storage of all swill in containers; and
  - (ii) the preparation of pig feed;
- (j) the platform referred to in paragraph (i) must comply with the provisions of paragraph (e) and in addition, must have a curbing of a minimum height of 100 mm on each edge; and
- (k) a water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the pigsty.

#### 142. DUTIES OF KEEPERS OF PIGS

Every person keeping pigs must —

- (a) ensure that every pig is kept within a pigsty;

- (i) be constructed of brick, concrete or other impervious material;
- (ii) have a smooth and easily cleanable internal surface; and
- (iii) be painted with a washable paint or other adequate finish;
- (b) all floor surfaces must be constructed of concrete or other impervious material brought to a smooth finish;
- (c) all ceilings must be dust proof and easily cleanable;
- (d) at least one wash-hand basin, with a supply of running hot and cold potable water, must be provided for employees and the ratio of wash-hand basins to persons employed on the premises must not be less than 1:15;
- (e) the wash-hand basins, referred to in subparagraph (d), must be drained in terms of section 143;
- (f) adequate storage facilities must be provided;
- (g) facilities for the washing of cages, trays and other equipment must be provided in the form of either —
  - (i) a curbed and roofed over platform with a minimum surface area of 1,5 m<sup>2</sup>, raised at least 100 mm above the floor and constructed of concrete or other impervious material brought to a smooth finish, which platform must be provided with a supply of running potable water; or
  - (ii) a stainless steel sink or trough of adequate size with a drainage board and provided with a supply of running potable water;
- (h) the platform, sink or trough referred to in paragraph (g) must be drained in terms of section 143;
- (i) any wall surface within 0,5 metres of the platform, sink or trough referred to in paragraph (g), must be permanently covered with waterproof material to a minimum height of 1,4 metres above the floor;
- (j) a clearly designated change room must be provided if more than six persons are employed on the premises and every change room must —
  - (i) have a floor area providing at least 0,5 m<sup>2</sup> for each employee;
  - (ii) have a minimum overall floor area of 6 m<sup>2</sup> and width of two metres; and
  - (iii) be equipped with an adequate metal locker for each employee;
- (k) if no change room is required in terms of paragraph (j), each employee must be provided with an adequate metal locker;
- (l) for the purposes of washing, clipping or grooming of pets —
  - (i) a bathroom fitted with a bath, or similar fitting, and a wash-hand basin supplied with running potable water must be provided;
  - (ii) a clipping and grooming room fitted with impervious topped tables and an adequate number of portable storage receptacles of an impervious durable material with close fitting lids, for the storage of cut hair pending removal, must be provided;
  - (iii) at least 50 % of the floor area of the rooms referred to in subparagraphs (i) and (ii), must be unobstructed; and
  - (iv) the floors of the rooms referred to in subparagraphs (i) and (ii), must be graded to a channel drained in terms of section 143;
- (m) all buildings, including storage areas, must be rodent-proof; and
- (n) the premises may not have direct internal access with any room or place —
  - (i) used for human habitation;
  - (ii) where clothing is stored or sold; or
  - (iii) where food is prepared, stored or sold for human consumption.

### 138. DUTIES OF PET SHOP OR PET PARLOUR KEEPERS

Any keeper of a pet shop or pet parlour must —

- (a) provide cages for housing the pets which comply with the following requirements:
  - (i) the cages must be constructed of metal or other impervious material and fitted with a removable metal floor-tray to facilitate cleaning;
  - (ii) the exterior cavity of any tubular or hollow material used to construct a cage must be sealed;
  - (iii) the cages must be able to be moved easily;
  - (iv) where rabbits are kept in a cage, the metal floor-tray referred to in subparagraph (i), must be drained to a removable receptacle;
  - (v) the cages must be fitted with a drinking vessel filled with water;
  - (vi) the distance from any cage to the nearest wall must be a minimum of 150 mm;
  - (vii) the cages must be kept a minimum of 450 mm above floor level; and
  - (viii) the space below every cage must be unobstructed;
- (b) provide rodent-proof receptacles, of an impervious material and with close fitting lids, for the storage of all loose pet food in the storage facilities required in terms of section 137(f);
- (c) provide adequate refrigeration facilities to store all perishable pet food on the premises;
- (d) ensure that in any room in which the pets are kept —
  - (i) 50 % of the floor space is unobstructed; and
  - (ii) the cages are placed a minimum of 800 mm from one another;
- (e) maintain the premises and every cage, tray, container, receptacle, basket and all apparatus, equipment or appliances used in connection with the pet shop or pet parlour, in a clean and sanitary condition, free from pests and in good repair;
- (f) provide overalls or other protective clothing for employees and ensure that the employees wear them when on duty;
- (g) provide isolation facilities in which every pet which is, or appears to be, sick must be kept while on the premises;
- (h) provide an adequate supply of potable water for drinking and cleaning purposes;
- (i) provide adequate ventilation to ensure the comfort and survival of the pets; and
- (j) ensure that the number of pets contained in each cage does not impede their free movement.

### Part 9: Keeping of wild animals

### 139. REQUIREMENTS FOR THE PREMISES

No person may, without the approval of the relevant nature conservation authorities, keep wild animals on premises which do not comply with the following requirements:

- (a) every wild animal must be kept in an enclosure and/or housing constructed and equipped as follows:

**133. DUTIES OF KEEPERS OF AVIARIES**

Any person who keeps birds in an aviary must —

- (a) ensure that the aviary and the premises are kept in a clean condition and free from pests;
- (b) provide and use rodent-proof facilities for the storage of bird food; and
- (c) ensure that the birds do not disturb the comfort, convenience, peace or quiet of the public.

**Part 7: Kennels and catteries****134. REQUIREMENTS FOR PREMISES**

No person may use premises as kennels or a cattery except in terms of a permit authorising that activity and unless the premises comply with the following requirements:

- (a) every dog or cat must be kept in an enclosure which complies with the following requirements:
  - (i) the enclosure must be constructed of impervious materials and must provide adequate access for cleaning purposes;
  - (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and graded to a channel 100 mm wide, extending the full width of the floor, which channel must be graded and drained into a gully connected to the Council's sewer by means of a pipe 100 mm in diameter; and
  - (iii) a curb 150 mm high must be provided along the edge of the channel, referred to in subparagraph (ii), to prevent any storm water runoff entering the channel; and
  - (iv) the enclosure must be adequate in size to allow free unobstructed movement of animals kept therein.
- (b) subject to the provisions of paragraph (c), every enclosure referred to in paragraph (a), must be provided with an adequate roofed shelter that complies with the following requirements:
  - (i) every wall must be made of brick, stone, concrete or other impervious material;
  - (ii) every wall must have a smooth internal surface;
  - (iii) the floor must be made of concrete or other impervious material brought to a smooth finish; and
  - (iv) every shelter must have adequate access for cleaning and eliminating pests;
- (c) a dog kennel which complies with the following requirements may be provided instead of the shelter contemplated in paragraph (b):
  - (i) the kennel must be constructed of an approved weatherproof and insulating material or other similar material;
  - (ii) the kennel must be movable;
  - (iii) the kennel must be placed on a base constructed of concrete or other impervious material with an easily cleanable finish; and
  - (iv) a sleeping board, which will enable the dog to keep dry, must be provided in any kennel that does not have a waterproof base;
- (d) a concrete apron extending at least one metre wide around the edges of the enclosure must be provided;
- (e) the apron must be graded and drained in a way that drains storm water away from the enclosure;
- (f) a water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the enclosure;
- (g) any cage in which cats are kept must be constructed of durable impervious material and in a manner that it may be easily cleaned; and
- (h) no shelter, enclosure or kennel may be situated within five metres of any —
  - (i) dwelling or other building or structure used for human habitation;
  - (ii) place where food is stored and prepared for human consumption; or
  - (iii) the boundary of the premises.

**135. FOOD PREPARATION AREAS**

Any keeper of kennels or a cattery who is so instructed by an environmental health practitioner, must provide a separate room or roofed area for the preparation of food which complies with the following requirements:

- (a) the floor of the room or roofed area must be constructed of concrete or other impervious material brought to a smooth finish;
- (b) the internal wall surfaces of the room or roofed area must be smooth and easily cleanable;
- (c) adequate washing facilities for food bowls and utensils must be provided; and
- (d) a rodent-proof storeroom must be provided for the storage of food.

**136. DUTIES OF A KEEPERS OF KENNELS OR CATTERIES**

Any person operating kennels or a cattery must —

- (a) maintain the premises, equipment and every vessel, receptacle or container and sleeping board used in connection with the kennels or cattery in a clean, sanitary condition and in good repair;
- (b) provide portable storage receptacles, of an impervious material with close fitting lids, for the storage of dog and cat faeces;
- (c) remove all faeces and other waste matter from the enclosure and shelter at least once every 24 hours and place it in the receptacles referred to in paragraph (b);
- (d) remove the contents of the storage receptacles from the premises at least twice every seven days and dispose of it in a manner that will not create a public health nuisance;
- (e) store all loose food in receptacles, with close fitting lids, in the food store;
- (f) provide adequate refrigeration facilities to store perishable foods on the premises;
- (g) provide adequate separate refuse receptacles, with close fitting lids, on the premises for refuse other than faeces;
- (h) keep any sick dog or cat isolated from any other animals; and
- (i) maintain the premises free from offensive odours and every enclosure, shelter, kennel, cage or food store clean and free from pests;
- (j) ensure that no dog or cat disturbs the comfort, convenience, peace and quiet of the public.

**Part 8: Pet shops and pet parlours****137. REQUIREMENTS FOR PREMISES**

No person may operate a pet shop or pet parlour in or on any premises which do not comply with the following requirements:

- (a) any wall and partition must —

- (i) take adequate measures to keep the premises free of flies, cockroaches and rodents and to prevent offensive odours arising from the keeping of poultry on the premises.

#### Part 5: Keeping of rabbits

#### 128. APPLICATION

The provisions of sections 130(b), (c), (d), (f) and (g), and 131(d), (f) and (g), do not apply to any person keeping ten or less rabbits.

#### 129. PERMIT REQUIREMENTS

No person may keep more than 5 adult rabbits on an erf in a proclaimed township or more than 20 adult rabbits on premises zoned for agricultural purposes, except in terms of a permit authorising that activity.

#### 130. REQUIREMENTS FOR THE PREMISES

No person may keep rabbits in premises which do not comply with the following requirements:

- (a) in relation to a rabbit hutch —
- (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
  - (ii) the floor surface must be —
    - (aa) constructed of concrete or other impervious material brought to a smooth finish;
    - (bb) situated at least 150 mm above ground level; and
    - (cc) graded to a channel drained in terms of section 143, if required by an environmental health practitioner;
  - (iii) adequate ventilation must be provided; and
  - (iv) the rabbit hutch must be adequate in size to allow free unobstructed movement of animals kept therein.
- (b) any rabbit run must be enclosed with wire mesh or other durable material and constructed in a way that prevents the escape of rabbits from the run;
- (c) in relation to a building or structure housing a battery system —
- (i) every wall must —
    - (aa) be at least 2,4 metres high;
    - (bb) be constructed of concrete, stone, brick or other durable material; and
    - (cc) must have a smooth internal surface;
  - (ii) if walls are provided, the building or structure must be ventilated and lighted by means of natural openings or windows of an area not less than 15% of the floor area of the building or structure;
  - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish, and if required by an environmental health practitioner, the floor surface must be graded to a channel drained in terms of section 143;
  - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its outside edges; and
  - (v) every cage must be constructed of an impervious material and fitted with trays of an impervious material for the reception of manure;
- (d) a water supply adequate for drinking and cleaning purposes must be provided in or next to every rabbit hutch or building or structure housing a battery;
- (e) no person may erect a rabbit hutch, rabbit run or building or structure housing a battery system within five metres of —
- (i) any dwelling, building or other structure used for human habitation;
  - (ii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iii) the nearest boundary of any land;
- (f) an adequate rodent-proof storeroom must be provided for the storage of feed; and
- (g) adequate washing facilities must be provided for the cleaning of cages.

#### 131. DUTIES OF KEEPERS OF RABBITS

Any person who keeps rabbits must —

- (a) keep all rabbits within the rabbit hutch, rabbit run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, containers or receptacles used in connection with keeping rabbits, in a clean, sanitary condition and in good repair;
- (c) maintain the premises free from offensive odours and every rabbit hutch, rabbit run or building or structure housing a battery system and all cages clean and free from pests;
- (d) provide portable manure storage receptacles of an impervious material with close-fitting lids which receptacles must be kept on a platform;
- (e) remove all manure and any other waste matter from the rabbit hutch, rabbit run or building or structure housing a battery system, at least once every 48 hours;
- (f) keep the manure and waste in manure storage receptacles until it is removed from the premises; and
- (g) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the contents in a way which will not create a public health nuisance.

#### Part 6: Keeping of birds other than poultry

#### 132. REQUIREMENTS FOR THE PREMISES

No person may keep any bird, other than poultry, in an aviary which does not comply with the following requirements:

- (a) the aviary must be constructed of durable rodent-proof material;
- (b) adequate access must be provided for cleaning purposes;
- (c) if the aviary is constructed above ground level, its base must be constructed of an impervious and durable material and must be situated a minimum of 300 mm above ground level;
- (d) the aviary may not be situated within three metres of any building or structure, boundary fence or boundary wall; and
- (e) a water supply adequate for drinking and cleaning purposes must be situated in or next to every aviary.

- (d) remove all manure from the enclosure or stable at least once every seven days and place it in the manure storage receptacles;
- (e) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way that will not create a public health nuisance; and
- (f) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids in the storeroom.

#### Part 4: Keeping of poultry

#### 124. APPLICATION

The provisions of sections 126(d), (f), (g) and 127(e), do not apply to any person keeping ten or less poultry.

#### 125. PERMIT REQUIREMENT

No person may keep more than 10 poultry on an erf in a proclaimed township or 100 poultry on premises zoned for agricultural purposes except in terms of a permit authorising that activity.

#### 126. REQUIREMENTS FOR PREMISES

No person may keep poultry in premises which do not comply with the following requirements:

- (a) in relation to a poultry house —
  - (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
  - (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish;
  - (iii) the upper floor of a two or more story structure must be constructed of an impervious and easily cleanable material;
  - (iv) the minimum floor area must be —
    - (aa) 0,20 m<sup>2</sup> for each grown fowl, duck, muscovy duck or guinea fowl;
    - (bb) 0,5 m<sup>2</sup> for each grown goose, turkey or peacock; and
    - (cc) 0,14 m<sup>2</sup> for each grown pigeon; and
  - (v) the minimum aggregate floor area must be 4 m<sup>2</sup>;
- (b) a poultry run, if provided, must be enclosed with wire mesh or other durable material;
- (c) in relation to a building or structure housing a battery system —
  - (i) every wall, if provided, must be at least 2,4 m high, must be constructed of concrete, stone, brick or other impervious material and must have a smooth internal surface;
  - (ii) if walls are provided, the building must be ventilated and lighted by means of mechanical ventilation and artificial lighting or by obtaining natural ventilation and light through openings or opening windows of an area not less than 15% of the floor area of the building or structure;
  - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and if required by an environmental health practitioner, the floor surface must be graded and drained by means of a channel drained in terms of section 143;
  - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its edges;
  - (v) the cages of the battery system must be made of an impervious material; and
  - (vi) if required by an environmental health practitioner, a tray of an impervious material must be fitted under every cage for the collection of manure;
- (d) a water supply adequate for drinking and cleaning must be provided in or next to every poultry house and poultry run and in or next to a building or structure housing a battery system;
- (e) no poultry house, poultry run, or building or structure housing a battery system, may be constructed within 3 metres of —
  - (i) any dwelling or other building or structure used for human habitation; and
  - (ii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iii) the nearest boundary of any land;
- (f) feed must be stored in an adequate rodent-proof storeroom;
- (g) adequate washing facilities must be provided for the cleaning of the cages;
- (h) if required by an environmental health practitioner, due to the amount of manure stored on the premises awaiting removal, a storage area complying with the following requirements must be provided:
  - (i) a roofed platform constructed of concrete or other impervious material;
  - (ii) the platform's outside edges must have a minimum curb of 100 mm high;
  - (iii) the platform must be graded and drained in terms of section 143; and
  - (iv) the roof of the platform must extend a minimum of 1 metre beyond the edges of the base of the platform.

#### 127. DUTIES OF KEEPER OF POULTRY

Any person who keeps poultry must —

- (a) ensure that all poultry is kept within a poultry house, poultry run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the poultry, in a clean, sanitary condition and in good repair;
- (c) maintain the premises and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from pests;
- (d) ensure that the poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (e) provide portable manure storage receptacles of an impervious material and with close fitting lids and keep the manure storage receptacles on a platform;
- (f) remove all manure and other waste from a poultry house and poultry run at least once every 48 hours and once every four days from a building or structure housing a battery system;
- (g) place the manure and other waste matter in manure storage receptacles;
- (h) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way which will not create a public health nuisance; and

- (ii) if the roof is a flat roof be 2,7 metres;
- (iii) if the roof is a lean to roof be a mean height of 3 metres with a minimum of 2,4 metres on the lowest side;
- (iv) in the case of a stable which has an opening along the entire length of one of its long sides be not less than 2 metres;
- (d) the stable must have a floor area of at least 9 m<sup>2</sup> for each head of cattle, horse, mule or donkey accommodated in it;
- (e) lighting and ventilation must be provided by openings or glazed opening windows or louvers totalling at least 0,3 m<sup>2</sup> for each animal to be accommodated in it except in the case of a stable open along the entire length of one of its long sides;
- (f) the lowest point of every opening, window or louvers must be at least 1,8 metres above floor level;
- (g) the floor of the stable must be constructed of concrete or other durable and impervious material brought to a smooth finish graded to a channel and drained in terms of section 143;
- (h) any enclosure must have an area of at least 10 m<sup>2</sup> for each head of cattle, horse, mule or donkey accommodated in it and the fencing must be strong enough to prevent the animals from breaking out;
- (i) no enclosure or stable may be situated within —
  - (i) 15 metres of the boundary of any land, property, dwelling or other structure used for human habitation; or
  - (ii) 50 metres of any water resource or water supply intended or used for human consumption; and
- (j) there must be a water supply adequate for drinking and cleaning purposes next to every stable or enclosure.

## 120. DUTIES OF KEEPER OF CATTLE, HORSES, MULES AND DONKEYS

Any person who keeps any cattle, horse, mule or donkey must —

- (a) maintain the premises, and any equipment, apparatus, container or receptacle used in connection with keeping the animal, in a clean and sanitary condition and in good repair;
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform constructed of concrete or other durable and impervious material near the stable or enclosure;
- (d) if there is so much manure and bedding that storage receptacles are impractical, provide a manure container or area complying with the following requirements:
  - (i) the manure container or area must be roofed and enclosed by three walls constructed of brick, concrete or other durable material plastered to a smooth finish; and
  - (ii) the floor must be of smoothly finished concrete that is inclined so that it drains to a water channel along the full length of the open side, which is at least 150 mm in diameter and is kept filled with water;
- (e) remove all the manure from the stable and enclosure at least once every 24 hours and place it in the manure storage receptacles or manure container or area until it is removed from the premises;
- (f) remove the contents of the manure storage receptacles or manure container or area from the premises at least once every second day and dispose of the manure in a way which will not create a public health nuisance;
- (g) remove all bedding from the stable at least once a week and store it in the manure receptacles or manure container or area until it is removed from the premises;
- (h) store all saddles, bridles, harnesses and other equipment or articles used in connection with the keeping of the animals, in a storeroom or other adequate storage facility; and
- (i) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids.

### Part 3: Keeping of goats and sheep

## 121. APPLICATION

The provisions of sections 122 and 123 also apply to the temporary keeping of a goat on any premises for the provision of milk for medical reasons.

## 122. REQUIREMENTS FOR PREMISES

- (1) No person may keep goats or sheep in —
  - (a) an enclosure which does not comply with the following requirements:
    - (i) the minimum overall floor area must be 30 m<sup>2</sup>; and
    - (ii) at least 1,5 m<sup>2</sup> of floor space must be provided for every goat or sheep accommodated in it; or
  - (b) a stable which does not comply with the following requirements:
    - (i) every wall must be constructed of brick, stone, concrete or other durable material;
    - (ii) every wall must be at least 2 metres in height and have a smooth internal finish;
    - (iii) the floor must be constructed of concrete or other durable and impervious material brought to a smooth finish and graded to a channel drained in terms of section 143;
    - (iv) at least 1,5 m<sup>2</sup> of floor space must be provided for every goat or sheep accommodated in it with an overall minimum floor area of 6 m<sup>2</sup>; and (v) lighting and ventilation openings totalling at least 0,15 m<sup>2</sup> per goat or sheep must be provided.
- (2) No person may keep goats or sheep in an enclosure or stable within —
  - (a) 15 metres of any boundary of any land, dwelling, building or other structure used for human habitation; or
  - (b) 50 metres of any water resource or water supply intended or used for human consumption.
- (3) Every person must provide a water supply adequate for drinking and cleaning purposes situated next to or in every enclosure or stable used to accommodate goats or sheep.

## 123. DUTIES OF KEEPER OF GOATS AND SHEEP

Any person who keeps goats or sheep must —

- (a) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the animal in a clean and sanitary condition and in good repair;
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform that enables the surface underneath the receptacle to be cleaned;



**CHAPTER 15**  
**KEEPING OF ANIMALS**

**117. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“**agricultural holding**” means the same as defined in the applicable Town Planning Scheme;

“**animal**” means any cattle, sheep, goat, horse, mule, donkey, pig, rabbit and wild animal;

“**aviary**” means an enclosure used for the keeping of birds, other than poultry but does not include a portable cage;

“**battery system**” means the method of keeping poultry or rabbits in cages in either single rows or tier formation within a building or structure;

“**cattery**” means premises in or upon which —

- (a) boarding facilities for cats are provided; or
- (b) cats are bred for commercial purposes;

“**enclosure**” in relation to an animal, means any kraal, pen, paddock, cage or other fenced or enclosed area erected to confine an animal from escaping or roaming freely on the remainder of the premises;

“**keeper**” means —

- (a) in relation to any animal, the owner of the animal or any other person responsible for feeding and caring for the animal;
- (b) in relation to a battery system, cattery, kennels, pet parlour or pet shop means the person who owns the business of which it forms part of and the person in charge of the premises in which the animals are kept;

“**kennels**” means premises in or upon which —

- (a) boarding facilities for dogs are provided;
- (b) dogs are bred for commercial purposes;
- (c) dogs are kept for the purposes of being trained or hired out with or without handlers; or
- (d) dogs are kept for commercial security purposes;

“**livestock**” means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;

“**pet**” means a domestic animal, bird or poultry kept in a household for companionship or amusement;

“**pet parlour**” means any premises where beauty treatment is given to pets by washing, drying, brushing, clipping, trimming or by attending to their nails or teeth;

“**pet shop**” means the premises on which the business of keeping and selling of pets is carried out;

“**poultry**” means fowls, ducks, muscovy ducks, geese, turkeys, pigeons, peacocks and domestic guinea-fowls;

“**poultry house**” means any roofed-over building or structure in which poultry is kept, other than one in which a battery system is operated;

“**poultry run**” means any unroofed wire mesh or other enclosure in which poultry is kept, whether or not it is attached to a poultry house;

“**proclaimed township**” means an approved township as contemplated in sections 79, 103, 111 and 141(4) of the Town Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986), or a township approved in terms of any prior law relating to townships;

“**rabbit hutch**” means any roofed-over building or structure in which rabbits are kept, other than one in which a battery system is operated;

“**rabbit run**” means any unroofed wire mesh or other enclosure in which rabbits are kept, whether or not it is attached to a rabbit hutch;

“**stable**” means any building or structure used to accommodate livestock other than poultry;

“**wild animal**” means an animal of a species that is not generally domesticated and without limitation includes all animals indigenous to South Africa other than domesticated guinea-fowls.

**Part 1: General provisions relating to the keeping of animals**

**118. APPLICATION OF CHAPTER**

- (1) Subject to the provisions of subsection (2), the provisions of this Chapter do not apply to —
  - (a) any agricultural show where animals are kept on a temporary basis; and
  - (b) any laboratory where animals are kept for research purposes.
- (2) The provisions of section 144 apply to the keeping of animals at any agricultural show and at research laboratory.
- (3) No person may, subject to the provisions of section 121, keep or allow to be kept, any animal other than an approved pet on an erf in a proclaimed township, provided the keeping of such pet does not create or constitute a nuisance.
- (4) If at any time it appears to an authorised official that the keeping of poultry or rabbits on an erf or agricultural holding, in respect of which a permit has been granted, is likely to constitute a nuisance or danger to the public health, that official may —
  - (a) cancel the permit; or
  - (b) prohibit the keeping of such poultry or rabbits.
- (5) An authorised official must serve a notice on the permit holder or the owner of the erf or agricultural holding concerned, informing him or her of a decision in terms of subsection (1) and instruct the owner to comply with the requirements within the period stated in such notice, which must be at least 48 hours.
- (6) An authorised official must as soon as a permit has been cancelled, notify the permit holder of that fact in writing.
- (7) An authorised official may, subject to the foregoing provisions of this section, issue a new permit if he is satisfied that the reason for the cancellation no longer exists or that there is no reason why a new permit should not be issued.

**Part 2: Keeping of cattle, horses, mules and donkeys**

**119. REQUIREMENTS FOR PREMISES**

- (1) No person may keep any cattle, horse, mule or donkey in a stable or enclosure that does not comply with the following requirements:
  - (a) every wall and partition of the stable must be constructed of brick, stone, concrete or other durable material;
  - (b) the internal wall surfaces of the stable must be constructed of smooth brick or other durable surface brought to a smooth finish;
  - (c) the height of the walls to the wall plates of the stable must —
    - (i) if the roof is a pitched roof be 2,4 metres;

**111. GENERAL DUTIES OF A CHILD-CARE SERVICE PROVIDER**

Any person who provides a child-care service must —

- (a) ensure that the children are properly cared for and supervised at all times;
- (b) maintain every part of the premises, including any equipment, in good repair and in a clean and hygienic condition at all times;
- (c) ensure that all persons on or in the premises are clean in person and clothing and are in good state of health;
- (d) ensure that no person smokes or uses any tobacco product in the presence of children;
- (e) ensure that the toys, books and other indoor play materials intended for day-to-day use are available in any indoor play area and suitably stored so that they are within easy reach of the children;
- (f) ensure that the children are at all times under the direct supervision of an adult in the following ratio:
  - (i) one adult supervisor for every 6 babies between 0-18 months;
  - (ii) one adult supervisor for every 12 children between 18 months and 3 years;
  - (iii) one adult supervisor for every 20 children between 3 and 5 years;
  - (iv) one adult supervisor for every 30 children between 5 and 6 years; and
  - (v) one adult supervisor for every 35 children of school going age;
- (g) if transport to or from a child care service is provided, ensure that —
  - (i) the children are supervised by at least one adult apart from the driver during transport;
  - (ii) the doors of the vehicle are lockable so that they cannot be opened from inside the vehicle;
  - (iii) no children are transported in the front seat or the boot of the vehicle;
  - (iv) no babies are placed under the seat of a vehicle;
  - (v) the vehicle is not overloaded in terms of any applicable law;
  - (vi) the driver of the vehicle holds a valid licence to transport the passengers; and
  - (vii) the vehicle is licensed and is in a road worthy condition;
- (h) when children are transported in the back of an enclosed light commercial vehicle, ensure that no exhaust fumes enter the enclosed area and that it is adequately ventilated
  - (i) if meals are provided, display a two-weekly menu that must be visible to the parents;
  - (j) provide nutritionally balanced meals of adequate volume to satisfy the energy needs of the children in each age group;
  - (k) provide a laundry area an adequate distance from any area used to care for children or the kitchen, if laundry is done on the premises;
  - (l) provide an adequate number of bins with self-closing lids for the disposal of paper, paper towels, tissues and other waste materials, inside the premises;
  - (m) provide an approved refuse area, with adequate refuse bins, for the storage of refuse pending removal;
  - (n) provide each child with a towel, preferably disposable, for his or her individual use on the premises;
  - (o) provide adequate individually marked pegs or hooks for each child to hang his or her towel on; and
  - (p) provide an adequate and easily available supply of toilet paper, soap and tissues for the children's use.

**Application for admission****112. ANY PERSON WHO PROVIDES A CHILD-CARE SERVICE MUST ENSURE THAT —**

- (a) an application form containing the following information is completed by the parent or guardian of every child when he or she is admitted to the child-care service:
  - (i) the child's name and date of birth;
  - (ii) the name, address and telephone number of the parent or guardian;
  - (iii) the place of employment and telephone number of the parent or guardian;
  - (iv) the name, address and telephone number of a responsible person other than the parent or guardian who may be consulted in emergencies; and
  - (v) the name, address and telephone number of the child's doctor together with permission to consult him;
- (b) all application forms are kept for a minimum period of three years from the date a child is discharged; and
- (c) the date of admission and discharge of each child is written on the relevant application form.

**113. REGISTERS**

Any person who provides a child-care service must keep an admission and discharge register of all children admitted to and discharged from the child-care service, in which —

- (a) the presence or absence of each child is recorded daily; and
- (b) each child's date of birth is recorded.

**114. MEDICAL REPORTS**

Any person who provides a child-care service must obtain a report from the parent or guardian of each child containing the following health data:

- (a) information concerning the child's general state of health and physical condition;
- (b) operations, illnesses and any communicable diseases which the child has suffered and the relevant dates;
- (c) details of required immunizations; and
- (d) details of allergies and any medical treatment the child may be undergoing.

**115. GENERAL JOURNAL**

Any person who provides a child-care service must keep a journal, in which any important or outstanding event, including any accident on the premises or during transportation of children, and any explanation is recorded.

**116. MEDICAL JOURNAL**

Any person who provides a child-care service must keep a medical journal in which the details and quantity of any medicine given to a child is recorded, and the child-care provider must ensure that the journal is signed daily by the parent or guardian of any child to whom medicine was given.

**105. TOILET AND WASH FACILITIES FOR CHILDREN UNDER THE AGE OF 2 YEARS**

Child-care premises must provide the following additional toilet and wash facilities for children under the age of 2 years:

- (a) a separate napkin changing unit for changing the napkins of children under the age of 2 years;
- (b) adequate wash facilities to clean children wearing napkins;
- (c) adequate containers for the storage of clean and soiled napkins.

**106. GENERAL REQUIREMENTS**

No person may provide a child-care service unless the child-care premises comply with the following additional requirements:

- (a) separate toilet and hand wash facilities must be provided for staff members;
- (b) no child may, at any time, have access to living quarters of staff and adequate measures must be taken to keep the living quarters separate;
- (c) an adequate sick-bay area for the treatment and care of any child who falls ill or who is injured during day care, must be provided;
- (d) an adequate method for hand washing must be provided in the sick-bay area;
- (e) an approved lockable and adequately equipped first aid unit must be provided and maintained in the sick-bay area;
- (f) an adequate office area must be provided;
- (g) an adequate kitchen area, where food is to be handled, prepared, stored and provided to children, must be provided;
- (h) the kitchen area referred to in paragraph (g) must comply with any relevant law;
- (i) a separate storage area of adequate size must be provided for the storage of indoor and outdoor play materials, equipment, stretchers, sleeping mats, bedding and linen; and
- (j) a separate designated storage facility of adequate size for the storage of the personal belongings of each child and staff member must be provided.

**107. RESTING AND PLAY EQUIPMENT**

Any person who provides a child-care service must provide —

- (a) adequate child-sized seating and tables for each child;
- (b) adequate individual resting or sleeping places for each child;
- (c) an approved blanket for the individual use of each child; and
- (d) adequate indoor and outdoor play equipment for the children's use.

**108. AFTER-SCHOOL FACILITIES**

Any person who provides a child-care service for children of school-going age must provide the following after-school care facilities:

- (a) if an after-school care is provided on the same premises as for the care of children under school going age, the facilities for the two groups of children must be kept totally separate, except for the kitchen and office area;
- (b) an indoor care area of at least 1,5 m<sup>2</sup> free floor space for each child must be provided;
- (c) an outdoor play area of at least 2 m<sup>2</sup> for each child must be provided;
- (d) one toilet and one hand-wash facility must be provided for every 20 children, or part of that number, and the facilities must be separately designated for the use of each sex; and
- (e) adequate seating and tables must be provided for each child.

**109. MEDICAL CARE FOR CHILDREN**

Any person who provides a child-care service or is in charge of child-care premises must —

- (a) in respect of any child who becomes ill or has suffered an injury requiring medical attention —
  - (i) immediately notify the parent or guardian of the child;
  - (ii) immediately call for medical assistance; and
  - (iii) provide necessary care and treatment in the sick-bay area required in terms of section 106(c);
- (b) immediately notify the Council in the event of the illness being a communicable disease;
- (c) ensure that every child has completed basic immunization schedules as considered necessary by the Council;
- (d) comply with the provisions of any relevant legislation and regulations published under the Health Act, 1977 (Act No. 63 of 1977), regarding the exclusion of children from day-care services on account of infectious diseases;
- (e) be trained in basic first aid; and
- (f) only administer medicine to a child with the written consent of that child's parent or guardian.

**110. SAFETY MEASURES**

No person may provide a child-care service unless the following safety measures are complied with:

- (a) children must be adequately protected against fires, hot water installations, electrical fittings and appliances, heating appliances and any other article, thing or substance that may be dangerous or cause injury to any child;
- (b) any slats or rails forming part of an enclosure, security gate, play pen, bed, cot or any other object or structure whatsoever, must be a minimum of 75 mm apart, must be installed and maintained in a good state of repair, and if painted, only non-toxic paint must be used;
- (c) all medicines, pesticides, detergents and other harmful substances must be stored in a locked place inaccessible to any child at all times;
- (d) no noxious or poisonous or dangerous plant or shrub may be permitted on the premises;
- (e) no animals or birds may be kept on the premises;
- (f) no person known or suspected to be suffering from an infectious or contagious disease, and no person so suffering, may be allowed on the premises while, in the opinion of an environmental health practitioner, the person is capable of communicating the infectious or contagious disease to the children;
- (g) no paddling pool, swimming pool or other structure may be permitted in any child-care service without adequate fencing and a safety net;
- (h) any sandpit must be adequately covered when not in use and must be treated with a treatment agent on a regular basis; and
- (i) any other reasonable measures which may, in the opinion of an environmental health practitioner, be necessary to protect the children from any physical danger, must be taken by the child-care service provider on the instruction of an environmental health practitioner.

- (d) containers used for the reception or conveyance of soiled or laundered articles are adequately marked so that they can be easily distinguishable from one another; and
  - (e) all persons employed in any part of the laundry are provided with, and wear, caps covering their hair and clean overalls made of light-coloured material, of a design approved by an environmental health practitioner.
- 96. LINEN**  
Any person who operates a nursing home must ensure that at all times, all linen provided in the premises is —
- (a) of good quality;
  - (b) maintained in good repair; and
  - (c) available in a quantity adequate to ensure the prompt replacement of soiled articles.
- 97. REFUSE RECEPTACLES**  
Any person who operates a nursing home must provide an adequate number of refuse receptacles on the premises.
- 98. ACCOMMODATION FOR NURSING STAFF**  
No person may operate a nursing home unless —
- (a) adequate sleeping accommodation is provided for the resident nursing staff employed on the premises;
  - (b) adequate arrangements are made for the separation of the sleeping accommodation of members of the staff on day duty and those on night duty, so as to avoid the undue disturbance of staff sleeping; and
  - (c) a dining-room and separate recreation room is provided for the nursing staff: Provided that one room may be used as a dining and recreation room if the room is adequate for both purposes.

#### CHAPTER 14 CHILD - CARE SERVICES

**99. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“**child-care premises**” mean premises on which child-care services are offered;

“**child-care service**” means any service, whether for gain or otherwise, for the reception, protection, care and bringing-up of more than six children apart from their parents, but does not include any reform school, boarding school, school hostel or any establishment which is maintained or used mainly for the tuition or training of children and which is controlled by or which has been registered or approved by the State, including a provincial administration, as contemplated in the Child Care Act, 1983 (Act No. 74 of 1983).

**100. PERMIT REQUIREMENT**

No person may provide a child-care service except on child-care premises which comply with the requirements of sections 101 to 116 and in terms of a permit authorising that activity.

**101. GENERAL REQUIREMENTS FOR CHILD-CARE PREMISES**

A child-care service may only be provided in or on premises which are located, designed, constructed, finished, equipped and in such a condition that children —

- (a) can be cared for hygienically; and
- (b) can be adequately protected against any possible public health hazard and public health nuisance.

**102. INDOOR PLAY AREAS**

Child-care premises on which children under compulsory school-going age are cared for, must be provided with an indoor play area which must —

- (a) be enclosed by buildings and structures constructed of materials and in a manner that ensures the health and safety of children using that area;
- (b) have a floor which is smooth, easily washable and which prevents the permeation of dampness;
- (c) have a play area with a minimum of 1,5 m<sup>2</sup> free unobstructed floor space per child, or 3 m<sup>2</sup> if no outdoor play area is provided, and which is divided by walls or removable partitions into separate indoor play areas in which children of the following age groups are cared for separately at all times:
  - (i) 0-2 years;
  - (ii) 2-4 years; and
  - (iii) 4 years up to compulsory school-going age.

**103. OUTDOOR PLAY AREAS**

If child-care premises have an outdoor play area it must —

- (a) be free of any excavations, steps, projections, levels or any surface which may adversely impact on the health and safety of children using that area;
- (b) provide a minimum outdoor play area of 2 m<sup>2</sup> per child;
- (c) have an adequate means of enclosure and a lockable gate to prevent a child leaving the premises on his or her own and to prevent the entrance of any animal and unauthorised person; and
- (d) have separate outdoor play areas for the following different age groups:
  - (i) 0-2 years;
  - (ii) 2-4 years;
  - (iii) 4 years up to compulsory school-going age; and
  - (iv) school-going children.

**104. TOILET AND WASH FACILITIES**

Child-care premises must have adequate toilet and wash facilities for all children with —

- (a) a ratio of not more than 15 children for each toilet or chemical toilet;
- (b) a ratio of not more than 20 children for each hand wash facility; and
- (c) a supply of hot and cold running potable water must be available at every wash-hand basin, or if no running water is available, a minimum of 25 litres of potable water, stored in a hygienically clean container, must be available on the premises at all times.

- (e) has, in the case of a maternity home, adequate apparatus for sterilizing bedpans by steam or boiling water and in the case of a nursing home carrying on a general practice, adequate apparatus for cleaning bed-pans;
- (f) has an impervious receptacle, with a tight fitting lid and of adequate size, for the reception of soiled dressings; and
- (g) is used only for —
  - (i) the storage and cleansing of bed-pans and other sanitary utensils;
  - (ii) the temporary deposit of soiled dressings; and
  - (iii) the testing of urine.

**87. KITCHENS AND SCULLERIES**

Any person who operates a nursing home must ensure that any kitchen and scullery located on the premises complies with the following requirements:

- (a) every draining board and top of every table installed, whether as a new installation or by way of replacement, must be constructed of stainless steel, enamelled metal or of another adequate smooth and impervious material;
- (b) every sink installed, whether as a new installation or by way of replacement, must —
  - (i) be constructed of stainless steel;
  - (ii) have two compartments each with hot and cold running potable water; and
  - (iii) together with its draining board, be installed at least 100 mm away from any wall;
- (c) any wall within 600 mm of any part of a sink, draining board or of any table on which food is prepared or handled, must be tiled or treated in some other adequate manner to a minimum height of 1.35 metres above the floor;
- (d) a receptacle with a tight fitting lid suitable for the reception of kitchen refuse, must be provided;
- (e) the receptacle must be kept tightly shut and emptied at least once a day into an external refuse receptacle; and
- (f) a hood or canopy of adequate size, having a flue at least 300 mm in diameter and which emits fumes and gasses in such a manner that it creates no public health nuisance, must be provided immediately over any stove where cooking is carried out on the premises.

**88. STORAGE OF FOODSTUFFS**

Any person who operates a nursing home must ensure that-

- (a) all crockery, cutlery and foodstuffs are stored in a hygienic place and manner;
- (b) adequate refrigeration facilities are provided for the storage of perishable foodstuffs; and
- (c) any room in which fruit and vegetables are stored, is adequately ventilated and equipped with heavy wire shelves and racks.

**89. LAYOUT OF ROOMS**

No person who operates a nursing home may do so unless the rooms referred to in sections 87 and 88 comply with the following additional requirements:

- (a) the rooms may not be situated in, or share an entrance with, any —
  - (i) ward or room used for sleeping;
  - (ii) sluice-room; or
  - (iii) toilet and urinal;
- (b) the rooms must be provided with adequate racks, shelves and other means to store bulk goods at a minimum height of 225 mm above the floor;
- (c) adequate lighting and ventilation, as prescribed by the National Building Regulations and Building Standards Act, must be provided.

**90. MEDICINES AND POISONS**

Any person who operates a nursing home must ensure that-

- (a) a room or cupboard, of adequate size is set aside, to be used solely for the storage of medicines and drugs;
- (b) every room or cupboard set aside in terms of paragraph (a), is kept locked at all times except when medicines or drugs are being removed from it or returned to it; and
- (c) within that room or cupboard, a separate lockable cupboard or locker is reserved for the storage of poisons, habit-forming drugs and potentially dangerous drugs.

**91. STERILISATION**

Any person who operates a nursing home must provide adequate apparatus for the sterilisation of instruments.

**92. LAUNDERING**

If laundering is carried out on the premises of a nursing home, this must take place in accordance with the provisions of Chapter 11.

**93. RECEPTION ROOMS FOR SOILED ARTICLES**

Any person who operates a nursing home must ensure that-

- (a) the reception room for soiled articles is used exclusively for receiving and sorting soiled articles;
- (b) a wash-hand basin, supplied with running hot and cold potable water is provided, in each reception room;
- (c) each reception room is mechanically ventilated in a manner that ensures that any air generated in the room is discharged into the atmosphere; and
- (d) a separate reception room is provided in any maternity home and used exclusively for receiving and sluicing of baby napkins.

**94. LAUNDRY ROOMS**

If laundering is carried out on the premises of a nursing home, the premises that are used for such laundering must comply with the requirements for premises on which a laundry business is conducted as contemplated in section 65 of these By-laws.

**95. STORAGE ROOMS**

Any person who operates a nursing home must ensure that —

- (a) any storage room is used exclusively for the storage and distribution of those articles intended to be stored in such storeroom;
- (b) any storage room contains adequate moveable shelving made of impervious material;
- (c) every shelf is a minimum height of 225 mm above the floor;

- (ii) the number of patients that may be accommodated in the ward;
- (f) an adequate number of easily accessible wash-hand basins, complying with the following requirements, must be placed inside each ward:
  - (i) the basins must be of adequate size for scrubbing up; and
  - (ii) the basins must be provided with an adequate supply of hot and cold running potable water;
- (g) no room, any of the windows of which are situated less than 1.5 metres from an object which obstructs its light, may be used as a ward; and
- (h) every ward must have a door opening directly onto a passage.

**83. MATERNITY HOMES**

Any person who operates a maternity home must, in addition to the requirements for nursing homes, comply with the following requirements:

- (a) one or more rooms, as an environmental health practitioner may think fit to avoid overcrowding and congestion, must be set aside for each of the following purposes:
  - (i) a nursery;
  - (ii) a labour ward;
  - (iii) a delivery ward; and
  - (iv) a milk room;
- (b) every delivery ward must have a scrubbing-up basin, with a supply of hot and cold running potable water, the taps of which are designed for operation by elbow or by foot;
- (c) newborn infants must be kept in the nursery except when brought to their mothers for feeding or for some other specific purpose, except that the infants may be kept with their mother at all times if there are no more than two maternity cases in a ward;
- (d) the floor area of any delivery ward in which a maximum of two maternity cases are accommodated, must provide a minimum of 10 m<sup>2</sup> for each bed and crib;
- (e) one separate crib for each baby, each with a minimum of least 2 m<sup>2</sup> of floor space, must be provided in every nursery;
- (f) the cribs must be situated as follows:
  - (i) a minimum of 750 mm from any other crib; or
  - (ii) a minimum of 300 mm from any wall on the side of the crib or wall fixture, excluding a wash-hand basin or a central-heating radiator;
- (g) a baby's bathing and changing-room, fitted with adequate baby bathing equipment, must adjoin every nursery; and
- (h) every milk room must be provided with —
  - (i) a sink made of porcelain, enamel or stainless steel and a wash-hand basin with hot and cold running potable water;
  - (ii) a refrigerator;
  - (iii) tables with impervious tops; and
  - (iv) adequate equipment for sterilising utensils used in the handling of milk.

**84. OPERATING THEATRES**

Any person who operates a nursing home which receives patients in need of surgical treatment, must provide an operating theatre used exclusively for surgical operations, which complies with the following requirements:

- (a) every operating theatre must be provided with —
  - (i) a scrubbing-up room or bay, which must immediately adjoin the operating theatre;
  - (ii) a sterilising room;
  - (iii) a theatre sluice-room; and
  - (iv) a recovery room;
- (b) the sterilising room, which adjoins an operating theatre, must be separated by a swing door or other approved type of door;
- (c) the sluice-room, sterilising room and recovery room must be reasonably accessible from the operating theatre; and
- (d) one sluice-room, sterilising room and recovery room may be used to serve more than one operating theatre.

**85. ABLUTION AND SANITARY REQUIREMENTS**

Any person who operates a nursing home must ensure that the premises complies with the following requirements:

- (a) all bathrooms must be fitted with porcelain enamel or cast-iron enamel baths with a supply of hot and cold running potable water;
- (b) the following number of baths and toilets must be provided for patients:
  - (i) in a maternity home —
    - (aa) the ratio of toilets to patients must not be less than 1:8; and
    - (bb) the ratio of bathrooms to patients must not be less than 1:12;
  - (ii) in any other nursing home —
    - (aa) the ratio of toilets to patients must not be less than 1:12; and
    - (bb) the ratio of bathrooms to patients must not be less than 1:12;
- (c) the following number of baths and toilets must be provided for nursing staff, domestic staff and other employees:
  - (i) the ratio of each of toilets and bathrooms to nursing and domestic staff must not be less than 1:12 respectively; and
  - (ii) the ratio of each of toilets and bathrooms or shower cubicles to other employees must not be less than 1:12 respectively;
- (d) in calculating the number of toilets in terms of paragraph (b), no account must be taken of any toilet contained in a bathroom; and
- (e) every toilet must be equipped with an adequate flushing system maintained in proper working order.

**86. SLUICE-ROOMS**

Any person who operates a nursing home must ensure that every sluice room located on the premises —

- (a) is a minimum of 7 m<sup>2</sup> in area and have a minimum width of 2.2 metres;
- (b) opens into a well-ventilated passage and is accessible to every ward which it serves;
- (c) has a sluice-pan of approved design and equipped with an adequate flushing system maintained in proper working order;
- (d) has smooth and impervious shelves or other adequate apparatus for the storage of bed-pans or other sanitary utensils;

- (ii) the floor and walls must be constructed of an impervious material brought to a smooth finish;
- (iii) all tables in the room must have impervious tops;
- (iv) a sink, supplied with hot and cold running potable water, must be provided; and
- (v) an adequate drainage system must be provided;
- (n) adequate facilities must be provided for the hygienic handling and disposal of flowers, vases and other related materials;
- (o) fire prevention equipment, which in the opinion of the chief fire officer of the Council is adequate, must be provided and maintained on the premises;
- (p) a fire escape, the stairs of which are a minimum of 1 metre wide with landings at each turning point measuring a minimum of 2.2 metres by 1.7 metres, must be affixed to the premises;
- (q) the premises must provide adequate accommodation for the storage of any spare equipment, including particularly heavy equipment and gas cylinders, in a manner that will not obstruct any passages or exits to the premises; and
- (r) an emergency stand-by electrical plant must be provided which is adequate to provide an immediate alternative supply of electricity to —
  - (i) each operating theatre throughout the period of any power failure;
  - (ii) any part of the nursing home to ensure the continued operation, throughout the period of the failure, of all electrically operated appliances and equipment which, in the opinion of an environmental health practitioner, are or may be life saving.

#### 79. FLOOR REQUIREMENTS

No person may operate a nursing home, unless the following are provided on each floor:

- (a) a duty-room equipped in accordance with section 90;
- (b) adequate sluicing facilities, taking into account the number of beds on the floor;
- (c) a dressing room fitted with adequate sterilising equipment, containing impervious shelves for the storage of sterile drums and other equipment, and used exclusively for —
  - (i) the sterilisation or preparation of instruments, dressings and other equipment; and
  - (ii) the treatment of patients;
- (d) a ward kitchen equipped with a sink with hot and cold running potable water, a refrigerator, a stove and cupboards for crockery and cutlery: Provided that a floor does not require a separate ward kitchen if all the needs of that floor are adequately catered for by the premises' main kitchen;
- (e) an adequate room or cupboard for the storage of clean linen;
- (f) a portable receptacle for the collection of soiled linen;
- (g) a room reserved exclusively for sorting and handling linen: Provided that such separate linen rooms are not required, if the entire premises are adequately served by one such room;
- (h) a room for the storage of any spare equipment including heavy equipment and gas cylinders; and
- (i) where accommodation is provided for children under the age of six years, a separate milk room for the storage and preparation of milk and other children's foods, unless a ward kitchen adequately fulfils this purpose.

#### 80. MAINTENANCE AND CONSTRUCTION

No person may operate a nursing home in or on premises which do not comply with the following requirements:

- (a) the premises must be kept in good and hygienic condition at all times;
- (b) all walls must be constructed of brick, stone, concrete or other impervious material;
- (c) except where glazed or glass bricks, glazed tiles or other similar material with a hard and smooth surface have been used, the internal walls of operating theatres, sterilizing rooms, wards, labour wards, scrubbing-up rooms, dressing-rooms, duty-rooms, kitchens, sculleries, pantries, food store-rooms, milk rooms, bathrooms, toilets, sluice-rooms, wash-houses and mortuaries must be —
  - (i) plastered and brought to a smooth finish; and
  - (ii) covered with a light-coloured washable paint, adequate plastic finish or other approved material;
- (d) the angles formed between each floor and wall, and between two walls, in operating units, wards, labour wards, sluice-rooms, milk rooms, bathrooms, toilets and kitchens, must be rounded;
- (e) the floors of wards must be constructed of concrete, hardwood or other durable material, brought to a smooth finish and maintained in this way at all times;
- (f) the floors of operating theatres, sterilizing rooms, wards, including labour wards, scrubbing-up rooms, dressing-rooms, duty-rooms, kitchens, sculleries, pantries, food store-rooms, milk rooms, bathrooms, toilets, sluice-rooms, wash-houses and mortuaries must be made of cement concrete or other impervious material brought to a smooth finish and maintained in this way at all times;
- (g) all ceilings must be constructed so as not to attract dust; and
- (h) the ceilings of operating theatres, labour wards, sterilizing rooms and scrubbing-up rooms must have a hard, smooth and washable surface.

#### 81. VENTILATION

No person may operate a nursing home which does not comply with the provisions of the National Building Regulations and Building Standards Act with regard to adequate light and ventilation.

#### 82. WARD REQUIREMENTS

No person may operate a nursing home which does not comply with the following requirements in respect of each ward:

- (a) all ceilings must have a minimum height of three metres, except in the case of existing nursing homes where the height may be a minimum of 2.6 metres as long as the floor area of the ward is sufficient to provide 22 m<sup>3</sup> of air space for every bed;
- (b) the size of the floor area must be such as to provide a minimum of 8,5 m<sup>2</sup> of floor space for every bed;
- (c) no bed may be placed —
  - (i) within 750 mm of any wall on the side of a bed or wall fixture, other than a wash-hand basin or central-heating radiator; or
  - (ii) within one metre of any other bed;
- (d) no space left between beds in terms of paragraph (c), may be obstructed in any manner;
- (e) the following must be displayed on the outside of each ward door:
  - (i) the number of the ward; and

- (a) the nursing home carried on business prior to the promulgation of these By-laws; or
- (b) the nursing home —
  - (i) complies with the requirements of subsection (2);
  - (ii) is in possession of a permit authorising that activity; and
  - (iii) complies with the requirements of any relevant Town Planning Scheme.
- (2) Any person who operates a nursing home may use the premises concerned as a maternity home and for general practice, subject to compliance with the following requirements:
  - (a) One part of the premises must be set aside exclusively as a maternity area for maternity cases and another part must be set aside exclusively as a general practice area for general practice;
  - (b) no room, passage, stairway, hall, corridor, lift, external entrance or exit or other portion of the premises may be used in common for any purpose whatsoever, except those that are used for the purpose of —
    - (i) laundries;
    - (ii) central sterilising unit, including ancillary units and stores;
    - (iii) pathological laboratories;
    - (iv) kitchens, sculleries, washing-up facilities, larders and any associated storage space;
    - (v) storage space for unused or adequately sterilised stores;
    - (vi) an administrative office other than an office used to admit and discharge patients;
    - (vii) central pharmaceutical units;
    - (viii) mortuaries; and
    - (ix) workshops;
  - (c) access to any common area may not be gained from the maternity area by going through the general practice area, and *vice versa*;
  - (d) any common area leading from the two exclusive areas must be adequately ventilated;
  - (e) there may not be any direct means of access between the two exclusive areas;
  - (f) there may not be any opening, aperture or gap in any common wall dividing the two exclusive areas which could allow air to pass from one area to the other;
  - (g) every floor of one exclusive area, which is located immediately above the other exclusive area, must be made of reinforced concrete or other impervious material;
  - (h) no member of the nursing or ward domestic staff who has performed duties in one exclusive area may, within 24 hours thereafter, perform duties in or enter the other exclusive area in an official capacity or in uniform;
  - (i) the uniforms and protective clothing worn by persons employed in the common area and the two exclusive areas, must be clearly distinguishable from one another;
  - (j) no furniture, equipment, utensils, apparatus, linen, blankets or any other articles located in a common area, may be taken to any exclusive area until they have been adequately sterilised;
  - (k) all furniture, equipment, utensils, apparatus and other articles, excluding linen, blankets, kitchen utensils, catering equipment, crockery, medical, surgical instruments and other incidental items, used in or intended for use in the two exclusive areas, must be clearly marked to indicate in which of the those areas they are used or originated;
  - (l) no article identified for use in the one exclusive area may be taken into or kept in the other exclusive area unless a certificate is obtained from an environmental health practitioner that the article has been adequately sterilised;
  - (m) all articles issued from the common area for use in the two exclusive areas, must be returned to the common area;
  - (n) no article issued for use in one exclusive area may be used in the other exclusive area until it has been returned to the common area for adequate sterilisation;
  - (o) no patient from the maternity area may be accommodated, nursed or cared for in the general practice area, and *vice versa*; and
  - (p) no person shall bring any animal, poultry or bird onto the premises.

## 78. GENERAL REQUIREMENTS

No person may operate a nursing home which does not comply with the following requirements:

- (a) separate residential accommodation must be provided for staff required to reside on the premises;
- (b) separate bathrooms and toilets must be provided in accordance with section 85(b) and (c), for each of the following classes of person:
  - (i) patients;
  - (ii) nursing staff; and
  - (iii) domestic staff;
- (c) the bathrooms and toilets must be designated for each sex and must be laid out in a manner that satisfies an environmental health practitioner;
- (d) an adequate supply of running hot and cold potable water, drawn from the Council's main supply, must be provided;
- (e) a water-borne sewerage system connected to the Council's sewer, a septic tank or other disposal system approved by the technical director of the Council and an environmental health practitioner in writing, must be provided;
- (f) adequate accommodation for the administrative purposes of the nursing home, must be provided;
- (g) adequate storage accommodation for articles that are reasonably necessary to store on the premises, must be provided;
- (h) an adequate kitchen and scullery, having regard to the size and layout of the nursing home, must be provided;
- (i) adequate accommodation and facilities for the storage and refrigeration of food, must be provided;
- (j) a separate linen room, containing adequate cupboards or shelves for the storage of clean linen, must be provided;
- (k) an incinerator, adequate for the complete incineration of any combustible article placed in it, must be provided;
- (l) any laundry located on the premises, must comply with the provisions of these By-laws;
- (m) no autopsy may be performed on the premises, other than in a room which is used solely for the reception of dead bodies and is constructed as follows:
  - (i) the room must be divided from any other room by a solid wall;



- (b) every swimming-pool must be surrounded by a wall or fence as prescribed by the National Building Regulations and Building Standards Act;
- (c) the surface of the floor area surrounding any spa-bath or swimming-pool must be constructed of an impervious, non-slip material;
- (d) an approved chemical gas mask must be provided at the chlorinator installation;
- (e) if so instructed in writing by an environmental health practitioner, an oxygen or air breathing apparatus must be provided; and
- (f) an adequate number of refuse receptacles must be provided on the premises.

**71. DUTIES OF SPA-BATH KEEPERS**

Every spa-bath keeper must —

- (a) keep the premises in a safe, clean and sanitary condition and in good repair at all times;
- (b) provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;
- (c) purify, treat and maintain the spa-bath water to an adequate quality level at all times;
- (d) provide and maintain, in good working order, equipment for testing the quality of the spa-bath water;
- (e) be capable of undertaking routine tests on the water quality in the spa-bath and interpreting the tests results; and
- (f) maintain a daily record of the spa-bath water quality.

**72. DUTIES OF SWIMMING POOL KEEPERS**

Every swimming pool keeper must —

- (a) keep the premises in a safe, clean and sanitary condition at all times;
- (b) provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;
- (c) be qualified and proficient in life saving, rendering first aid, use of a resuscitation appliance, the operation of the swimming pool and testing and maintaining the safety of the swimming pool water;
- (d) ensure that the swimming pool water is purified, treated and maintained to an adequate quality at all times;
- (e) provide and maintain, in proper working order, equipment for testing the quality of the swimming pool water;
- (f) be capable of undertaking routine tests on the water quality in the swimming pool and interpreting the tests results; and
- (g) maintain a daily record of the swimming pool water quality.

**73. WATER SUPPLY**

- (1) Unless the prior written approval of an environmental health practitioner has been obtained, no person operating a spa-bath or swimming pool may use water from a source other than a municipal supply to clean, fill or maintain the water level in a swimming pool or spa-bath.
- (2) An environmental health practitioner must —
  - (a) take samples of a swimming pool or spa-bath water, at intervals which he or she considers appropriate for the purpose of a chemical analysis or bacteriological examination of that water;
  - (b) submit the samples to an analyst authorised in terms of section 12 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 to conduct an analysis.

**74. SAFETY OF WATER**

Every spa-bath keeper and swimming pool keeper must ensure that the water in the spa-bath or swimming pool complies with the following requirements:

- (a) it must be free from floating, suspended or settled debris or swimming organisms and the walls, floor, access ladders or steps and gutters must be free from slime and algae;
- (b) the pH value of the water must be not less than 7 and not greater than 8;
- (c) where chlorine based disinfectants are used, a minimum free available chlorine residual of 0,5 mg/l, with a maximum free available chlorine residual of 3 mg/l, must be maintained;
- (d) if a disinfectant other than chlorine is used, the residual level must be equivalent in effect to the requirements of paragraph (c);
- (e) the total viable bacteriological count of any sample submitted for analysis, must not exceed 100 organisms per ml of water; and
- (f) *Escherichia coli* type 1 bacteria must not be present in any 100 ml of water.

**75. ORDER AND BEHAVIOUR**

No person may —

- (a) interfere with a spa-bath keeper or swimming pool keeper in the execution of his or her duties;
- (b) allow any dog or other pet belonging to him or her or under his or her care to enter or to remain within the premises of a spa-bath or swimming pool, unless it is a guide dog accompanying a blind person;
- (c) enter or remain in any premises of a spa-bath or swimming pool if he or she knows or suspects that he or she may be suffering from any communicable or contagious disease; and
- (d) urinate, defecate, spit or blow his or her nose in a spa-bath or swimming pool.

### CHAPTER 13 NURSING HOMES

**76. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“general practice” when used to describe the purpose for which a nursing home is used, means all medical, gynaecological and surgical cases, excluding maternity cases;

“maternity home” means any nursing home, or part thereof, dealing exclusively with maternity cases;

“nursing home” means any premises where the nursing or care of patients is carried on for gain, but does not include —

- (a) any institution owned or controlled by the Government of the Republic of South Africa or a Provincial Administration; or
- (b) any consulting room, dental surgery or home for aged persons.

**77. USE OF PREMISES**

- (1) Any person who operates a nursing home may use it for the purpose of either a maternity home or for general practice, but not for both those functions, unless —

- (l) all floor surfaces must be constructed of cement or some other adequate impervious material, brought to a smooth finish and properly drained;
- (m) the minimum height from floor to ceiling of any room or area must be 2,4 metres;
- (n) adequate lighting and ventilation, as prescribed by the National Building Regulations and Building Standards Act must be provided;
- (o) all machinery and equipment must be equipped with adequate suction fans to remove any noxious gas, steam and hot air from any room and to release it in the open air in an adequate manner;
- (p) all machinery and equipment must be placed so that there is free access to all areas around and underneath each machine or item of equipment, to enable those areas to be adequately cleansed; and
- (q) a separate pre-rinsing area must be provided on any premises where nappies are laundered.

#### 66. PREMISES FOR DRY-CLEANING OR LAUNDRY RECEIVING DEPOTS

No person may operate a dry-cleaning or laundry receiving depot on premises which do not comply with the following requirements:

- (a) a separate room or area with a minimum width of two metres must be provided for the receipt and dispatch of articles;
- (b) fifty percent of the floor space of the room referred to in paragraph (a) must be unobstructed;
- (c) a wash-hand basin with a supply of running potable water must be provided;
- (d) an adequate supply of soap and disposable towels must be provided at every wash-hand basin;
- (e) all internal wall and ceiling surfaces must be constructed of an impervious material, brought to a smooth finish and painted with a light-coloured washable paint;
- (f) all floor surfaces must be constructed of cement or other impervious material, brought to a smooth finish;
- (g) lighting and cross-ventilation, as prescribed by the National Building Regulations and Building Standards Act, must be provided;
- (h) adequate washable containers for storing dirty articles must be provided;
- (i) adequate quantities of hanging rails or impervious shelves for the storage of clean articles must be provided;
- (j) adequate designated counters, with impervious surfaces, must be provided separately for the receipt and dispatch of dirty and clean articles; and
- (k) an adequate metal locker must be provided for every person employed in the receiving depot.

#### 67. PREMISES FOR COIN-OPERATED LAUNDRIES

No person may operate a coin-operated laundry on premises which do not comply with the following requirements:

- (a) separate toilet and hand washing facilities for the different sexes, as prescribed in the National Building Regulations and Building Standards Act, must be provided;
- (b) an adequate area must be provided where ironing is done on the premises; and
- (c) any machine on the premises must be installed in accordance with any applicable law.

#### 68. GENERAL REQUIREMENTS FOR DRY-CLEANING AND LAUNDRY BUSINESSES

Any person conducting a dry-cleaning or laundry business or in charge of premises on which a dry-cleaning, laundry or receiving depot exists, must —

- (a) keep the premises, all fittings, equipment, appliances, machinery, containers and business vehicles in a clean, hygienic and good condition at all times;
- (b) separate dirty articles from clean articles at all times, including when in transit;
- (c) use a change-room solely for changing;
- (d) ensure that every person who handles clean or dirty articles wears adequate protective clothing at all times;
- (e) keep protective clothing in a clean and sound condition at all times;
- (f) store protective clothing in a locker when it is not being worn;
- (g) affix the name and business address, in clear lettering, to the outside of any business vehicle;
- (h) ensure that the premises are not directly connected to any food premises, new clothing shop, hairdresser or any other area from which contamination might occur;
- (i) comply with the requirements of the following legislation at all times:
  - (i) the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993); and
  - (ii) the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965);
- (j) place all piping in the building, not chased into the walls, at least 100 mm away from all walls or floors and comply with the provisions of the National Building Regulations and Building Standards Act;
- (k) insulate all steam piping with an adequate material; and
- (l) dispose of all waste water in an approved manner.

### CHAPTER 12

#### SWIMMING POOLS AND SPA-BATHS

#### 69. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“spa-bath” means a structure constructed of an approved material, provided with a controlled circulating water supply and used for bathing, excluding a spa bath situated at a private home which is not used for commercial purposes;

“spa-bath keeper” means any person who owns or controls the operation of a spa-bath;

“swimming pool” means a structure with a controlled water supply used for swimming or bathing, including a children’s swimming and paddling pool, but excluding a swimming pool at a private home which is not used for commercial purposes;

“swimming pool keeper” means any person who owns or controls the operation of a swimming pool.

#### 70. REQUIREMENTS FOR PREMISES

No person may operate a swimming pool or spa bath in or on any premises which do not comply with the following requirements:

- (a) readily accessible change-rooms, showers and toilet facilities must be provided separate for each sex in compliance with the National Building Regulations and Building Standards Act;

- (iii) the floor surface of every habitable room must be constructed of an approved material;
- (m) the following facilities must be provided for people who are employed and also reside on the premises:
  - (i) sleeping quarters equipped with a bed, mattress and locker which comply with the provisions of paragraphs (a), (b) and (c) for each employee; and
  - (ii) if employees are not provided with meals in the accommodation establishment, food preparation and dining facilities that comply with the provisions of paragraph (d).
- (n) adequate changing facilities must be provided for non-resident employees;
- (o) adequate ablution and sanitary facilities, which comply with the provisions of paragraphs (e) and (f), must be provided for resident and non-resident employees;
- (p) an adequate refuse holding area must be provided and an approved refuse removal system must be maintained;
- (q) all walls, floors and roofs must be constructed in a manner which prevents wind or rain entering an accommodation establishment or dampness entering the interior surfaces of any wall or floor;
- (r) all accesses to an accommodation establishment must have a door which when closed, prevents the wind or rain entering the premises; and
- (s) all windows must be constructed in a manner that prevents rain entering the accommodation establishment when the windows are closed.

### 63. DUTIES OF OPERATORS OF ACCOMMODATION ESTABLISHMENTS

Every person who conducts an accommodation establishment must —

- (a) keep the premises and all furniture, fittings, appliances, equipment, containers, curtains, covers, hangings and other soft furnishings, table linen, bed linen, and other bedding, towels and cloths of whatever nature used in connection with the accommodation establishment, in a clean, hygienic and good condition at all times;
- (b) clean and wash any bed linen, towel, bath mat or face cloth after each use by a different person;
- (c) take adequate measures to eradicate pests on the premises;
- (d) provide a container made of a durable and impervious material, equipped with a close-fitting lid, in every toilet used by females;
- (e) provide towel rails or hooks in every bathroom and in every room in which there is a wash-hand basin or shower;
- (f) store all dirty linen, blankets, clothing, curtains and other articles used in connection with an accommodation establishment in the manner provided in section 62(j);
- (g) store all clean linen, towels, blankets, pillows and other articles used in connection with the accommodation establishment in the manner provided in section 62(k);
- (h) keep all sanitary, ablution and water supply fittings in good working order;
- (i) keep every wall, surface and ceiling, unless constructed of materials not intended to be painted, painted at the intervals to ensure that the area painted, remains clean and in a good state of repair; and
- (j) handle refuse in the manner provided in section 62(p).

## CHAPTER 11

### DRY-CLEANING AND LAUNDRY ESTABLISHMENTS

#### 64. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“**dry-cleaning or laundry business**” means any business in which clothes or other fabrics are cleaned with water or other solvents, or clothes or fabrics are ironed;

“**dry-cleaning or laundry receiving depot**” means premises used for the receipt, storage and dispatch of clothes or other fabrics in connection with a dry cleaning or laundry business.

#### 65. PREMISES FOR DRY-CLEANING OR LAUNDRY BUSINESSES

No person may conduct a dry-cleaning or laundry business on premises which do not comply with the following requirements:

- (a) a work-room or area used for housing dry-cleaning machines, washing-machines, ironing boards, presses and other fixed or movable equipment, with a minimum unobstructed floor area of 2,5 m<sup>2</sup> per person employed on the premises, must be provided;
- (b) adequate separate areas for marking clean and dirty articles must be provided with-
  - (i) tables with an impervious surface;
  - (ii) adequate washable containers for dirty articles; and
  - (iii) hanging rails and shelves constructed of an impervious material in the area for marking clean articles;
- (c) a separate room or area with separate designated counters, with impervious surfaces, must be provided for the receipt and dispatch of articles;
- (d) a store-room or facility for the storage of packing material and other articles must be provided and equipped with adequate packing shelves of which the lowest shelf must be at least 250 mm above floor level;
- (e) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (f) if no change-room has been provided in terms of paragraph (e) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area;
- (g) a tea kitchen with a single-basin stainless steel sink, with a supply of running hot and cold potable water, must be provided;
- (h) separate toilets for males and females must be provided which comply with the provisions of the National Building Regulations and Building Standards Act;
- (i) every toilet and change-room must be clearly gender designated;
- (j) all internal walls must be constructed of an impervious material, brought to a smooth finish and painted with a light-coloured washable paint;
- (k) all ceilings must be dust-proof, smoothly finished, and painted with a light-coloured washable paint;

- (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
- (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-room has been provided in terms of paragraph (i) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

#### 59. DUTIES OF SECOND-HAND GOODS TRADERS

Any person who conducts a second-hand goods business must —

- (a) store second-hand goods in a backyard, building or open space that is constructed of an approved material in such a manner as to prevent the harbourage of rodents or other vermin and pests;
- (b) ensure that no water accumulates in any article stored on the premises;
- (c) keep the premises in a clean, neat and sanitary condition at all times;
- (d) immediately on receipt, disinfect all furniture, soft furnishings, clothing, bedding or other fabrics in an adequate manner;
- (e) keep any other articles separate from articles which have been disinfected; and
- (f) label all articles which have been disinfected in a conspicuous place on each article.

### CHAPTER 10

#### ACCOMMODATION ESTABLISHMENTS

#### 60. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“accommodation establishment” means any place in which accommodation is provided for gain to four or more people, with or without meals;

“dormitory” means a sleeping room in which sleeping accommodation is provided for four or more persons.

#### 61. PERMIT REQUIREMENT

No person may operate an accommodation establishment except in terms of a permit authorising that activity.

#### 62. REQUIREMENTS FOR PREMISES OF ACCOMMODATION ESTABLISHMENTS

No person may operate an accommodation establishment on premises which do not comply with the following requirements:

- (a) no room wholly or partly used by persons for sleeping in may be occupied by a greater number of persons than will allow—
  - (i) less than 11,3 m<sup>3</sup> of free air space and 3,7 m<sup>2</sup> of floor space for each person over the age of 10 years; and
  - (ii) less than 5,7 m<sup>3</sup> of free air space and 1,9 m<sup>2</sup> of floor space for each person under the age of 10 years;
- (b) no latrine, passage, staircase, landing, bathroom, cupboard, outbuilding, garage, stable, tent, storeroom, lean-to, shed, kitchen, diningroom, food preparation area, cellar or loft may be used as sleeping accommodation;
- (c) if a dormitory is provided on the premises —
  - (i) a single bed, manufactured of metal or some other durable material and equipped with a mattress, must be provided for every person housed in the dormitory;
  - (ii) a separate locker must be provided for every person making use of the dormitory for safeguarding the person's clothing and other possessions;
  - (iii) every bed in a dormitory must be so placed that its sides are at least one metre away from any part of any other bed;
- (d) an accommodation establishment must be provided with —
  - (i) an area for the preparation and cooking of food, adequate for the use of and easily accessible to any occupier residing in the accommodation establishment;
  - (ii) adequate separate wash-up facilities; and
  - (iii) where meals are provided to persons housed in the accommodation establishment, a dining-room or adequate dining area with tables and chairs or benches and unobstructed floor area, including the area occupied by tables, chairs and benches, of at least 1,2 m<sup>2</sup> for every seat provided for dining purposes;
- (e) (i) an accommodation establishment must be provided with one or more showers, each suitably placed in a separate compartment, easily accessible to every occupier, and fitted with waste pipes which comply with the provisions of the National Building Regulations and Building Standards Act.
  - (ii) a bath fitted with a waste pipe may be substituted for each shower referred to in subparagraph (i);
  - (iii) the facilities referred to in subparagraphs (i) and (ii) must be designated for the different sexes;
- (f) an accommodation establishment must be provided with sanitary fixtures as prescribed in the National Building Regulations and Building Standards Act and such fixtures must be designated for the different sexes;
- (g) an accommodation establishment must be provided with an adequate supply of hot and cold running potable water;
- (h) all rooms and passages must be provided with adequate ventilation and lighting as prescribed in the National Building Regulations and Building Standards Act;
- (i) openings such as doors, windows or fanlights may not be obstructed in a manner that interferes with the lighting or cross ventilation they provide;
- (j) (i) a separate room with metal bins or canvas laundry bags must be provided for the storage of dirty articles used in connection with an accommodation establishment, pending removal to be laundered; and
  - (ii) if articles used in connection with an accommodation establishment are laundered on the premises, a separate approved washing, drying and ironing area equipped with the necessary facilities for this purpose must be provided.
- (k) a store-room for the storage of furniture and equipment and a separate linen room with cupboards or shelves for the storage of clean bed and other linen, towels, blankets, pillows and other articles used in connection with an accommodation establishment, must be provided;
- (l) (i) all walls and ceilings must have a smooth finish and be painted with a light-coloured washable paint, or have some other approved finish;
  - (ii) the floor surface of every kitchen, scullery, laundry, bathroom, shower, ablution room, toilet and sluice room must be constructed of concrete or some other durable, impervious material brought to a smooth finish; and

- (f) adequately train any person working on the premises;
- (g) not permit any animal on the premises unless it is a guide dog accompanying a blind person; and
- (h) ensure that every person working in the salon complies with the requirements of this section and sections 55 and 56.

**55. REQUIRED MINIMUM HEALTH STANDARDS FOR THE OPERATION OF A SALON**

Any person operating or employed in, a salon must take the following measures:

- (a) adequately disinfect the following instruments after each use:
  - (i) razors;
  - (ii) blades;
  - (iii) nail files;
  - (iv) scissors;
  - (v) clippers;
  - (vi) hairbrushes;
  - (vii) combs;
  - (viii) bristle brushes;
  - (ix) metal clips; and
  - (x) rollers;
- (b) adequately sterilise the following instruments after each use:
  - (i) any instrument used for body piercing or tattooing;
  - (ii) any instrument which has come in contact with blood or any other body fluid;
- (c) wash and clean all plastic and cloth towels after each use;
- (d) dispose of all disposable gloves or other disposable material after each use;
- (e) wash all aprons and caps daily;
- (f) wash his or her hands with soap and water or disinfectant before and after rendering each service to a client;
- (g) wear disposable gloves when providing one of the following salon services:
  - (i) any chemical service;
  - (ii) any hair implant;
  - (iii) body piercing; and
  - (iv) tattooing;
- (h) wash all walls, floors, chairs and other surfaces in the premises at least once a day with a disinfectant or household detergent;
- (i) dispose of all waste water, sharp instruments, bloodied and otherwise contaminated towels and towelling paper in an approved manner;
- (j) store razors, blades, needles and other sharp instruments separately in a "sharp instrument" box;
- (k) adequately treat any injury or wound which may occur on the premises;
- (l) clean and disinfect all surfaces that have been contaminated by blood after each service; and
- (m) keep an approved first aid kit on the premises at all times.

**56. PROHIBITION AGAINST THE USE OF SALON PREMISES FOR OTHER PURPOSES**

- (1) Any person operating a salon must ensure that the premises are used exclusively for that purpose.
- (2) Any person who wants to prepare any beverage for customers on the premises of a salon, must provide a separate area, equipped with a facility for cleaning crockery and utensils, for that purpose.

**CHAPTER 9  
SECOND-HAND GOODS**

**57. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

**"second-hand goods business"** means any business in which used goods and materials are sold, including, without limitation —

- (a) clothing, furniture, scrapped motor vehicles, footwear, timber, building bricks or blocks, building material or fittings, machinery, drums, tins, bottles, packing cases, boxes, crates or other containers, metal, rags, plastic bags, paper or any other material, which has previously been used; and
- (b) bones or tallow.

**58. REQUIREMENTS FOR PREMISES**

No person may operate a second-hand goods business in or on any premises which do not comply with the following requirements:

- (a) any section of the premises where second-hand goods are stored and handled must be enclosed by walls constructed of brick, rock or concrete, with a minimum height of two metres;
- (b) all gates to the premises must be of solid construction with a minimum height of two metres;
- (c) all materials must be stacked or stored below the height of the perimeter screening;
- (d) adequate lighting and ventilation, as prescribed in the National Building Regulations and Building Standards Act must be provided;
- (e) all storage areas must be paved with cement, concrete or other approved impervious material;
- (f) all backyard surfaces and open spaces of the premises must be graded and drained to allow for the effective run-off of all precipitation;
- (g) adequate sanitary fixtures for both sexes employed on the premises must be provided, as prescribed in the National Building Regulations and Building Standard Act; and
- (h) an adequate number of refuse containers must be provided.
- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;

## CHAPTER 8

## HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICES

## 51. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“**body piercing**” means the piercing of the skin for the purpose of inserting any foreign object;

“**cosmetology or beauty service**” includes, but is not limited to, any one or more of the following services:

- (a) manicure, pedicure, nail technology, or the application of artificial nails or nail extensions, whatever the substance used;
- (b) eyebrow shaping and plucking including the application of false or artificial eyebrows or eyelashes and tinting of eyelashes;
- (c) cosmetic and camouflage makeup of the face and its features, whether by permanent, semi permanent or temporary means;
- (d) facial skin care;
- (e) removal of unwanted or superfluous hair from any part of the body by any means, other than shaving, including by means of waxing, chemical depilatories, electrical or mechanical means, whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations;
- (f) body piercing and tattooing for cosmetic purposes;
- (g) massaging;
- (h) body bronzing by means of ultraviolet radiation or any similar method; or (i) body contouring including all forms of slimming;

“**hairdressing**” includes, but is not limited to, any one or more of the following services:

- (a) shampooing and cleansing, conditioning and treating hair;
- (b) chemical reformation of the hair including permanent waving, relaxing and straightening of the hair;
- (c) hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary means, including the use of colour rinses, shampoos, gels or mousses and lightening by means of tints, bleaches, highlights or high lifting tints or toners;
- (d) hair cutting and shaping;
- (e) barbering services including shaving and singeing of hair; or
- (f) the adding to hair of natural and artificial hair and hair extensions, board work, pastiche, wig-making or the performing of any operation specified in paragraphs (a) to (e) on a wig or hairpiece to be worn by any person; or
- (g) trichology and trichological treatment of the hair including the treatment of abnormalities and disorders of the hair;

“**salon**” means any place where any or more of the following services are performed for gain:

- (a) hairdressing service;
- (b) cosmetology or beauty service;
- (c) body piercing and tattooing; or
- (d) massaging service;

“**salon service**” means any one or more or a combination of the practices or services generally and usually performed by a person rendering service in the hairdressing, cosmetology or beauty service industry including any massage, body piercing and tattooing service.

## 52. PERMIT REQUIREMENT

No person may operate a salon except in terms of a permit authorising that activity.

## 53. REQUIREMENTS FOR PREMISES

No person may operate a salon on any premises which do not comply with the following requirements:

- (a) adequate lighting and ventilation, as prescribed in the National Building Regulations and Buildings Standards Act, must be provided;
- (b) all shelves, fixtures and table tops on which instruments are placed must be constructed of an approved material that is durable, non-absorbent, and easy to clean;
- (c) water and toilet facilities must be provided as prescribed in the National Building Regulations and Building Standards Act;
- (d) adequate facilities, with a supply of running potable water, must be available for the washing of hair and hands;
- (e) an approved system for the disposal of waste water must be provided;
- (f) adequate storage facilities must be provided;
- (g) the walls and floors must be constructed of a material that is easy to clean and which prevents cut hair from being dispersed; and
- (h) the premises may not be used for the storage and preparation of food or for sleeping unless any area for that purpose is clearly separated by an impervious wall.
- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-room has been provided in terms of paragraph (i) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

## 54. DUTIES OF SALON OPERATORS

Any person operating a salon must —

- (a) maintain the premises, tools, equipment and clothing in a hygienic and good condition at all times;
- (b) equip the premises with an adequate means to disinfect and sterilise instruments and equipment that may come into direct contact with any customer's hair or skin;
- (c) provide employees on the premises with approved protective clothing and equipment;
- (d) collect all hair clippings and other waste in an approved container after every service;
- (e) store or dispose of waste in an approved manner;

- (m) works for the production of carbon bisulphide, cellulose lacquer, cyan or its compounds, hot pitch or bitumen, pulverized fuel, peridine, liquid or gaseous sulphur dioxide or sulphur chlorides;
- (n) works for the production of amyl acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, lampblack, B-naphthol, resin products, salicylic acid, sulphated organic compounds, sulphurous paints, ultramarine, zinc chloride or zinc oxide; or
- (o) the refining or processing of petrol, oil or their products;

“offensive trader” means any person who owns, conducts or carries on an offensive trade.

#### 45. PERMIT REQUIREMENT

No person may conduct an offensive trade in or on any premises, except in terms of a permit authorising such trade.

#### 46. REQUIREMENTS FOR PREMISES

No person may conduct an offensive trade in or on any premises unless —

- (a) the floors of the premises are constructed of cement concrete or a similar impervious material, brought to a smooth finish;
- (b) the floors of the premises are adequately graded and drained for the disposal of effluent to an approved disposal system;
- (c) the inside walls, except where glazed or glass brick or glazed tiles are used, are plastered, brought to a smooth finish and painted with a light-coloured, washable paint;
- (d) the surface of any backyard or open space is paved with concrete or similar impervious material, brought to a smooth finish;
- (e) the premises are provided with adequate light and ventilation as prescribed in the National Building Regulations and Building Standards Act;
- (f) an adequate supply of running potable water is provided;
- (g) an adequate number of portable containers constructed of iron or another non-absorbent material, equipped with closely fitting lids, are provided for the removal of all waste and waste water from the premises;
- (h) adequate means are provided for the disposal of all effluent arising from the manufacturing or other process performed on the premises;
- (i) adequate accommodation is provided for the storage of all finished products, articles or materials which are used in the manufacturing or other process and which may —
  - (i) discharge offensive or injurious effluent or liquid; or
  - (ii) decompose in the course of the work or trade;
- (j) adequate means are provided to control the discharge in the open air of any noxious, injurious or offensive gas, fume, vapour or dust produced during any handling, preparation, drying, melting, rendering, boiling or grinding process or storage of material;
- (k) adequate sanitary fixtures are provided as prescribed in the National Building Regulations and Building Standards Act;
- (l) a perimeter wall made of brick or some other impervious material, with a minimum height of 2 metres, is constructed around the premises;
- (m) all gates to the premises are of solid construction with a minimum height of 2 metres;
- (n) all perimeter walls and gates adequately screen activities on the premises from public view; and
- (o) all materials are stacked or stored on the premises below the height of the perimeter screening;
- (p) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (q) if no change-room has been provided in terms of paragraph (p) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

#### 47. DUTIES OF OFFENSIVE TRADERS

Every offensive trader must —

- (a) maintain the premises in a clean, hygienic and good condition at all times;
- (b) maintain all walls and floors of the premises in a manner and condition that prevents the absorption of any waste or waste water;
- (c) maintain all machinery, plant, apparatus, furniture, fittings, tools, implements, vessels, containers, receptacles and vehicles in a clean, hygienic and good condition at all times;
- (d) prevent any waste accumulating on the premises; and
- (e) prevent the emission of noxious, injurious or offensive gases, fumes, vapours or dust generated during any handling, preparation, drying, melting, rendering, boiling or grinding process or storage of any material on the premises.

#### 48. LIQUID REFUSE FROM BONE AND TRIPE BOILING

- (1) Every bone boiler and every tripe boiler must adequately cool all waste water before it is discharged into any sewer or other receptacle.
- (2) The cooling process referred to in subsection (1), must take place in a manner that prevents the generation of any noxious and injurious effluent.

#### 49. LIQUIDS, TANKS AND TUBS IN LEATHER MAKING

Every fell-monger, leather dresser or tanner must —

- (a) renew and dispose of the liquid from every tank or other receptacle used on the premises to wash or soak any skin or hide, other than a lime pit, at adequate intervals and in an adequate manner;
- (b) clean the entire tank or other receptacle every time it is emptied;
- (c) clean every tub or other receptacle used to contain a solution of the material known as “puer”.

#### 50. STORAGE OF RAGS, BONES AND WASTE

No trader in rags, bones or waste may place or store, or cause or permit to be stored, rags, bones or waste in any part of the premises concerned which is —

- (a) inhabited by people; or
- (b) not adequately ventilated.

**39. USE OF WATER FROM SOURCES OTHER THAN THE MUNICIPAL SUPPLY**

No person may use, or permit to be used, any water obtained from a source other than the municipal water supply for domestic consumption, unless the water concerned has been approved for that purpose.

**40. FURNISHING OF PARTICULARS OF THE SOURCE OF WATER**

- (1) Any owner or occupier of premises on which a well, borehole, spring, dam, river or other water source is located, the water of which is used for domestic consumption, must within 14 days of receiving a notice from the Council calling on him or her to do so, provide the Council with all particulars of the water source reasonably available to the owner or occupier.
- (2) An owner or occupier of premises contemplated in subsection (1), must, if requested to do so by the Council, and at his or her own cost, furnish to the Council a certificate of analysis and bacteriological investigation issued by an analyst, as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), in respect of any water supply on that premises used for domestic consumption.
- (3) If water from a borehole is used for domestic consumption, a certificate of analysis as contemplated in subsection (2), must be submitted to Council annually or at any time on request of an environmental health practitioner.

**41. NOTICE OF THE SINKING OR DIGGING OF BOREHOLES OR WELLS**

- (1) No person may sink or dig, or cause or permit to be sunk or dug, a well or borehole, to obtain water, unless —
  - (a) it is done so in accordance with any relevant law; and
  - (b) he or she has given the Council at least 14 days' written notice of his or her intention to do so.
- (2) The notice referred to in subsection (1)(b), must state the proposed location and the purpose for which the water is to be used.

**42. STORM WATER RUNOFF FROM PREMISES WHICH MAY IMPACT ON PUBLIC HEALTH**

- (1) Every owner or occupier of premises must erect adequately designed, constructed and maintained hydraulic and hydrological structures on those premises —
  - (a) to divert the maximum storm water runoff, which could be expected within a period of 24 hours with an average frequency of recurrence of once in 100 years, from any part of the premises on which any waste, likely to create a public health nuisance, is or was handled, produced, stored, dumped or spilled;
  - (b) to collect all polluted runoff water from any part of the premises on which waste, likely to create a public health nuisance is or was handled, produced, stored, dumped or spilled, for re-use, treatment or purification;
  - (c) to separate all effluent from storm water systems;
  - (d) to prevent the erosion or leaching of material from any slimes dam, ash dam and any dump or stock-pile on the premises, and to contain any eroded or leached material in the area where it originated;
  - (e) to prevent any waste or waste water from entering any borehole, well, spring, vlei or water course; and
  - (f) to prevent any adverse impact on the quality of surface and ground water occurring, due to the location of any dump, stock-pile, dam, drain, canal, conduit, sewer or any other structure on the premises.
- (2) An owner or occupier of premises —
  - (a) must keep all water passages open and free of obstruction from matter which may impede the flow of water or effluent;
  - (b) may not locate any dump within the one hundred year flood line of any water resource;
  - (c) may not use coal, coal discard, carbonaceous material or any other material for the construction of any slurry, evaporation or catchment dam, or any embankment, road or railway in a way likely to create a public health nuisance;
  - (d) must construct bund walls around any tank, or group of tanks, containing any substance that can create a public health nuisance, of a size that is capable of containing the volume of the largest tank in the event of any unlawful or accidental discharge from the tank or group of tanks; and
  - (e) must clean any industrial surface area so as to prevent the pollution of storm water which may result in an adverse impact on the quality of any surface or ground water.

**43. CONTAINMENT OF WASTE WATER**

Any dam, conduit or channel used for the containment of waste water must have a free board of at least 0.5 metres above the highest level of precipitation which could be expected within a period of 24 hours with an average frequency of recurrence of once in 100 years.

## CHAPTER 7 OFFENSIVE TRADES

**44. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“**effluent**” means any waste water which may be generated as a result of undertaking any scheduled use or an activity which is likely to cause a public health nuisance;

“**offensive trade**” means any business listed below or business which involves an activity listed below:

- (a) panel beating or spray painting;
- (b) operating a waste recycling plant including oil and petroleum product recycling;
- (c) scrap yard or scrap metal dealing;
- (d) blood boiling, bone boiling, tallow melting, fat melting or fat extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, hide boiling, skin curing, blood drying, gut scraping, leather dressing, tanning or glue or size making;
- (e) charcoal burning, brick burning, lime burning;
- (f) manure making or storing or compost making;
- (g) parchment making;
- (h) manufacturing malt or yeast;
- (i) cement works, coke-ovens or salt glazing works;
- (j) sintering of sulphurous materials;
- (k) viscose works;
- (l) ore or mineral smelting, calcining, puddling or rolling of iron or other metal, conversion of pig iron into cast iron, reheating, tempering, hardening, forging, conversion or compounding of carbon with iron or other metals;



- (m) works for the production of carbon bisulphide, cellulose lacquer, cyan or its compounds, hot pitch or bitumen, pulverized fuel, peridine, liquid or gaseous sulphur dioxide or sulphur chlorides;
- (n) works for the production of amyl acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, lampblack, B-naphthol, resin products, salicylic acid, sulphated organic compounds, sulphurous paints, ultramarine, zinc chloride or zinc oxide; or
- (o) the refining or processing of petrol, oil or their products;

“offensive trader” means any person who owns, conducts or carries on an offensive trade.

#### 45. PERMIT REQUIREMENT

No person may conduct an offensive trade in or on any premises, except in terms of a permit authorising such trade.

#### 46. REQUIREMENTS FOR PREMISES

No person may conduct an offensive trade in or on any premises unless —

- (a) the floors of the premises are constructed of cement concrete or a similar impervious material, brought to a smooth finish;
- (b) the floors of the premises are adequately graded and drained for the disposal of effluent to an approved disposal system;
- (c) the inside walls, except where glazed or glass brick or glazed tiles are used, are plastered, brought to a smooth finish and painted with a light-coloured, washable paint;
- (d) the surface of any backyard or open space is paved with concrete or similar impervious material, brought to a smooth finish;
- (e) the premises are provided with adequate light and ventilation as prescribed in the National Building Regulations and Building Standards Act;
- (f) an adequate supply of running potable water is provided;
- (g) an adequate number of portable containers constructed of iron or another non-absorbent material, equipped with closely fitting lids, are provided for the removal of all waste and waste water from the premises;
- (h) adequate means are provided for the disposal of all effluent arising from the manufacturing or other process performed on the premises;
- (i) adequate accommodation is provided for the storage of all finished products, articles or materials which are used in the manufacturing or other process and which may —
  - (i) discharge offensive or injurious effluent or liquid; or
  - (ii) decompose in the course of the work or trade;
- (j) adequate means are provided to control the discharge in the open air of any noxious, injurious or offensive gas, fume, vapour or dust produced during any handling, preparation, drying, melting, rendering, boiling or grinding process or storage of material;
- (k) adequate sanitary fixtures are provided as prescribed in the National Building Regulations and Building Standards Act;
- (l) a perimeter wall made of brick or some other impervious material, with a minimum height of 2 metres, is constructed around the premises;
- (m) all gates to the premises are of solid construction with a minimum height of 2 metres;
- (n) all perimeter walls and gates adequately screen activities on the premises from public view; and
- (o) all materials are stacked or stored on the premises below the height of the perimeter screening;
- (p) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (q) if no change-room has been provided in terms of paragraph (p) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

#### 47. DUTIES OF OFFENSIVE TRADERS

Every offensive trader must —

- (a) maintain the premises in a clean, hygienic and good condition at all times;
- (b) maintain all walls and floors of the premises in a manner and condition that prevents the absorption of any waste or waste water;
- (c) maintain all machinery, plant, apparatus, furniture, fittings, tools, implements, vessels, containers, receptacles and vehicles in a clean, hygienic and good condition at all times;
- (d) prevent any waste accumulating on the premises; and
- (e) prevent the emission of noxious, injurious or offensive gases, fumes, vapours or dust generated during any handling, preparation, drying, melting, rendering, boiling or grinding process or storage of any material on the premises.

#### 48. LIQUID REFUSE FROM BONE AND TRIPE BOILING

- (1) Every bone boiler and every tripe boiler must adequately cool all waste water before it is discharged into any sewer or other receptacle.
- (2) The cooling process referred to in subsection (1), must take place in a manner that prevents the generation of any noxious and injurious effluent.

#### 49. LIQUIDS, TANKS AND TUBS IN LEATHER MAKING

Every fell-monger, leather dresser or tanner must —

- (a) renew and dispose of the liquid from every tank or other receptacle used on the premises to wash or soak any skin or hide, other than a lime pit, at adequate intervals and in an adequate manner;
- (b) clean the entire tank or other receptacle every time it is emptied;
- (c) clean every tub or other receptacle used to contain a solution of the material known as “puer”.

#### 50. STORAGE OF RAGS, BONES AND WASTE

No trader in rags, bones or waste may place or store, or cause or permit to be stored, rags, bones or waste in any part of the premises concerned which is —

- (a) inhabited by people; or
- (b) not adequately ventilated.

## CHAPTER 8

## HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICES

## 51. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

**“body piercing”** means the piercing of the skin for the purpose of inserting any foreign object;

**“cosmetology or beauty service”** includes, but is not limited to, any one or more of the following services:

- (a) manicure, pedicure, nail technology, or the application of artificial nails or nail extensions, whatever the substance used;
- (b) eyebrow shaping and plucking including the application of false or artificial eyebrows or eyelashes and tinting of eyelashes;
- (c) cosmetic and camouflage makeup of the face and its features, whether by permanent, semi permanent or temporary means;
- (d) facial skin care;
- (e) removal of unwanted or superfluous hair from any part of the body by any means, other than shaving, including by means of waxing, chemical depilatories, electrical or mechanical means, whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations;
- (f) body piercing and tattooing for cosmetic purposes;
- (g) massaging;
- (h) body bronzing by means of ultraviolet radiation or any similar method; or (i) body contouring including all forms of slimming;

**“hairdressing”** includes, but is not limited to, any one or more of the following services:

- (a) shampooing and cleansing, conditioning and treating hair;
- (b) chemical reformation of the hair including permanent waving, relaxing and straightening of the hair;
- (c) hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary means, including the use of colour rinses, shampoos, gels or mousses and lightening by means of tints, bleaches, highlights or high lifting tints or toners;
- (d) hair cutting and shaping;
- (e) barbering services including shaving and singeing of hair; or
- (f) the adding to hair of natural and artificial hair and hair extensions, board work, pastiche, wig-making or the performing of any operation specified in paragraphs (a) to (e) on a wig or hairpiece to be worn by any person; or
- (g) trichology and trichological treatment of the hair including the treatment of abnormalities and disorders of the hair;

**“salon”** means any place where any or more of the following services are performed for gain:

- (a) hairdressing service;
- (b) cosmetology or beauty service;
- (c) body piercing and tattooing; or
- (d) massaging service;

**“salon service”** means any one or more or a combination of the practices or services generally and usually performed by a person rendering service in the hairdressing, cosmetology or beauty service industry including any massage, body piercing and tattooing service.

## 52. PERMIT REQUIREMENT

No person may operate a salon except in terms of a permit authorising that activity.

## 53. REQUIREMENTS FOR PREMISES

No person may operate a salon on any premises which do not comply with the following requirements:

- (a) adequate lighting and ventilation, as prescribed in the National Building Regulations and Buildings Standards Act, must be provided;
- (b) all shelves, fixtures and table tops on which instruments are placed must be constructed of an approved material that is durable, non-absorbent, and easy to clean;
- (c) water and toilet facilities must be provided as prescribed in the National Building Regulations and Building Standards Act;
- (d) adequate facilities, with a supply of running potable water, must be available for the washing of hair and hands;
- (e) an approved system for the disposal of waste water must be provided;
- (f) adequate storage facilities must be provided;
- (g) the walls and floors must be constructed of a material that is easy to clean and which prevents cut hair from being dispersed; and
- (h) the premises may not be used for the storage and preparation of food or for sleeping unless any area for that purpose is clearly separated by an impervious wall.
- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-room has been provided in terms of paragraph (i) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

## 54. DUTIES OF SALON OPERATORS

Any person operating a salon must —

- (a) maintain the premises, tools, equipment and clothing in a hygienic and good condition at all times;
- (b) equip the premises with an adequate means to disinfect and sterilise instruments and equipment that may come into direct contact with any customer's hair or skin;
- (c) provide employees on the premises with approved protective clothing and equipment;
- (d) collect all hair clippings and other waste in an approved container after every service;
- (e) store or dispose of waste in an approved manner;

- (f) adequately train any person working on the premises;
- (g) not permit any animal on the premises unless it is a guide dog accompanying a blind person; and
- (h) ensure that every person working in the salon complies with the requirements of this section and sections 55 and 56.

**55. REQUIRED MINIMUM HEALTH STANDARDS FOR THE OPERATION OF A SALON**

Any person operating or employed in, a salon must take the following measures:

- (a) adequately disinfect the following instruments after each use:
  - (i) razors;
  - (ii) blades;
  - (iii) nail files;
  - (iv) scissors;
  - (v) clippers;
  - (vi) hairbrushes;
  - (vii) combs;
  - (viii) bristle brushes;
  - (ix) metal clips; and
  - (x) rollers;
- (b) adequately sterilise the following instruments after each use:
  - (i) any instrument used for body piercing or tattooing;
  - (ii) any instrument which has come in contact with blood or any other body fluid;
- (c) wash and clean all plastic and cloth towels after each use;
- (d) dispose of all disposable gloves or other disposable material after each use;
- (e) wash all aprons and caps daily;
- (f) wash his or her hands with soap and water or disinfectant before and after rendering each service to a client;
- (g) wear disposable gloves when providing one of the following salon services:
  - (i) any chemical service;
  - (ii) any hair implant;
  - (iii) body piercing; and
  - (iv) tattooing;
- (h) wash all walls, floors, chairs and other surfaces in the premises at least once a day with a disinfectant or household detergent;
- (i) dispose of all waste water, sharp instruments, bloodied and otherwise contaminated towels and towelling paper in an approved manner;
- (j) store razors, blades, needles and other sharp instruments separately in a "sharp instrument" box;
- (k) adequately treat any injury or wound which may occur on the premises;
- (l) clean and disinfect all surfaces that have been contaminated by blood after each service; and
- (m) keep an approved first aid kit on the premises at all times.

**56. PROHIBITION AGAINST THE USE OF SALON PREMISES FOR OTHER PURPOSES**

- (1) Any person operating a salon must ensure that the premises are used exclusively for that purpose.
- (2) Any person who wants to prepare any beverage for customers on the premises of a salon, must provide a separate area, equipped with a facility for cleaning crockery and utensils, for that purpose.

**CHAPTER 9  
SECOND-HAND GOODS**

**57. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

"second-hand goods business" means any business in which used goods and materials are sold, including, without limitation —

- (a) clothing, furniture, scrapped motor vehicles, footwear, timber, building bricks or blocks, building material or fittings, machinery, drums, tins, bottles, packing cases, boxes, crates or other containers, metal, rags, plastic bags, paper or any other material, which has previously been used; and
- (b) bones or tallow.

**58. REQUIREMENTS FOR PREMISES**

No person may operate a second-hand goods business in or on any premises which do not comply with the following requirements:

- (a) any section of the premises where second-hand goods are stored and handled must be enclosed by walls constructed of brick, rock or concrete, with a minimum height of two metres;
- (b) all gates to the premises must be of solid construction with a minimum height of two metres;
- (c) all materials must be stacked or stored below the height of the perimeter screening;
- (d) adequate lighting and ventilation, as prescribed in the National Building Regulations and Building Standards Act must be provided;
- (e) all storage areas must be paved with cement, concrete or other approved impervious material;
- (f) all backyard surfaces and open spaces of the premises must be graded and drained to allow for the effective run-off of all precipitation;
- (g) adequate sanitary fixtures for both sexes employed on the premises must be provided, as prescribed in the National Building Regulations and Building Standard Act; and
- (h) an adequate number of refuse containers must be provided.
- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;

- (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
- (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-room has been provided in terms of paragraph (i) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area.

#### 59. DUTIES OF SECOND-HAND GOODS TRADERS

Any person who conducts a second-hand goods business must —

- (a) store second-hand goods in a backyard, building or open space that is constructed of an approved material in such a manner as to prevent the harbourage of rodents or other vermin and pests;
- (b) ensure that no water accumulates in any article stored on the premises;
- (c) keep the premises in a clean, neat and sanitary condition at all times;
- (d) immediately on receipt, disinfect all furniture, soft furnishings, clothing, bedding or other fabrics in an adequate manner;
- (e) keep any other articles separate from articles which have been disinfected; and
- (f) label all articles which have been disinfected in a conspicuous place on each article.

### CHAPTER 10

#### ACCOMMODATION ESTABLISHMENTS

#### 60. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“accommodation establishment” means any place in which accommodation is provided for gain to four or more people, with or without meals;

“dormitory” means a sleeping room in which sleeping accommodation is provided for four or more persons.

#### 61. PERMIT REQUIREMENT

No person may operate an accommodation establishment except in terms of a permit authorising that activity.

#### 62. REQUIREMENTS FOR PREMISES OF ACCOMMODATION ESTABLISHMENTS

No person may operate an accommodation establishment on premises which do not comply with the following requirements:

- (a) no room wholly or partly used by persons for sleeping in may be occupied by a greater number of persons than will allow—
  - (i) less than 11,3 m<sup>3</sup> of free air space and 3,7 m<sup>2</sup> of floor space for each person over the age of 10 years; and
  - (ii) less than 5,7 m<sup>3</sup> of free air space and 1,9 m<sup>2</sup> of floor space for each person under the age of 10 years;
- (b) no latrine, passage, staircase, landing, bathroom, cupboard, outbuilding, garage, stable, tent, storeroom, lean-to, shed, kitchen, diningroom, food preparation area, cellar or loft may be used as sleeping accommodation;
- (c) if a dormitory is provided on the premises —
  - (i) a single bed, manufactured of metal or some other durable material and equipped with a mattress, must be provided for every person housed in the dormitory;
  - (ii) a separate locker must be provided for every person making use of the dormitory for safeguarding the person’s clothing and other possessions;
  - (iii) every bed in a dormitory must be so placed that its sides are at least one metre away from any part of any other bed;
- (d) an accommodation establishment must be provided with —
  - (i) an area for the preparation and cooking of food, adequate for the use of and easily accessible to any occupier residing in the accommodation establishment;
  - (ii) adequate separate wash-up facilities; and
  - (iii) where meals are provided to persons housed in the accommodation establishment, a dining-room or adequate dining area with tables and chairs or benches and unobstructed floor area, including the area occupied by tables, chairs and benches, of at least 1,2 m<sup>2</sup> for every seat provided for dining purposes;
- (e) (i) an accommodation establishment must be provided with one or more showers, each suitably placed in a separate compartment, easily accessible to every occupier, and fitted with waste pipes which comply with the provisions of the National Building Regulations and Building Standards Act.
  - (ii) a bath fitted with a waste pipe may be substituted for each shower referred to in subparagraph (i);
  - (iii) the facilities referred to in subparagraphs (i) and (ii) must be designated for the different sexes;
- (f) an accommodation establishment must be provided with sanitary fixtures as prescribed in the National Building Regulations and Building Standards Act and such fixtures must be designated for the different sexes;
- (g) an accommodation establishment must be provided with an adequate supply of hot and cold running potable water;
- (h) all rooms and passages must be provided with adequate ventilation and lighting as prescribed in the National Building Regulations and Building Standards Act;
- (i) openings such as doors, windows or fanlights may not be obstructed in a manner that interferes with the lighting or cross ventilation they provide;
- (j) (i) a separate room with metal bins or canvas laundry bags must be provided for the storage of dirty articles used in connection with an accommodation establishment, pending removal to be laundered; and
  - (ii) if articles used in connection with an accommodation establishment are laundered on the premises, a separate approved washing, drying and ironing area equipped with the necessary facilities for this purpose must be provided.
- (k) a store-room for the storage of furniture and equipment and a separate linen room with cupboards or shelves for the storage of clean bed and other linen, towels, blankets, pillows and other articles used in connection with an accommodation establishment, must be provided;
- (l) (i) all walls and ceilings must have a smooth finish and be painted with a light-coloured washable paint, or have some other approved finish;
  - (ii) the floor surface of every kitchen, scullery, laundry, bathroom, shower, ablution room, toilet and sluice room must be constructed of concrete or some other durable, impervious material brought to a smooth finish; and

- (iii) the floor surface of every habitable room must be constructed of an approved material;
- (m) the following facilities must be provided for people who are employed and also reside on the premises:
  - (i) sleeping quarters equipped with a bed, mattress and locker which comply with the provisions of paragraphs (a), (b) and (c) for each employee; and
  - (ii) if employees are not provided with meals in the accommodation establishment, food preparation and dining facilities that comply with the provisions of paragraph (d).
- (n) adequate changing facilities must be provided for non-resident employees;
- (o) adequate ablution and sanitary facilities, which comply with the provisions of paragraphs (e) and (f), must be provided for resident and non-resident employees;
- (p) an adequate refuse holding area must be provided and an approved refuse removal system must be maintained;
- (q) all walls, floors and roofs must be constructed in a manner which prevents wind or rain entering an accommodation establishment or dampness entering the interior surfaces of any wall or floor;
- (r) all accesses to an accommodation establishment must have a door which when closed, prevents the wind or rain entering the premises; and
- (s) all windows must be constructed in a manner that prevents rain entering the accommodation establishment when the windows are closed.

### 63. DUTIES OF OPERATORS OF ACCOMMODATION ESTABLISHMENTS

Every person who conducts an accommodation establishment must —

- (a) keep the premises and all furniture, fittings, appliances, equipment, containers, curtains, covers, hangings and other soft furnishings, table linen, bed linen, and other bedding, towels and cloths of whatever nature used in connection with the accommodation establishment, in a clean, hygienic and good condition at all times;
- (b) clean and wash any bed linen, towel, bath mat or face cloth after each use by a different person;
- (c) take adequate measures to eradicate pests on the premises;
- (d) provide a container made of a durable and impervious material, equipped with a close-fitting lid, in every toilet used by females;
- (e) provide towel rails or hooks in every bathroom and in every room in which there is a wash-hand basin or shower;
- (f) store all dirty linen, blankets, clothing, curtains and other articles used in connection with an accommodation establishment in the manner provided in section 62(j);
- (g) store all clean linen, towels, blankets, pillows and other articles used in connection with the accommodation establishment in the manner provided in section 62(k);
- (h) keep all sanitary, ablution and water supply fittings in good working order;
- (i) keep every wall, surface and ceiling, unless constructed of materials not intended to be painted, painted at the intervals to ensure that the area painted, remains clean and in a good state of repair; and
- (j) handle refuse in the manner provided in section 62(p).

## CHAPTER 11

### DRY-CLEANING AND LAUNDRY ESTABLISHMENTS

#### 64. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“**dry-cleaning or laundry business**” means any business in which clothes or other fabrics are cleaned with water or other solvents, or clothes or fabrics are ironed;

“**dry-cleaning or laundry receiving depot**” means premises used for the receipt, storage and dispatch of clothes or other fabrics in connection with a dry cleaning or laundry business.

#### 65. PREMISES FOR DRY-CLEANING OR LAUNDRY BUSINESSES

No person may conduct a dry-cleaning or laundry business on premises which do not comply with the following requirements:

- (a) a work-room or area used for housing dry-cleaning machines, washing-machines, ironing boards, presses and other fixed or movable equipment, with a minimum unobstructed floor area of 2,5 m<sup>2</sup> per person employed on the premises, must be provided;
- (b) adequate separate areas for marking clean and dirty articles must be provided with:
  - (i) tables with an impervious surface;
  - (ii) adequate washable containers for dirty articles; and
  - (iii) hanging rails and shelves constructed of an impervious material in the area for marking clean articles;
- (c) a separate room or area with separate designated counters, with impervious surfaces, must be provided for the receipt and dispatch of articles;
- (d) a store-room or facility for the storage of packing material and other articles must be provided and equipped with adequate packing shelves of which the lowest shelf must be at least 250 mm above floor level;
- (e) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing —
  - (i) an adequate metal locker for every employee;
  - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
  - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (f) if no change-room has been provided in terms of paragraph (e) —
  - (i) a wash-hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
  - (ii) an adequate metal locker must be provided for every employee in the work area;
- (g) a tea kitchen with a single-basin stainless steel sink, with a supply of running hot and cold potable water, must be provided;
- (h) separate toilets for males and females must be provided which comply with the provisions of the National Building Regulations and Building Standards Act;
- (i) every toilet and change-room must be clearly gender designated;
- (j) all internal walls must be constructed of an impervious material, brought to a smooth finish and painted with a light-coloured washable paint;
- (k) all ceilings must be dust-proof, smoothly finished, and painted with a light-coloured washable paint;

- (l) all floor surfaces must be constructed of cement or some other adequate impervious material, brought to a smooth finish and properly drained;
- (m) the minimum height from floor to ceiling of any room or area must be 2,4 metres;
- (n) adequate lighting and ventilation, as prescribed by the National Building Regulations and Building Standards Act must be provided;
- (o) all machinery and equipment must be equipped with adequate suction fans to remove any noxious gas, steam and hot air from any room and to release it in the open air in an adequate manner;
- (p) all machinery and equipment must be placed so that there is free access to all areas around and underneath each machine or item of equipment, to enable those areas to be adequately cleansed; and
- (q) a separate pre-rinsing area must be provided on any premises where nappies are laundered.

**66. PREMISES FOR DRY-CLEANING OR LAUNDRY RECEIVING DEPOTS**

No person may operate a dry-cleaning or laundry receiving depot on premises which do not comply with the following requirements:

- (a) a separate room or area with a minimum width of two metres must be provided for the receipt and dispatch of articles;
- (b) fifty percent of the floor space of the room referred to in paragraph (a) must be unobstructed;
- (c) a wash-hand basin with a supply of running potable water must be provided;
- (d) an adequate supply of soap and disposable towels must be provided at every wash-hand basin;
- (e) all internal wall and ceiling surfaces must be constructed of an impervious material, brought to a smooth finish and painted with a light-coloured washable paint;
- (f) all floor surfaces must be constructed of cement or other impervious material, brought to a smooth finish;
- (g) lighting and cross-ventilation, as prescribed by the National Building Regulations and Building Standards Act, must be provided;
- (h) adequate washable containers for storing dirty articles must be provided;
- (i) adequate quantities of hanging rails or impervious shelves for the storage of clean articles must be provided;
- (j) adequate designated counters, with impervious surfaces, must be provided separately for the receipt and dispatch of dirty and clean articles; and
- (k) an adequate metal locker must be provided for every person employed in the receiving depot.

**67. PREMISES FOR COIN-OPERATED LAUNDRIES**

No person may operate a coin-operated laundry on premises which do not comply with the following requirements:

- (a) separate toilet and hand washing facilities for the different sexes, as prescribed in the National Building Regulations and Building Standards Act, must be provided;
- (b) an adequate area must be provided where ironing is done on the premises; and
- (c) any machine on the premises must be installed in accordance with any applicable law.

**68. GENERAL REQUIREMENTS FOR DRY-CLEANING AND LAUNDRY BUSINESSES**

Any person conducting a dry-cleaning or laundry business or in charge of premises on which a dry-cleaning, laundry or receiving depot exists, must —

- (a) keep the premises, all fittings, equipment, appliances, machinery, containers and business vehicles in a clean, hygienic and good condition at all times;
- (b) separate dirty articles from clean articles at all times, including when in transit;
- (c) use a change-room solely for changing;
- (d) ensure that every person who handles clean or dirty articles wears adequate protective clothing at all times;
- (e) keep protective clothing in a clean and sound condition at all times;
- (f) store protective clothing in a locker when it is not being worn;
- (g) affix the name and business address, in clear lettering, to the outside of any business vehicle;
- (h) ensure that the premises are not directly connected to any food premises, new clothing shop, hairdresser or any other area from which contamination might occur;
- (i) comply with the requirements of the following legislation at all times:
  - (i) the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993); and
  - (ii) the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965);
- (j) place all piping in the building, not chased into the walls, at least 100 mm away from all walls or floors and comply with the provisions of the National Building Regulations and Building Standards Act;
- (k) insulate all steam piping with an adequate material; and
- (l) dispose of all waste water in an approved manner.

**CHAPTER 12**

**SWIMMING POOLS AND SPA-BATHS**

**69. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“spa-bath” means a structure constructed of an approved material, provided with a controlled circulating water supply and used for bathing, excluding a spa bath situated at a private home which is not used for commercial purposes;

“spa-bath keeper” means any person who owns or controls the operation of a spa-bath;

“swimming pool” means a structure with a controlled water supply used for swimming or bathing, including a children’s swimming and paddling pool, but excluding a swimming pool at a private home which is not used for commercial purposes;

“swimming pool keeper” means any person who owns or controls the operation of a swimming pool.

**70. REQUIREMENTS FOR PREMISES**

No person may operate a swimming pool or spa bath in or on any premises which do not comply with the following requirements:

- (a) readily accessible change-rooms, showers and toilet facilities must be provided separate for each sex in compliance with the National Building Regulations and Building Standards Act;

- (b) every swimming-pool must be surrounded by a wall or fence as prescribed by the National Building Regulations and Building Standards Act;
- (c) the surface of the floor area surrounding any spa-bath or swimming-pool must be constructed of an impervious, non-slip material;
- (d) an approved chemical gas mask must be provided at the chlorinator installation;
- (e) if so instructed in writing by an environmental health practitioner, an oxygen or air breathing apparatus must be provided; and
- (f) an adequate number of refuse receptacles must be provided on the premises.

#### 71. DUTIES OF SPA-BATH KEEPERS

Every spa-bath keeper must —

- (a) keep the premises in a safe, clean and sanitary condition and in good repair at all times;
- (b) provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;
- (c) purify, treat and maintain the spa-bath water to an adequate quality level at all times;
- (d) provide and maintain, in good working order, equipment for testing the quality of the spa-bath water;
- (e) be capable of undertaking routine tests on the water quality in the spa-bath and interpreting the tests results; and
- (f) maintain a daily record of the spa-bath water quality.

#### 72. DUTIES OF SWIMMING POOL KEEPERS

Every swimming pool keeper must —

- (a) keep the premises in a safe, clean and sanitary condition at all times;
- (b) provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;
- (c) be qualified and proficient in life saving, rendering first aid, use of a resuscitation appliance, the operation of the swimming pool and testing and maintaining the safety of the swimming pool water;
- (d) ensure that the swimming pool water is purified, treated and maintained to an adequate quality at all times;
- (e) provide and maintain, in proper working order, equipment for testing the quality of the swimming pool water;
- (f) be capable of undertaking routine tests on the water quality in the swimming pool and interpreting the tests results; and
- (g) maintain a daily record of the swimming pool water quality.

#### 73. WATER SUPPLY

- (1) Unless the prior written approval of an environmental health practitioner has been obtained, no person operating a spa-bath or swimming pool may use water from a source other than a municipal supply to clean, fill or maintain the water level in a swimming pool or spa-bath.
- (2) An environmental health practitioner must —
  - (a) take samples of a swimming pool or spa-bath water, at intervals which he or she considers appropriate for the purpose of a chemical analysis or bacteriological examination of that water;
  - (b) submit the samples to an analyst authorised in terms of section 12 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 to conduct an analysis.

#### 74. SAFETY OF WATER

Every spa-bath keeper and swimming pool keeper must ensure that the water in the spa-bath or swimming pool complies with the following requirements:

- (a) it must be free from floating, suspended or settled debris or swimming organisms and the walls, floor, access ladders or steps and gutters must be free from slime and algae;
- (b) the pH value of the water must be not less than 7 and not greater than 8;
- (c) where chlorine based disinfectants are used, a minimum free available chlorine residual of 0,5 mg/l, with a maximum free available chlorine residual of 3 mg/l, must be maintained;
- (d) if a disinfectant other than chlorine is used, the residual level must be equivalent in effect to the requirements of paragraph (c);
- (e) the total viable bacteriological count of any sample submitted for analysis, must not exceed 100 organisms per ml of water; and
- (f) *Escherichia coli* type 1 bacteria must not be present in any 100 ml of water.

#### 75. ORDER AND BEHAVIOUR

No person may —

- (a) interfere with a spa-bath keeper or swimming pool keeper in the execution of his or her duties;
- (b) allow any dog or other pet belonging to him or her or under his or her care to enter or to remain within the premises of a spa-bath or swimming pool, unless it is a guide dog accompanying a blind person;
- (c) enter or remain in any premises of a spa-bath or swimming pool if he or she knows or suspects that he or she may be suffering from any communicable or contagious disease; and
- (d) urinate, defecate, spit or blow his or her nose in a spa-bath or swimming pool.

### CHAPTER 13 NURSING HOMES

#### 76. DEFINITIONS

In this Chapter, unless the context otherwise indicates —

“**general practice**” when used to describe the purpose for which a nursing home is used, means all medical, gynaecological and surgical cases, excluding maternity cases;

“**maternity home**” means any nursing home, or part thereof, dealing exclusively with maternity cases;

“**nursing home**” means any premises where the nursing or care of patients is carried on for gain, but does not include —

- (a) any institution owned or controlled by the Government of the Republic of South Africa or a Provincial Administration; or
- (b) any consulting room, dental surgery or home for aged persons.

#### 77. USE OF PREMISES

- (1) Any person who operates a nursing home may use it for the purpose of either a maternity home or for general practice, but not for both those functions, unless —

- (a) the nursing home carried on business prior to the promulgation of these By-laws; or
- (b) the nursing home —
  - (i) complies with the requirements of subsection (2);
  - (ii) is in possession of a permit authorising that activity; and
  - (iii) complies with the requirements of any relevant Town Planning Scheme.
- (2) Any person who operates a nursing home may use the premises concerned as a maternity home and for general practice, subject to compliance with the following requirements:
  - (a) One part of the premises must be set aside exclusively as a maternity area for maternity cases and another part must be set aside exclusively as a general practice area for general practice;
  - (b) no room, passage, stairway, hall, corridor, lift, external entrance or exit or other portion of the premises may be used in common for any purpose whatsoever, except those that are used for the purpose of —
    - (i) laundries;
    - (ii) central sterilising unit, including ancillary units and stores;
    - (iii) pathological laboratories;
    - (iv) kitchens, sculleries, washing-up facilities, larders and any associated storage space;
    - (v) storage space for unused or adequately sterilised stores;
    - (vi) an administrative office other than an office used to admit and discharge patients;
    - (vii) central pharmaceutical units;
    - (viii) mortuaries; and
    - (ix) workshops;
  - (c) access to any common area may not be gained from the maternity area by going through the general practice area, and *vice versa*;
  - (d) any common area leading from the two exclusive areas must be adequately ventilated;
  - (e) there may not be any direct means of access between the two exclusive areas;
  - (f) there may not be any opening, aperture or gap in any common wall dividing the two exclusive areas which could allow air to pass from one area to the other;
  - (g) every floor of one exclusive area, which is located immediately above the other exclusive area, must be made of reinforced concrete or other impervious material;
  - (h) no member of the nursing or ward domestic staff who has performed duties in one exclusive area may, within 24 hours thereafter, perform duties in or enter the other exclusive area in an official capacity or in uniform;
  - (i) the uniforms and protective clothing worn by persons employed in the common area and the two exclusive areas, must be clearly distinguishable from one another;
  - (j) no furniture, equipment, utensils, apparatus, linen, blankets or any other articles located in a common area, may be taken to any exclusive area until they have been adequately sterilised;
  - (k) all furniture, equipment, utensils, apparatus and other articles, excluding linen, blankets, kitchen utensils, catering equipment, crockery, medical, surgical instruments and other incidental items, used in or intended for use in the two exclusive areas, must be clearly marked to indicate in which of the those areas they are used or originated;
  - (l) no article identified for use in the one exclusive area may be taken into or kept in the other exclusive area unless a certificate is obtained from an environmental health practitioner that the article has been adequately sterilised;
  - (m) all articles issued from the common area for use in the two exclusive areas, must be returned to the common area;
  - (n) no article issued for use in one exclusive area may be used in the other exclusive area until it has been returned to the common area for adequate sterilisation;
  - (o) no patient from the maternity area may be accommodated, nursed or cared for in the general practice area, and *vice versa*; and
  - (p) no person shall bring any animal, poultry or bird onto the premises.

## 78. GENERAL REQUIREMENTS

No person may operate a nursing home which does not comply with the following requirements:

- (a) separate residential accommodation must be provided for staff required to reside on the premises;
- (b) separate bathrooms and toilets must be provided in accordance with section 85(b) and (c), for each of the following classes of person:
  - (i) patients;
  - (ii) nursing staff; and
  - (iii) domestic staff;
- (c) the bathrooms and toilets must be designated for each sex and must be laid out in a manner that satisfies an environmental health practitioner;
- (d) an adequate supply of running hot and cold potable water, drawn from the Council's main supply, must be provided;
- (e) a water-borne sewerage system connected to the Council's sewer, a septic tank or other disposal system approved by the technical director of the Council and an environmental health practitioner in writing, must be provided;
- (f) adequate accommodation for the administrative purposes of the nursing home, must be provided;
- (g) adequate storage accommodation for articles that are reasonably necessary to store on the premises, must be provided;
- (h) an adequate kitchen and scullery, having regard to the size and layout of the nursing home, must be provided;
- (i) adequate accommodation and facilities for the storage and refrigeration of food, must be provided;
- (j) a separate linen room, containing adequate cupboards or shelves for the storage of clean linen, must be provided;
- (k) an incinerator, adequate for the complete incineration of any combustible article placed in it, must be provided;
- (l) any laundry located on the premises, must comply with the provisions of these By-laws;
- (m) no autopsy may be performed on the premises, other than in a room which is used solely for the reception of dead bodies and is constructed as follows:
  - (i) the room must be divided from any other room by a solid wall;



- (ii) the floor and walls must be constructed of an impervious material brought to a smooth finish;
- (iii) all tables in the room must have impervious tops;
- (iv) a sink, supplied with hot and cold running potable water, must be provided; and
- (v) an adequate drainage system must be provided;
- (n) adequate facilities must be provided for the hygienic handling and disposal of flowers, vases and other related materials;
- (o) fire prevention equipment, which in the opinion of the chief fire officer of the Council is adequate, must be provided and maintained on the premises;
- (p) a fire escape, the stairs of which are a minimum of 1 metre wide with landings at each turning point measuring a minimum of 2.2 metres by 1.7 metres, must be affixed to the premises;
- (q) the premises must provide adequate accommodation for the storage of any spare equipment, including particularly heavy equipment and gas cylinders, in a manner that will not obstruct any passages or exits to the premises; and
- (r) an emergency stand-by electrical plant must be provided which is adequate to provide an immediate alternative supply of electricity to —
  - (i) each operating theatre throughout the period of any power failure;
  - (ii) any part of the nursing home to ensure the continued operation, throughout the period of the failure, of all electrically operated appliances and equipment which, in the opinion of an environmental health practitioner, are or may be life saving.

#### 79. FLOOR REQUIREMENTS

No person may operate a nursing home, unless the following are provided on each floor:

- (a) a duty-room equipped in accordance with section 90;
- (b) adequate sluicing facilities, taking into account the number of beds on the floor;
- (c) a dressing room fitted with adequate sterilising equipment, containing impervious shelves for the storage of sterile drums and other equipment, and used exclusively for —
  - (i) the sterilisation or preparation of instruments, dressings and other equipment; and
  - (ii) the treatment of patients;
- (d) a ward kitchen equipped with a sink with hot and cold running potable water, a refrigerator, a stove and cupboards for crockery and cutlery: Provided that a floor does not require a separate ward kitchen if all the needs of that floor are adequately catered for by the premises' main kitchen;
- (e) an adequate room or cupboard for the storage of clean linen;
- (f) a portable receptacle for the collection of soiled linen;
- (g) a room reserved exclusively for sorting and handling linen: Provided that such separate linen rooms are not required, if the entire premises are adequately served by one such room;
- (h) a room for the storage of any spare equipment including heavy equipment and gas cylinders; and
- (i) where accommodation is provided for children under the age of six years, a separate milk room for the storage and preparation of milk and other children's foods, unless a ward kitchen adequately fulfils this purpose.

#### 80. MAINTENANCE AND CONSTRUCTION

No person may operate a nursing home in or on premises which do not comply with the following requirements:

- (a) the premises must be kept in good and hygienic condition at all times;
- (b) all walls must be constructed of brick, stone, concrete or other impervious material;
- (c) except where glazed or glass bricks, glazed tiles or other similar material with a hard and smooth surface have been used, the internal walls of operating theatres, sterilizing rooms, wards, labour wards, scrubbing-up rooms, dressing-rooms, duty-rooms, kitchens, sculleries, pantries, food store-rooms, milk rooms, bathrooms, toilets, sluice-rooms, wash-houses and mortuaries must be —
  - (i) plastered and brought to a smooth finish; and
  - (ii) covered with a light-coloured washable paint, adequate plastic finish or other approved material;
- (d) the angles formed between each floor and wall, and between two walls, in operating units, wards, labour wards, sluice-rooms, milk rooms, bathrooms, toilets and kitchens, must be rounded;
- (e) the floors of wards must be constructed of concrete, hardwood or other durable material, brought to a smooth finish and maintained in this way at all times;
- (f) the floors of operating theatres, sterilizing rooms, wards, including labour wards, scrubbing-up rooms, dressing-rooms, duty-rooms, kitchens, sculleries, pantries, food store-rooms, milk rooms, bathrooms, toilets, sluice-rooms, wash-houses and mortuaries must be made of cement concrete or other impervious material brought to a smooth finish and maintained at in this way at all times;
- (g) all ceilings must be constructed so as not to attract dust; and
- (h) the ceilings of operating theatres, labour wards, sterilizing rooms and scrubbing-up rooms must have a hard, smooth and washable surface.

#### 81. VENTILATION

No person may operate a nursing home which does not comply with the provisions of the National Building Regulations and Building Standards Act with regard to adequate light and ventilation.

#### 82. WARD REQUIREMENTS

No person may operate a nursing home which does not comply with the following requirements in respect of each ward:

- (a) all ceilings must have a minimum height of three metres, except in the case of existing nursing homes where the height may be a minimum of 2.6 metres as long as the floor area of the ward is sufficient to provide 22 m<sup>3</sup> of air space for every bed;
- (b) the size of the floor area must be such as to provide a minimum of 8,5 m<sup>2</sup> of floor space for every bed;
- (c) no bed may be placed —
  - (i) within 750 mm of any wall on the side of a bed or wall fixture, other than a wash-hand basin or central-heating radiator; or
  - (ii) within one metre of any other bed;
- (d) no space left between beds in terms of paragraph (c), may be obstructed in any manner;
- (e) the following must be displayed on the outside of each ward door:
  - (i) the number of the ward; and

- (ii) the number of patients that may be accommodated in the ward;
- (f) an adequate number of easily accessible wash-hand basins, complying with the following requirements, must be placed inside each ward:
  - (i) the basins must be of adequate size for scrubbing up; and
  - (ii) the basins must be provided with an adequate supply of hot and cold running potable water;
- (g) no room, any of the windows of which are situated less than 1.5 metres from an object which obstructs its light, may be used as a ward; and
- (h) every ward must have a door opening directly onto a passage.

### 83. MATERNITY HOMES

Any person who operates a maternity home must, in addition to the requirements for nursing homes, comply with the following requirements:

- (a) one or more rooms, as an environmental health practitioner may think fit to avoid overcrowding and congestion, must be set aside for each of the following purposes:
  - (i) a nursery;
  - (ii) a labour ward;
  - (iii) a delivery ward; and
  - (iv) a milk room;
- (b) every delivery ward must have a scrubbing-up basin, with a supply of hot and cold running potable water, the taps of which are designed for operation by elbow or by foot;
- (c) newborn infants must be kept in the nursery except when brought to their mothers for feeding or for some other specific purpose, except that the infants may be kept with their mother at all times if there are no more than two maternity cases in a ward;
- (d) the floor area of any delivery ward in which a maximum of two maternity cases are accommodated, must provide a minimum of 10 m<sup>2</sup> for each bed and crib;
- (e) one separate crib for each baby, each with a minimum of least 2 m<sup>2</sup> of floor space, must be provided in every nursery;
- (f) the cribs must be situated as follows:
  - (i) a minimum of 750 mm from any other crib; or
  - (ii) a minimum of 300 mm from any wall on the side of the crib or wall fixture, excluding a wash-hand basin or a central-heating radiator;
- (g) a baby's bathing and changing-room, fitted with adequate baby bathing equipment, must adjoin every nursery; and
- (h) every milk room must be provided with —
  - (i) a sink made of porcelain, enamel or stainless steel and a wash-hand basin with hot and cold running potable water;
  - (ii) a refrigerator;
  - (iii) tables with impervious tops; and
  - (iv) adequate equipment for sterilising utensils used in the handling of milk.

### 84. OPERATING THEATRES

Any person who operates a nursing home which receives patients in need of surgical treatment, must provide an operating theatre used exclusively for surgical operations, which complies with the following requirements:

- (a) every operating theatre must be provided with —
  - (i) a scrubbing-up room or bay, which must immediately adjoin the operating theatre;
  - (ii) a sterilising room;
  - (iii) a theatre sluice-room; and
  - (iv) a recovery room;
- (b) the sterilising room, which adjoins an operating theatre, must be separated by a swing door or other approved type of door;
- (c) the sluice-room, sterilising room and recovery room must be reasonably accessible from the operating theatre; and
- (d) one sluice-room, sterilising room and recovery room may be used to serve more than one operating theatre.

### 85. ABLUTION AND SANITARY REQUIREMENTS

Any person who operates a nursing home must ensure that the premises complies with the following requirements:

- (a) all bathrooms must be fitted with porcelain enamel or cast-iron enamel baths with a supply of hot and cold running potable water;
- (b) the following number of baths and toilets must be provided for patients:
  - (i) in a maternity home —
    - (aa) the ratio of toilets to patients must not be less than 1:8; and
    - (bb) the ratio of bathrooms to patients must not be less than 1:12;
  - (ii) in any other nursing home —
    - (aa) the ratio of toilets to patients must not be less than 1:12; and
    - (bb) the ratio of bathrooms to patients must not be less than 1:12;
- (c) the following number of baths and toilets must be provided for nursing staff, domestic staff and other employees:
  - (i) the ratio of each of toilets and bathrooms to nursing and domestic staff must not be less than 1:12 respectively; and
  - (ii) the ratio of each of toilets and bathrooms or shower cubicles to other employees must not be less than 1:12 respectively;
- (d) in calculating the number of toilets in terms of paragraph (b), no account must be taken of any toilet contained in a bathroom; and
- (e) every toilet must be equipped with an adequate flushing system maintained in proper working order.

### 86. SLUICE-ROOMS

Any person who operates a nursing home must ensure that every sluice room located on the premises —

- (a) is a minimum of 7 m<sup>2</sup> in area and have a minimum width of 2.2 metres;
- (b) opens into a well-ventilated passage and is accessible to every ward which it serves;
- (c) has a sluice-pan of approved design and equipped with an adequate flushing system maintained in proper working order;
- (d) has smooth and impervious shelves or other adequate apparatus for the storage of bed-pans or other sanitary utensils;

- (e) has, in the case of a maternity home, adequate apparatus for sterilizing bedpans by steam or boiling water and in the case of a nursing home carrying on a general practice, adequate apparatus for cleaning bed-pans;
- (f) has an impervious receptacle, with a tight fitting lid and of adequate size, for the reception of soiled dressings; and
- (g) is used only for —
  - (i) the storage and cleansing of bed-pans and other sanitary utensils;
  - (ii) the temporary deposit of soiled dressings; and
  - (iii) the testing of urine.

#### 87. KITCHENS AND SCULLERIES

Any person who operates a nursing home must ensure that any kitchen and scullery located on the premises complies with the following requirements:

- (a) every draining board and top of every table installed, whether as a new installation or by way of replacement, must be constructed of stainless steel, enamelled metal or of another adequate smooth and impervious material;
- (b) every sink installed, whether as a new installation or by way of replacement, must —
  - (i) be constructed of stainless steel;
  - (ii) have two compartments each with hot and cold running potable water; and
  - (iii) together with its draining board, be installed at least 100 mm away from any wall;
- (c) any wall within 600 mm of any part of a sink, draining board or of any table on which food is prepared or handled, must be tiled or treated in some other adequate manner to a minimum height of 1.35 metres above the floor;
- (d) a receptacle with a tight fitting lid suitable for the reception of kitchen refuse, must be provided;
- (e) the receptacle must be kept tightly shut and emptied at least once a day into an external refuse receptacle; and
- (f) a hood or canopy of adequate size, having a flue at least 300 mm in diameter and which emits fumes and gasses in such a manner that it creates no public health nuisance, must be provided immediately over any stove where cooking is carried out on the premises.

#### 88. STORAGE OF FOODSTUFFS

Any person who operates a nursing home must ensure that-

- (a) all crockery, cutlery and foodstuffs are stored in a hygienic place and manner;
- (b) adequate refrigeration facilities are provided for the storage of perishable foodstuffs; and
- (c) any room in which fruit and vegetables are stored, is adequately ventilated and equipped with heavy wire shelves and racks.

#### 89. LAYOUT OF ROOMS

No person who operates a nursing home may do so unless the rooms referred to in sections 87 and 88 comply with the following additional requirements:

- (a) the rooms may not be situated in, or share an entrance with, any —
  - (i) ward or room used for sleeping;
  - (ii) sluice-room; or
  - (iii) toilet and urinal;
- (b) the rooms must be provided with adequate racks, shelves and other means to store bulk goods at a minimum height of 225 mm above the floor;
- (c) adequate lighting and ventilation, as prescribed by the National Building Regulations and Building Standards Act, must be provided.

#### 90. MEDICINES AND POISONS

Any person who operates a nursing home must ensure that-

- (a) a room or cupboard, of adequate size is set aside, to be used solely for the storage of medicines and drugs;
- (b) every room or cupboard set aside in terms of paragraph (a), is kept locked at all times except when medicines or drugs are being removed from it or returned to it; and
- (c) within that room or cupboard, a separate lockable cupboard or locker is reserved for the storage of poisons, habit-forming drugs and potentially dangerous drugs.

#### 91. STERILISATION

Any person who operates a nursing home must provide adequate apparatus for the sterilisation of instruments.

#### 92. LAUNDERING

If laundering is carried out on the premises of a nursing home, this must take place in accordance with the provisions of Chapter 11.

#### 93. RECEPTION ROOMS FOR SOILED ARTICLES

Any person who operates a nursing home must ensure that-

- (a) the reception room for soiled articles is used exclusively for receiving and sorting soiled articles;
- (b) a wash-hand basin, supplied with running hot and cold potable water is provided, in each reception room;
- (c) each reception room is mechanically ventilated in a manner that ensures that any air generated in the room is discharged into the atmosphere; and
- (d) a separate reception room is provided in any maternity home and used exclusively for receiving and sluicing of baby napkins.

#### 94. LAUNDRY ROOMS

If laundering is carried out on the premises of a nursing home, the premises that are used for such laundering must comply with the requirements for premises on which a laundry business is conducted as contemplated in section 65 of these By-laws.

#### 95. STORAGE ROOMS

Any person who operates a nursing home must ensure that —

- (a) any storage room is used exclusively for the storage and distribution of those articles intended to be stored in such storeroom;
- (b) any storage room contains adequate moveable shelving made of impervious material;
- (c) every shelf is a minimum height of 225 mm above the floor;

- (d) containers used for the reception or conveyance of soiled or laundered articles are adequately marked so that they can be easily distinguishable from one another; and
- (e) all persons employed in any part of the laundry are provided with, and wear, caps covering their hair and clean overalls made of light-coloured material, of a design approved by an environmental health practitioner.

**96. LINEN**

Any person who operates a nursing home must ensure that at all times, all linen provided in the premises is —

- (a) of good quality;
- (b) maintained in good repair; and
- (c) available in a quantity adequate to ensure the prompt replacement of soiled articles.

**97. REFUSE RECEPTACLES**

Any person who operates a nursing home must provide an adequate number of refuse receptacles on the premises.

**98. ACCOMMODATION FOR NURSING STAFF**

No person may operate a nursing home unless —

- (a) adequate sleeping accommodation is provided for the resident nursing staff employed on the premises;
- (b) adequate arrangements are made for the separation of the sleeping accommodation of members of the staff on day duty and those on night duty, so as to avoid the undue disturbance of staff sleeping; and
- (c) a dining-room and separate recreation room is provided for the nursing staff: Provided that one room may be used as a dining and recreation room if the room is adequate for both purposes.

**CHAPTER 14  
CHILD - CARE SERVICES**

**99. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“**child-care premises**” mean premises on which child-care services are offered;

“**child-care service**” means any service, whether for gain or otherwise, for the reception, protection, care and bringing-up of more than six children apart from their parents, but does not include any reform school, boarding school, school hostel or any establishment which is maintained or used mainly for the tuition or training of children and which is controlled by or which has been registered or approved by the State, including a provincial administration, as contemplated in the Child Care Act, 1983 (Act No. 74 of 1983).

**100. PERMIT REQUIREMENT**

No person may provide a child-care service except on child-care premises which comply with the requirements of sections 101 to 116 and in terms of a permit authorising that activity.

**101. GENERAL REQUIREMENTS FOR CHILD-CARE PREMISES**

A child-care service may only be provided in or on premises which are located, designed, constructed, finished, equipped and in such a condition that children —

- (a) can be cared for hygienically; and
- (b) can be adequately protected against any possible public health hazard and public health nuisance.

**102. INDOOR PLAY AREAS**

Child-care premises on which children under compulsory school-going age are cared for, must be provided with an indoor play area which must —

- (a) be enclosed by buildings and structures constructed of materials and in a manner that ensures the health and safety of children using that area;
- (b) have a floor which is smooth, easily washable and which prevents the permeation of dampness;
- (c) have a play area with a minimum of 1,5 m<sup>2</sup> free unobstructed floor space per child, or 3 m<sup>2</sup> if no outdoor play area is provided, and which is divided by walls or removable partitions into separate indoor play areas in which children of the following age groups are cared for separately at all times:
  - (i) 0-2 years;
  - (ii) 2-4 years; and
  - (iii) 4 years up to compulsory school-going age.

**103. OUTDOOR PLAY AREAS**

If child-care premises have an outdoor play area it must —

- (a) be free of any excavations, steps, projections, levels or any surface which may adversely impact on the health and safety of children using that area;
- (b) provide a minimum outdoor play area of 2 m<sup>2</sup> per child;
- (c) have an adequate means of enclosure and a lockable gate to prevent a child leaving the premises on his or her own and to prevent the entrance of any animal and unauthorised person; and
- (d) have separate outdoor play areas for the following different age groups:
  - (i) 0-2 years;
  - (ii) 2-4 years;
  - (iii) 4 years up to compulsory school-going age; and
  - (iv) school-going children.

**104. TOILET AND WASH FACILITIES**

Child-care premises must have adequate toilet and wash facilities for all children with —

- (a) a ratio of not more than 15 children for each toilet or chemical toilet;
- (b) a ratio of not more than 20 children for each hand wash facility; and
- (c) a supply of hot and cold running potable water must be available at every wash-hand basin, or if no running water is available, a minimum of 25 litres of potable water, stored in a hygienically clean container, must be available on the premises at all times.

**105. TOILET AND WASH FACILITIES FOR CHILDREN UNDER THE AGE OF 2 YEARS**

Child-care premises must provide the following additional toilet and wash facilities for children under the age of 2 years:

- (a) a separate napkin changing unit for changing the napkins of children under the age of 2 years;
- (b) adequate wash facilities to clean children wearing napkins;
- (c) adequate containers for the storage of clean and soiled napkins.

**106. GENERAL REQUIREMENTS**

No person may provide a child-care service unless the child-care premises comply with the following additional requirements:

- (a) separate toilet and hand wash facilities must be provided for staff members;
- (b) no child may, at any time, have access to living quarters of staff and adequate measures must be taken to keep the living quarters separate;
- (c) an adequate sick-bay area for the treatment and care of any child who falls ill or who is injured during day care, must be provided;
- (d) an adequate method for hand washing must be provided in the sick-bay area;
- (e) an approved lockable and adequately equipped first aid unit must be provided and maintained in the sick-bay area;
- (f) an adequate office area must be provided;
- (g) an adequate kitchen area, where food is to be handled, prepared, stored and provided to children, must be provided;
- (h) the kitchen area referred to in paragraph (g) must comply with any relevant law;
- (i) a separate storage area of adequate size must be provided for the storage of indoor and outdoor play materials, equipment, stretchers, sleeping mats, bedding and linen; and
- (j) a separate designated storage facility of adequate size for the storage of the personal belongings of each child and staff member must be provided.

**107. RESTING AND PLAY EQUIPMENT**

Any person who provides a child-care service must provide —

- (a) adequate child-sized seating and tables for each child;
- (b) adequate individual resting or sleeping places for each child;
- (c) an approved blanket for the individual use of each child; and
- (d) adequate indoor and outdoor play equipment for the children's use.

**108. AFTER-SCHOOL FACILITIES**

Any person who provides a child-care service for children of school-going age must provide the following after-school care facilities:

- (a) if an after-school care is provided on the same premises as for the care of children under school going age, the facilities for the two groups of children must be kept totally separate, except for the kitchen and office area;
- (b) an indoor care area of at least 1,5 m<sup>2</sup> free floor space for each child must be provided;
- (c) an outdoor play area of at least 2 m<sup>2</sup> for each child must be provided;
- (d) one toilet and one hand-wash facility must be provided for every 20 children, or part of that number, and the facilities must be separately designated for the use of each sex; and
- (e) adequate seating and tables must be provided for each child.

**109. MEDICAL CARE FOR CHILDREN**

Any person who provides a child-care service or is in charge of child-care premises must —

- (a) in respect of any child who becomes ill or has suffered an injury requiring medical attention —
  - (i) immediately notify the parent or guardian of the child;
  - (ii) immediately call for medical assistance; and
  - (iii) provide necessary care and treatment in the sick-bay area required in terms of section 106(c);
- (b) immediately notify the Council in the event of the illness being a communicable disease;
- (c) ensure that every child has completed basic immunization schedules as considered necessary by the Council;
- (d) comply with the provisions of any relevant legislation and regulations published under the Health Act, 1977 (Act No. 63 of 1977), regarding the exclusion of children from day-care services on account of infectious diseases;
- (e) be trained in basic first aid; and
- (f) only administer medicine to a child with the written consent of that child's parent or guardian.

**110. SAFETY MEASURES**

No person may provide a child-care service unless the following safety measures are complied with:

- (a) children must be adequately protected against fires, hot water installations, electrical fittings and appliances, heating appliances and any other article, thing or substance that may be dangerous or cause injury to any child;
- (b) any slats or rails forming part of an enclosure, security gate, play pen, bed, cot or any other object or structure whatsoever, must be a minimum of 75 mm apart, must be installed and maintained in a good state of repair, and if painted, only non-toxic paint must be used;
- (c) all medicines, pesticides, detergents and other harmful substances must be stored in a locked place inaccessible to any child at all times;
- (d) no noxious or poisonous or dangerous plant or shrub may be permitted on the premises;
- (e) no animals or birds may be kept on the premises;
- (f) no person known or suspected to be suffering from an infectious or contagious disease, and no person so suffering, may be allowed on the premises while, in the opinion of an environmental health practitioner, the person is capable of communicating the infectious or contagious disease to the children;
- (g) no paddling pool, swimming pool or other structure may be permitted in any child-care service without adequate fencing and a safety net;
- (h) any sandpit must be adequately covered when not in use and must be treated with a treatment agent on a regular basis; and
- (i) any other reasonable measures which may, in the opinion of an environmental health practitioner, be necessary to protect the children from any physical danger, must be taken by the child-care service provider on the instruction of an environmental health practitioner.

**111. GENERAL DUTIES OF A CHILD-CARE SERVICE PROVIDER**

Any person who provides a child-care service must —

- (a) ensure that the children are properly cared for and supervised at all times;
- (b) maintain every part of the premises, including any equipment, in good repair and in a clean and hygienic condition at all times;
- (c) ensure that all persons on or in the premises are clean in person and clothing and are in good state of health;
- (d) ensure that no person smokes or uses any tobacco product in the presence of children;
- (e) ensure that the toys, books and other indoor play materials intended for day-to-day use are available in any indoor play area and suitably stored so that they are within easy reach of the children;
- (f) ensure that the children are at all times under the direct supervision of an adult in the following ratio:
  - (i) one adult supervisor for every 6 babies between 0-18 months;
  - (ii) one adult supervisor for every 12 children between 18 months and 3 years;
  - (iii) one adult supervisor for every 20 children between 3 and 5 years;
  - (iv) one adult supervisor for every 30 children between 5 and 6 years; and
  - (v) one adult supervisor for every 35 children of school going age;
- (g) if transport to or from a child care service is provided, ensure that —
  - (i) the children are supervised by at least one adult apart from the driver during transport;
  - (ii) the doors of the vehicle are lockable so that they cannot be opened from inside the vehicle;
  - (iii) no children are transported in the front seat or the boot of the vehicle;
  - (iv) no babies are placed under the seat of a vehicle;
  - (v) the vehicle is not overloaded in terms of any applicable law;
  - (vi) the driver of the vehicle holds a valid licence to transport the passengers; and
  - (vii) the vehicle is licensed and is in a road worthy condition;
- (h) when children are transported in the back of an enclosed light commercial vehicle, ensure that no exhaust fumes enter the enclosed area and that it is adequately ventilated
- (i) if meals are provided, display a two-weekly menu that must be visible to the parents;
- (j) provide nutritionally balanced meals of adequate volume to satisfy the energy needs of the children in each age group;
- (k) provide a laundry area an adequate distance from any area used to care for children or the kitchen, if laundry is done on the premises;
- (l) provide an adequate number of bins with self-closing lids for the disposal of paper, paper towels, tissues and other waste materials, inside the premises;
- (m) provide an approved refuse area, with adequate refuse bins, for the storage of refuse pending removal;
- (n) provide each child with a towel, preferably disposable, for his or her individual use on the premises;
- (o) provide adequate individually marked pegs or hooks for each child to hang his or her towel on; and
- (p) provide an adequate and easily available supply of toilet paper, soap and tissues for the children's use.

**Application for admission****112. ANY PERSON WHO PROVIDES A CHILD-CARE SERVICE MUST ENSURE THAT —**

- (a) an application form containing the following information is completed by the parent or guardian of every child when he or she is admitted to the child-care service:
  - (i) the child's name and date of birth;
  - (ii) the name, address and telephone number of the parent or guardian;
  - (iii) the place of employment and telephone number of the parent or guardian;
  - (iv) the name, address and telephone number of a responsible person other than the parent or guardian who may be consulted in emergencies; and
  - (v) the name, address and telephone number of the child's doctor together with permission to consult him;
- (b) all application forms are kept for a minimum period of three years from the date a child is discharged; and
- (c) the date of admission and discharge of each child is written on the relevant application form.

**113. REGISTERS**

Any person who provides a child-care service must keep an admission and discharge register of all children admitted to and discharged from the child-care service, in which —

- (a) the presence or absence of each child is recorded daily; and
- (b) each child's date of birth is recorded.

**114. MEDICAL REPORTS**

Any person who provides a child-care service must obtain a report from the parent or guardian of each child containing the following health data:

- (a) information concerning the child's general state of health and physical condition;
- (b) operations, illnesses and any communicable diseases which the child has suffered and the relevant dates;
- (c) details of required immunizations; and
- (d) details of allergies and any medical treatment the child may be undergoing.

**115. GENERAL JOURNAL**

Any person who provides a child-care service must keep a journal, in which any important or outstanding event, including any accident on the premises or during transportation of children, and any explanation is recorded.

**116. MEDICAL JOURNAL**

Any person who provides a child-care service must keep a medical journal in which the details and quantity of any medicine given to a child is recorded, and the child-care provider must ensure that the journal is signed daily by the parent or guardian of any child to whom medicine was given.

**CHAPTER 15**  
**KEEPING OF ANIMALS**

**117. DEFINITIONS**

In this Chapter, unless the context otherwise indicates —

“**agricultural holding**” means the same as defined in the applicable Town Planning Scheme;

“**animal**” means any cattle, sheep, goat, horse, mule, donkey, pig, rabbit and wild animal;

“**aviary**” means an enclosure used for the keeping of birds, other than poultry but does not include a portable cage;

“**battery system**” means the method of keeping poultry or rabbits in cages in either single rows or tier formation within a building or structure;

“**cattery**” means premises in or upon which —

- (a) boarding facilities for cats are provided; or
- (b) cats are bred for commercial purposes;

“**enclosure**” in relation to an animal, means any kraal, pen, paddock, cage or other fenced or enclosed area erected to confine an animal from escaping or roaming freely on the remainder of the premises;

“**keeper**” means —

- (a) in relation to any animal, the owner of the animal or any other person responsible for feeding and caring for the animal;
- (b) in relation to a battery system, cattery, kennels, pet parlour or pet shop means the person who owns the business of which it forms part of and the person in charge of the premises in which the animals are kept;

“**kennels**” means premises in or upon which —

- (a) boarding facilities for dogs are provided;
- (b) dogs are bred for commercial purposes;
- (c) dogs are kept for the purposes of being trained or hired out with or without handlers; or
- (d) dogs are kept for commercial security purposes;

“**livestock**” means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;

“**pet**” means a domestic animal, bird or poultry kept in a household for companionship or amusement;

“**pet parlour**” means any premises where beauty treatment is given to pets by washing, drying, brushing, clipping, trimming or by attending to their nails or teeth;

“**pet shop**” means the premises on which the business of keeping and selling of pets is carried out;

“**poultry**” means fowls, ducks, muscovy ducks, geese, turkeys, pigeons, peacocks and domestic guinea-fowls;

“**poultry house**” means any roofed-over building or structure in which poultry is kept, other than one in which a battery system is operated;

“**poultry run**” means any unroofed wire mesh or other enclosure in which poultry is kept, whether or not it is attached to a poultry house;

“**proclaimed township**” means an approved township as contemplated in sections 79, 103, 111 and 141(4) of the Town Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986), or a township approved in terms of any prior law relating to townships;

“**rabbit hutch**” means any roofed-over building or structure in which rabbits are kept, other than one in which a battery system is operated;

“**rabbit run**” means any unroofed wire mesh or other enclosure in which rabbits are kept, whether or not it is attached to a rabbit hutch;

“**stable**” means any building or structure used to accommodate livestock other than poultry;

“**wild animal**” means an animal of a species that is not generally domesticated and without limitation includes all animals indigenous to South Africa other than domesticated guinea-fowls.

**Part 1: General provisions relating to the keeping of animals**

**118. APPLICATION OF CHAPTER**

- (1) Subject to the provisions of subsection (2), the provisions of this Chapter do not apply to —
  - (a) any agricultural show where animals are kept on a temporary basis; and
  - (b) any laboratory where animals are kept for research purposes.
- (2) The provisions of section 144 apply to the keeping of animals at any agricultural show and at research laboratory.
- (3) No person may, subject to the provisions of section 121, keep or allow to be kept, any animal other than an approved pet on an erf in a proclaimed township, provided the keeping of such pet does not create or constitute a nuisance.
- (4) If at any time it appears to an authorised official that the keeping of poultry or rabbits on an erf or agricultural holding, in respect of which a permit has been granted, is likely to constitute a nuisance or danger to the public health, that official may —
  - (a) cancel the permit; or
  - (b) prohibit the keeping of such poultry or rabbits.
- (5) An authorised official must serve a notice on the permit holder or the owner of the erf or agricultural holding concerned, informing him or her of a decision in terms of subsection (1) and instruct the owner to comply with the requirements within the period stated in such notice, which must be at least 48 hours.
- (6) An authorised official must as soon as a permit has been cancelled, notify the permit holder of that fact in writing.
- (7) An authorised official may, subject to the foregoing provisions of this section, issue a new permit if he is satisfied that the reason for the cancellation no longer exists or that there is no reason why a new permit should not be issued.

**Part 2: Keeping of cattle, horses, mules and donkeys**

**119. REQUIREMENTS FOR PREMISES**

- (1) No person may keep any cattle, horse, mule or donkey in a stable or enclosure that does not comply with the following requirements:
  - (a) every wall and partition of the stable must be constructed of brick, stone, concrete or other durable material;
  - (b) the internal wall surfaces of the stable must be constructed of smooth brick or other durable surface brought to a smooth finish;
  - (c) the height of the walls to the wall plates of the stable must —
    - (i) if the roof is a pitched roof be 2,4 metres;

- (ii) if the roof is a flat roof be 2,7 metres;
- (iii) if the roof is a lean to roof be a mean height of 3 metres with a minimum of 2,4 metres on the lowest side;
- (iv) in the case of a stable which has an opening along the entire length of one of its long sides be not less than 2 metres;
- (d) the stable must have a floor area of at least 9 m<sup>2</sup> for each head of cattle, horse, mule or donkey accommodated in it;
- (e) lighting and ventilation must be provided by openings or glazed opening windows or louvers totalling at least 0,3 m<sup>2</sup> for each animal to be accommodated in it except in the case of a stable open along the entire length of one of its long sides;
- (f) the lowest point of every opening, window or louvers must be at least 1,8 metres above floor level;
- (g) the floor of the stable must be constructed of concrete or other durable and impervious material brought to a smooth finish graded to a channel and drained in terms of section 143;
- (h) any enclosure must have an area of at least 10 m<sup>2</sup> for each head of cattle, horse, mule or donkey accommodated in it and the fencing must be strong enough to prevent the animals from breaking out;
- (i) no enclosure or stable may be situated within —
  - (i) 15 metres of the boundary of any land, property, dwelling or other structure used for human habitation; or
  - (ii) 50 metres of any water resource or water supply intended or used for human consumption; and
- (j) there must be a water supply adequate for drinking and cleaning purposes next to every stable or enclosure.

#### 120. DUTIES OF KEEPER OF CATTLE, HORSES, MULES AND DONKEYS

Any person who keeps any cattle, horse, mule or donkey must —

- (a) maintain the premises, and any equipment, apparatus, container or receptacle used in connection with keeping the animal, in a clean and sanitary condition and in good repair;
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform constructed of concrete or other durable and impervious material near the stable or enclosure;
- (d) if there is so much manure and bedding that storage receptacles are impractical, provide a manure container or area complying with the following requirements:
  - (i) the manure container or area must be roofed and enclosed by three walls constructed of brick, concrete or other durable material plastered to a smooth finish; and
  - (ii) the floor must be of smoothly finished concrete that is inclined so that it drains to a water channel along the full length of the open side, which is at least 150 mm in diameter and is kept filled with water;
- (e) remove all the manure from the stable and enclosure at least once every 24 hours and place it in the manure storage receptacles or manure container or area until it is removed from the premises;
- (f) remove the contents of the manure storage receptacles or manure container or area from the premises at least once every second day and dispose of the manure in a way which will not create a public health nuisance;
- (g) remove all bedding from the stable at least once a week and store it in the manure receptacles or manure container or area until it is removed from the premises;
- (h) store all saddles, bridles, harnesses and other equipment or articles used in connection with the keeping of the animals, in a storeroom or other adequate storage facility; and
- (i) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids.

#### Part 3: Keeping of goats and sheep

#### 121. APPLICATION

The provisions of sections 122 and 123 also apply to the temporary keeping of a goat on any premises for the provision of milk for medical reasons.

#### 122. REQUIREMENTS FOR PREMISES

- (1) No person may keep goats or sheep in —
  - (a) an enclosure which does not comply with the following requirements:
    - (i) the minimum overall floor area must be 30 m<sup>2</sup>; and
    - (ii) at least 1,5 m<sup>2</sup> of floor space must be provided for every goat or sheep accommodated in it; or
  - (b) a stable which does not comply with the following requirements:
    - (i) every wall must be constructed of brick, stone, concrete or other durable material;
    - (ii) every wall must be at least 2 metres in height and have a smooth internal finish;
    - (iii) the floor must be constructed of concrete or other durable and impervious material brought to a smooth finish and graded to a channel drained in terms of section 143;
    - (iv) at least 1,5 m<sup>2</sup> of floor space must be provided for every goat or sheep accommodated in it with an overall minimum floor area of 6 m<sup>2</sup>; and (v) lighting and ventilation openings totalling at least 0,15 m<sup>2</sup> per goat or sheep must be provided.
- (2) No person may keep goats or sheep in an enclosure or stable within —
  - (a) 15 metres of any boundary of any land, dwelling, building or other structure used for human habitation; or
  - (b) 50 metres of any water resource or water supply intended or used for human consumption.
- (3) Every person must provide a water supply adequate for drinking and cleaning purposes situated next to or in every enclosure or stable used to accommodate goats or sheep.

#### 123. DUTIES OF KEEPER OF GOATS AND SHEEP

Any person who keeps goats or sheep must —

- (a) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the animal in a clean and sanitary condition and in good repair;
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform that enables the surface underneath the receptacle to be cleaned;



- (d) remove all manure from the enclosure or stable at least once every seven days and place it in the manure storage receptacles;
- (e) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way that will not create a public health nuisance; and
- (f) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids in the storeroom.

#### Part 4: Keeping of poultry

#### 124. APPLICATION

The provisions of sections 126(d), (f), (g) and 127(e), do not apply to any person keeping ten or less poultry.

#### 125. PERMIT REQUIREMENT

No person may keep more than 10 poultry on an erf in a proclaimed township or 100 poultry on premises zoned for agricultural purposes except in terms of a permit authorising that activity.

#### 126. REQUIREMENTS FOR PREMISES

No person may keep poultry in premises which do not comply with the following requirements:

- (a) in relation to a poultry house —
  - (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
  - (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish;
  - (iii) the upper floor of a two or more story structure must be constructed of an impervious and easily cleanable material;
  - (iv) the minimum floor area must be —
    - (aa) 0,20 m<sup>2</sup> for each grown fowl, duck, muscovy duck or guinea fowl;
    - (bb) 0,5 m<sup>2</sup> for each grown goose, turkey or peacock; and
    - (cc) 0,14 m<sup>2</sup> for each grown pigeon; and
  - (v) the minimum aggregate floor area must be 4 m<sup>2</sup>;
- (b) a poultry run, if provided, must be enclosed with wire mesh or other durable material;
- (c) in relation to a building or structure housing a battery system —
  - (i) every wall, if provided, must be at least 2,4 m high, must be constructed of concrete, stone, brick or other impervious material and must have a smooth internal surface;
  - (ii) if walls are provided, the building must be ventilated and lighted by means of mechanical ventilation and artificial lighting or by obtaining natural ventilation and light through openings or opening windows of an area not less than 15% of the floor area of the building or structure;
  - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and if required by an environmental health practitioner, the floor surface must be graded and drained by means of a channel drained in terms of section 143;
  - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its edges;
  - (v) the cages of the battery system must be made of an impervious material; and
  - (vi) if required by an environmental health practitioner, a tray of an impervious material must be fitted under every cage for the collection of manure;
- (d) a water supply adequate for drinking and cleaning must be provided in or next to every poultry house and poultry run and in or next to a building or structure housing a battery system;
- (e) no poultry house, poultry run, or building or structure housing a battery system, may be constructed within 3 metres of —
  - (i) any dwelling or other building or structure used for human habitation; and
  - (ii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iii) the nearest boundary of any land;
- (f) feed must be stored in an adequate rodent-proof storeroom;
- (g) adequate washing facilities must be provided for the cleaning of the cages;
- (h) if required by an environmental health practitioner, due to the amount of manure stored on the premises awaiting removal, a storage area complying with the following requirements must be provided:
  - (i) a roofed platform constructed of concrete or other impervious material;
  - (ii) the platform's outside edges must have a minimum curb of 100 mm high;
  - (iii) the platform must be graded and drained in terms of section 143; and
  - (iv) the roof of the platform must extend a minimum of 1 metre beyond the edges of the base of the platform.

#### 127. DUTIES OF KEEPER OF POULTRY

Any person who keeps poultry must —

- (a) ensure that all poultry is kept within a poultry house, poultry run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the poultry, in a clean, sanitary condition and in good repair;
- (c) maintain the premises and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from pests;
- (d) ensure that the poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (e) provide portable manure storage receptacles of an impervious material and with close fitting lids and keep the manure storage receptacles on a platform;
- (f) remove all manure and other waste from a poultry house and poultry run at least once every 48 hours and once every four days from a building or structure housing a battery system;
- (g) place the manure and other waste matter in manure storage receptacles;
- (h) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way which will not create a public health nuisance; and

- (i) take adequate measures to keep the premises free of flies, cockroaches and rodents and to prevent offensive odours arising from the keeping of poultry on the premises.

#### Part 5: Keeping of rabbits

#### 128. APPLICATION

The provisions of sections 130(b), (c), (d), (f) and (g), and 131(d), (f) and (g), do not apply to any person keeping ten or less rabbits.

#### 129. PERMIT REQUIREMENTS

No person may keep more than 5 adult rabbits on an erf in a proclaimed township or more than 20 adult rabbits on premises zoned for agricultural purposes, except in terms of a permit authorising that activity.

#### 130. REQUIREMENTS FOR THE PREMISES

No person may keep rabbits in premises which do not comply with the following requirements:

- (a) in relation to a rabbit hutch —
- (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
  - (ii) the floor surface must be —
    - (aa) constructed of concrete or other impervious material brought to a smooth finish;
    - (bb) situated at least 150 mm above ground level; and
    - (cc) graded to a channel drained in terms of section 143, if required by an environmental health practitioner;
  - (iii) adequate ventilation must be provided; and
  - (iv) the rabbit hutch must be adequate in size to allow free unobstructed movement of animals kept therein.
- (b) any rabbit run must be enclosed with wire mesh or other durable material and constructed in a way that prevents the escape of rabbits from the run;
- (c) in relation to a building or structure housing a battery system —
- (i) every wall must —
    - (aa) be at least 2,4 metres high;
    - (bb) be constructed of concrete, stone, brick or other durable material; and
    - (cc) must have a smooth internal surface;
  - (ii) if walls are provided, the building or structure must be ventilated and lighted by means of natural openings or windows of an area not less than 15% of the floor area of the building or structure;
  - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish, and if required by an environmental health practitioner, the floor surface must be graded to a channel drained in terms of section 143;
  - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its outside edges; and
  - (v) every cage must be constructed of an impervious material and fitted with trays of an impervious material for the reception of manure;
- (d) a water supply adequate for drinking and cleaning purposes must be provided in or next to every rabbit hutch or building or structure housing a battery;
- (e) no person may erect a rabbit hutch, rabbit run or building or structure housing a battery system within five metres of —
- (i) any dwelling, building or other structure used for human habitation;
  - (ii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iii) the nearest boundary of any land;
- (f) an adequate rodent-proof storeroom must be provided for the storage of feed; and
- (g) adequate washing facilities must be provided for the cleaning of cages.

#### 131. DUTIES OF KEEPERS OF RABBITS

Any person who keeps rabbits must —

- (a) keep all rabbits within the rabbit hutch, rabbit run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, containers or receptacles used in connection with keeping rabbits, in a clean, sanitary condition and in good repair;
- (c) maintain the premises free from offensive odours and every rabbit hutch, rabbit run or building or structure housing a battery system and all cages clean and free from pests;
- (d) provide portable manure storage receptacles of an impervious material with close-fitting lids which receptacles must be kept on a platform;
- (e) remove all manure and any other waste matter from the rabbit hutch, rabbit run or building or structure housing a battery system, at least once every 48 hours;
- (f) keep the manure and waste in manure storage receptacles until it is removed from the premises; and
- (g) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the contents in a way which will not create a public health nuisance.

#### Part 6: Keeping of birds other than poultry

#### 132. REQUIREMENTS FOR THE PREMISES

No person may keep any bird, other than poultry, in an aviary which does not comply with the following requirements:

- (a) the aviary must be constructed of durable rodent-proof material;
- (b) adequate access must be provided for cleaning purposes;
- (c) if the aviary is constructed above ground level, its base must be constructed of an impervious and durable material and must be situated a minimum of 300 mm above ground level;
- (d) the aviary may not be situated within three metres of any building or structure, boundary fence or boundary wall; and
- (e) a water supply adequate for drinking and cleaning purposes must be situated in or next to every aviary.

**133. DUTIES OF KEEPERS OF AVIARIES**

Any person who keeps birds in an aviary must —

- (a) ensure that the aviary and the premises are kept in a clean condition and free from pests;
- (b) provide and use rodent-proof facilities for the storage of bird food; and
- (c) ensure that the birds do not disturb the comfort, convenience, peace or quiet of the public.

**Part 7: Kennels and catteries****134. REQUIREMENTS FOR PREMISES**

No person may use premises as kennels or a cattery except in terms of a permit authorising that activity and unless the premises comply with the following requirements:

- (a) every dog or cat must be kept in an enclosure which complies with the following requirements:
  - (i) the enclosure must be constructed of impervious materials and must provide adequate access for cleaning purposes;
  - (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and graded to a channel 100 mm wide, extending the full width of the floor, which channel must be graded and drained into a gully connected to the Council's sewer by means of a pipe 100 mm in diameter; and
  - (iii) a curb 150 mm high must be provided along the edge of the channel, referred to in subparagraph (ii), to prevent any storm water runoff entering the channel; and
  - (iv) the enclosure must be adequate in size to allow free unobstructed movement of animals kept therein.
- (b) subject to the provisions of paragraph (c), every enclosure referred to in paragraph (a), must be provided with an adequate roofed shelter that complies with the following requirements:
  - (i) every wall must be made of brick, stone, concrete or other impervious material;
  - (ii) every wall must have a smooth internal surface;
  - (iii) the floor must be made of concrete or other impervious material brought to a smooth finish; and
  - (iv) every shelter must have adequate access for cleaning and eliminating pests;
- (c) a dog kennel which complies with the following requirements may be provided instead of the shelter contemplated in paragraph (b):
  - (i) the kennel must be constructed of an approved weatherproof and insulating material or other similar material;
  - (ii) the kennel must be movable;
  - (iii) the kennel must be placed on a base constructed of concrete or other impervious material with an easily cleanable finish; and
  - (iv) a sleeping board, which will enable the dog to keep dry, must be provided in any kennel that does not have a waterproof base;
- (d) a concrete apron extending at least one metre wide around the edges of the enclosure must be provided;
- (e) the apron must be graded and drained in a way that drains storm water away from the enclosure;
- (f) a water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the enclosure;
- (g) any cage in which cats are kept must be constructed of durable impervious material and in a manner that it may be easily cleaned; and
- (h) no shelter, enclosure or kennel may be situated within five metres of any —
  - (i) dwelling or other building or structure used for human habitation;
  - (ii) place where food is stored and prepared for human consumption; or
  - (iii) the boundary of the premises.

**135. FOOD PREPARATION AREAS**

Any keeper of kennels or a cattery who is so instructed by an environmental health practitioner, must provide a separate room or roofed area for the preparation of food which complies with the following requirements:

- (a) the floor of the room or roofed area must be constructed of concrete or other impervious material brought to a smooth finish;
- (b) the internal wall surfaces of the room or roofed area must be smooth and easily cleanable;
- (c) adequate washing facilities for food bowls and utensils must be provided; and
- (d) a rodent-proof storeroom must be provided for the storage of food.

**136. DUTIES OF A KEEPERS OF KENNELS OR CATTERIES**

Any person operating kennels or a cattery must —

- (a) maintain the premises, equipment and every vessel, receptacle or container and sleeping board used in connection with the kennels or cattery in a clean, sanitary condition and in good repair;
- (b) provide portable storage receptacles, of an impervious material with close fitting lids, for the storage of dog and cat faeces;
- (c) remove all faeces and other waste matter from the enclosure and shelter at least once every 24 hours and place it in the receptacles referred to in paragraph (b);
- (d) remove the contents of the storage receptacles from the premises at least twice every seven days and dispose of it in a manner that will not create a public health nuisance;
- (e) store all loose food in receptacles, with close fitting lids, in the food store;
- (f) provide adequate refrigeration facilities to store perishable foods on the premises;
- (g) provide adequate separate refuse receptacles, with close fitting lids, on the premises for refuse other than faeces;
- (h) keep any sick dog or cat isolated from any other animals; and
- (i) maintain the premises free from offensive odours and every enclosure, shelter, kennel, cage or food store clean and free from pests;
- (j) ensure that no dog or cat disturbs the comfort, convenience, peace and quiet of the public.

**Part 8: Pet shops and pet parlours****137. REQUIREMENTS FOR PREMISES**

No person may operate a pet shop or pet parlour in or on any premises which do not comply with the following requirements:

- (a) any wall and partition must —

- (i) be constructed of brick, concrete or other impervious material;
- (ii) have a smooth and easily cleanable internal surface; and
- (iii) be painted with a washable paint or other adequate finish;
- (b) all floor surfaces must be constructed of concrete or other impervious material brought to a smooth finish;
- (c) all ceilings must be dust proof and easily cleanable;
- (d) at least one wash-hand basin, with a supply of running hot and cold potable water, must be provided for employees and the ratio of wash-hand basins to persons employed on the premises must not be less than 1:15;
- (e) the wash-hand basins, referred to in subparagraph (d), must be drained in terms of section 143;
- (f) adequate storage facilities must be provided;
- (g) facilities for the washing of cages, trays and other equipment must be provided in the form of either —
  - (i) a curbed and roofed over platform with a minimum surface area of 1,5 m<sup>2</sup>, raised at least 100 mm above the floor and constructed of concrete or other impervious material brought to a smooth finish, which platform must be provided with a supply of running potable water; or
  - (ii) a stainless steel sink or trough of adequate size with a drainage board and provided with a supply of running potable water;
- (h) the platform, sink or trough referred to in paragraph (g) must be drained in terms of section 143;
- (i) any wall surface within 0,5 metres of the platform, sink or trough referred to in paragraph (g), must be permanently covered with waterproof material to a minimum height of 1,4 metres above the floor;
- (j) a clearly designated change room must be provided if more than six persons are employed on the premises and every change room must —
  - (i) have a floor area providing at least 0,5 m<sup>2</sup> for each employee;
  - (ii) have a minimum overall floor area of 6 m<sup>2</sup> and width of two metres; and
  - (iii) be equipped with an adequate metal locker for each employee;
- (k) if no change room is required in terms of paragraph (j), each employee must be provided with an adequate metal locker;
- (l) for the purposes of washing, clipping or grooming of pets —
  - (i) a bathroom fitted with a bath, or similar fitting, and a wash-hand basin supplied with running potable water must be provided;
  - (ii) a clipping and grooming room fitted with impervious topped tables and an adequate number of portable storage receptacles of an impervious durable material with close fitting lids, for the storage of cut hair pending removal, must be provided;
  - (iii) at least 50 % of the floor area of the rooms referred to in subparagraphs (i) and (ii), must be unobstructed; and
  - (iv) the floors of the rooms referred to in subparagraphs (i) and (ii), must be graded to a channel drained in terms of section 143;
- (m) all buildings, including storage areas, must be rodent-proof; and
- (n) the premises may not have direct internal access with any room or place —
  - (i) used for human habitation;
  - (ii) where clothing is stored or sold; or
  - (iii) where food is prepared, stored or sold for human consumption.

### 138. DUTIES OF PET SHOP OR PET PARLOUR KEEPERS

Any keeper of a pet shop or pet parlour must —

- (a) provide cages for housing the pets which comply with the following requirements:
  - (i) the cages must be constructed of metal or other impervious material and fitted with a removable metal floor-tray to facilitate cleaning;
  - (ii) the exterior cavity of any tubular or hollow material used to construct a cage must be sealed;
  - (iii) the cages must be able to be moved easily;
  - (iv) where rabbits are kept in a cage, the metal floor-tray referred to in subparagraph (i), must be drained to a removable receptacle;
  - (v) the cages must be fitted with a drinking vessel filled with water;
  - (vi) the distance from any cage to the nearest wall must be a minimum of 150 mm;
  - (vii) the cages must be kept a minimum of 450 mm above floor level; and
  - (viii) the space below every cage must be unobstructed;
- (b) provide rodent-proof receptacles, of an impervious material and with close fitting lids, for the storage of all loose pet food in the storage facilities required in terms of section 137(f);
- (c) provide adequate refrigeration facilities to store all perishable pet food on the premises;
- (d) ensure that in any room in which the pets are kept —
  - (i) 50 % of the floor space is unobstructed; and
  - (ii) the cages are placed a minimum of 800 mm from one another;
- (e) maintain the premises and every cage, tray, container, receptacle, basket and all apparatus, equipment or appliances used in connection with the pet shop or pet parlour, in a clean and sanitary condition, free from pests and in good repair;
- (f) provide overalls or other protective clothing for employees and ensure that the employees wear them when on duty;
- (g) provide isolation facilities in which every pet which is, or appears to be, sick must be kept while on the premises;
- (h) provide an adequate supply of potable water for drinking and cleaning purposes;
- (i) provide adequate ventilation to ensure the comfort and survival of the pets; and
- (j) ensure that the number of pets contained in each cage does not impede their free movement.

### Part 9: Keeping of wild animals

### 139. REQUIREMENTS FOR THE PREMISES

No person may, without the approval of the relevant nature conservation authorities, keep wild animals on premises which do not comply with the following requirements:

- (a) every wild animal must be kept in an enclosure and/or housing constructed and equipped as follows:

- (i) the enclosure and/or housing must satisfy the needs of the specific animal as specified by the relevant nature conservation authorities;
  - (ii) the enclosure and/or housing may not be situated within 50 metres of —
    - (aa) any boundary of the premises;
    - (bb) any dwelling, building or structure used for human habitation;
    - (cc) any dwelling, building or structure where food is stored, handled or prepared for human consumption; or
    - (dd) any water resource intended for domestic consumption;
  - (iii) an adequate supply of potable water for drinking and cleaning purposes must be provided; and
  - (iv) the enclosure and/or housing must be graded and drained in a way that does not pollute any water resource or create a public health nuisance;
- (b) a separate room, equipped with a preparation table and wash-up sink, supplied with running potable water and drained in accordance with section 143, must be provided for the preparation of food;
  - (c) adequate facilities must be provided for washing any cages, trays, crates, refuse receptacles and food containers in the form of either —
    - (i) a curbed platform constructed of concrete or other impervious material brought to a smooth finish; or
    - (ii) a stainless steel sink or trough adequate in size to accommodate the equipment to be washed;
  - (d) both facilities referred to in paragraph (c) must be provided with a supply of running water adequate for drinking and cleaning and be drained in accordance with section 143;
  - (e) any area and room in which fodder and food are stored must be rodent-proof; and
  - (f) the enclosure and/or housing must be adequate in size to allow free unobstructed movement of animals kept therein.

#### 140. DUTIES OF KEEPERS OF WILD ANIMALS

Any person who keeps wild animals must —

- (a) maintain the premises in a clean and sanitary condition at all times;
- (b) clean all manure and food scraps from any enclosure and/or housing at adequate intervals;
- (c) prevent the soil beneath or around any enclosure and/or housing from becoming saturated with urine or polluted by any other matter or liquid; and
- (d) remove all bedding from any housing at least once every seven days and store it in a manure receptacle or manure container or area, until it is removed from the premises.

#### Part 10: Keeping of pigs

#### 141. REQUIREMENTS FOR PREMISES

No person may keep pigs on premises which do not comply with the following requirements:

- (a) every wall must —
  - (i) be constructed of brick, stone, concrete or other durable material;
  - (ii) have a minimum height of 1,5 metres; and
  - (iii) have a smooth, impervious internal surface;
- (b) the floor area must provide at least 3 m<sup>2</sup> for each pig accommodated in the pigsty, with an overall minimum floor area of 6 m<sup>2</sup>;
- (c) the roof over any portion of a pigsty must have a minimum height of 1,5 metres;
- (d) except in the case of a roofed structure having one of its long sides completely open, the lighting and ventilation openings must —
  - (i) be situated opposite one another in the external walls; and
  - (ii) provide a minimum of 0,15 m<sup>2</sup> for each pig;
- (e) the floor must be —
  - (i) at least 150 mm above the surrounding ground level;
  - (ii) constructed of concrete or other durable and impervious material brought to a smooth finish; and
  - (iii) graded for the run-off of liquids into an open channel outside the pigsty;
- (f) the open channel referred to in paragraph (e)(iii) must —
  - (i) be constructed of concrete or other durable and impervious material;
  - (ii) be a minimum of 100 mm in diameter; and
  - (iii) be drained in terms of section 143;
- (g) the pigsty must be strong enough to prevent the pigs breaking out;
- (h) the pigsty may not be situated within 100 metres of —
  - (i) the boundary of the premises;
  - (ii) any dwelling, building or structure used for human habitation;
  - (iii) any place where foodstuffs are stored or prepared for human consumption; or
  - (iv) any water resource intended for domestic consumption;
- (i) a roofed over concrete platform must be provided for —
  - (i) the storage of all swill in containers; and
  - (ii) the preparation of pig feed;
- (j) the platform referred to in paragraph (i) must comply with the provisions of paragraph (e) and in addition, must have a curbing of a minimum height of 100 mm on each edge; and
- (k) a water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the pigsty.

#### 142. DUTIES OF KEEPERS OF PIGS

Every person keeping pigs must —

- (a) ensure that every pig is kept within a pigsty;

- (b) maintain the premises and any equipment, apparatus, containers and receptacles concerned in a clean and sanitary condition and in good repair;
- (c) provide portable storage receptacles, of impervious material and with close fitting lids, to store manure;
- (d) keep all manure storage receptacles on a platform that complies with the provisions of section 141(j);
- (e) remove all manure from the pigsty at least once every 24 hours and place it in the manure storage receptacles;
- (f) remove the contents of the manure storage receptacles from the premises at least once every second day and dispose of the manure in a manner that will not create a public health nuisance;
- (g) provide a rodent-proof store-room of adequate size in which all feed, other than swill, must be stored; and
- (h) provide rodent-proof receptacles, with close fitting lids, in which to store all loose feed.

#### Part 11: General provisions

#### 143. DRAINAGE

Any person keeping animals must ensure that all sinks, wash-hand basins, baths, shower-baths, troughs, floor surfaces, channels and washing platforms required to be drained in terms of this Chapter, are drained in accordance with the provisions of the National Building Regulations and Building Standards Act.

#### 144. DANGEROUS ANIMALS

- (1) No person may without a permit issued by an environmental health practitioner, keep any wild animal of a species that is dangerous to humans, including without limitation, large carnivores, venomous snakes, spiders or scorpions.
- (2) Any person who keeps any animal which is known to behave in a manner that is dangerous to humans must keep it in an adequate enclosure and take adequate measures to ensure that it does not escape from the enclosure or pose a danger to the residents of, or visitors to, the premises or any other person.

#### 145. REQUIREMENTS FOR KEEPING OF BEES

- (1) No person may keep bees on any premises unless —
  - (a) that person is the holder of a permit authorising that activity; and
  - (b) every bee hive is situated —
    - (i) a minimum of five metres from any boundary of the premises; and
    - (ii) a minimum of twenty metres from any public place or building used for human habitation or from any place used for the keeping of animals, poultry and birds;
  - (c) the bees are kept in an approved bee hive; and
  - (d) the bee hive is —
    - (i) kept in an area inaccessible to children and animals;
    - (ii) kept in the shade at all times; and
    - (iii) supplied with a source of drinking water within five metres of the hive.
- (2) No person may dump or deposit any garbage, compost, grass cuttings or manure within five metres of any bee hive.

#### 146. ILLNESS ATTRIBUTABLE TO ANIMALS, POULTRY OR BIRDS

- (1) The illness of any person, which may be attributed to any animal, poultry or bird kept or handled by that person, must be reported to an environmental health practitioner within 24 hours of diagnosis, by the person making the diagnosis.
- (2) An environmental health practitioner may order the removal of an animal, poultry or bird from premises if he or she reasonably believes that the animal poses a public health nuisance or public health hazard.

#### 147. KEEPING OF AND SLAUGHTERING ANIMALS FOR RELIGIOUS AND CEREMONIAL PURPOSES

- (1) No person may (subject to section 147(2) hereof) —
  - (a) slaughter any animal at any place other than an abattoir;
  - (b) permit the slaughter of any animal at any premises of which he is the owner or occupier unless it is an abattoir;
  - (c) sell or provide meat of any animal for human consumption unless it has been slaughtered at an abattoir.
- (2) The provisions of section 147(1) of these By-laws shall not apply to any person who slaughters any animal for cultural or religious purposes provided that —
  - (a) any meat from any animal slaughtered in terms of the provisions of section 147(2) of these By-laws may not be sold to any person;
  - (b) the animal slaughtered in terms of section 147(2)(a) supra may only be brought in to the municipal area and onto the premises concerned on the day of the intended slaughter;
  - (c) any animal kept on premises within the municipal area for the purpose contemplated by section 147(2)(a) supra shall not be kept in conflict with any other municipal By-law;
  - (d) any animal kept on any premises for the purposes contemplated in this section shall be securely held to prevent it from escaping and shall be slaughtered in a humane way as is reasonable within the particular religious or cultural values of the person effecting the slaughter and subject to the requirements of the SPCA;
  - (e) all reasonable measures are taken by the owner or occupier of the premises on which the slaughter is to take place to screen such slaughter from public view;
  - (f) all reasonable steps are taken by the owner or occupier of such premises to prevent any and all health nuisance resultant from such slaughter;
  - (g) all blood, stomach contents and manure from such animal is disposed of by the owner or occupier on whose premises the slaughter takes place in the manner prescribed by the Municipal Manager or other authorised official so as to ensure that no fly development occurs as a consequence thereof;
  - (h) the prior written approval had been obtained for such slaughter from the Municipal Manager or duly authorised officer.
- (3) As animals slaughtered in terms of section 147(2) of these By-laws have not been subjected to the normal routine inspections at abattoirs, the municipality and its officials accepts no responsibility whatsoever for the consequences of the consumption of any meat of any animal slaughtered in terms of the authority given in terms of section 147(2)(h) of these By-laws.
- (4) Should any animal introduced into any premises in terms of authority granted in accordance with these By-laws, escape from the premises on which such slaughter was to take place and the municipality is required to recapture such animal, or should such animal cause damage to any

municipal or private property during such escape all costs in recapturing such animal or repairing any damage so done by such animal shall be for the account of the owner or occupier of the premises on which the animal concerned was to have been slaughtered.

- (5) Any authorised officer may at any time, subject to compliance with the provisions of any other applicable law, enter onto and inspect any premises on which any animal is to be slaughtered in terms of these By-laws, to ensure compliance with these By-laws.
- (6) Any owner or occupier of premises where the slaughtering of an animal is to take place in terms of authority granted in accordance with these By-laws, shall at least 72 hours prior to the date of the intended slaughtering advise in writing all owners and or occupiers of premises contiguous to the premises where the animal is to be slaughtered, of the intended slaughtering.
- (7) If any person who applies for authority to slaughter an animal, as contemplated in section 147(2)(h) of these By-laws, resides on premises which consists of multi residential units, the application for authority to slaughter shall be accompanied by a written permission of the body corporate or legal personae who owns the premises concerned as the case may be.

#### CHAPTER 16 MISCELLANEOUS

##### 148. OFFENCES AND PENALTIES

- (1) Any person who —
  - (a) contravenes or fails to comply with any provisions of these By-laws; or
  - (b) fails to comply with any notice issued in terms of or for the purposes of these By-laws; or
  - (c) fails to comply with any lawful instruction given in terms of or for the purposes of these By-laws; or
  - (d) obstructs or hinders any authorised representative or employee of the Council in the execution of his or her duties under these By-laws, is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding 6 (six) months and in the case of a continuing offence, to a further fine not exceeding R50.00 (Fifty Rand), or in default of payment to imprisonment not exceeding one day, for every day during the continuance of such offence after a written notice has been issued by the Council and served on the person concerned requiring the discontinuance of such offence.

##### 149. SERVING OF NOTICES

- (1) A notice, order or other document is regarded as having been properly served if-
  - (a) it has been delivered to the person concerned personally;
  - (b) it has been sent by registered post or speed post to the person to whom it is addressed at his or her last known address;
  - (c) it is served on a person apparently not less than 16 years of age and apparently in charge of the premises at the addressee's last known address;
  - (d) if the address of the person concerned in the Republic of South Africa is unknown, if it has been served on that person's agent or representative in the Republic of South Africa in the manner provided for in paragraph (a),(b) or (c); or
  - (e) if the address of the person concerned and of his or her agent or representative in the Republic of South Africa is unknown, if it has been posted in a conspicuous place on the premises to which it relates.
- (2) A notice, order or other document which may in terms of these By-laws be served on the owner or occupier of premises may be addressed to the owner or occupier of the specified premises and need not bear the name of the owner or occupier.

##### 150. APPLICATION TO THE STATE

These By-laws bind the State, including the Council.

##### 151. REPEAL

The By-laws relating to Public Health for the Matatiele Local Municipality, are hereby repealed and replaced by these By-laws, which are to become effective on promulgation hereof.

##### 152. APPLICATION

The Council may by Council resolution, determine that the provision of these By-laws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

#### SCHEDULE 1

#### PUBLIC HEALTH NUISANCES

##### 1. General Nuisances

An owner or occupier of premises creates a public health nuisance if he or she causes or allows —

- (a) any premises or part thereof to be of such a construction or in such a state as to be offensive, injurious or dangerous to health;
- (b) any street, stream, pool, lagoon, ditch, gutter, watercourse, sink, cistern, water-closet, earth closet, pail closet, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap to be so foul or in such a state or so situated or constructed as to be offensive or to be injurious or dangerous to health;
- (c) any stable, kraal, shed, run or premises used for the keeping of animals or birds and which is so constructed, situated, used or kept as to be offensive or to be injurious or dangerous to health;
- (d) any accumulation of refuse, offal, manure or other matter which is offensive or is injurious or dangerous to health;
- (e) any public building to be so situated, constructed, used or kept as to be unsafe or to be injurious or dangerous to health;
- (f) any dwelling to be occupied without proper and sufficient supply of potable water within a reasonable distance;
- (g) any factory or industrial or business premises not to be kept in a clean state and free from offensive smells arising from any drain, water closet, earth-closet, urinal or any other source, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gas, vapour, dust or other impurity generated, or so overcrowded or so badly lighted or ventilated, as to be injurious or dangerous to the health of those employed therein or thereon;
- (h) any factory or industrial or business premises to cause or give rise to any smell or effluvia which is offensive or injurious or dangerous to health;
- (i) any building, room or structure to be used wholly or partly by a greater number of persons than will allow less than 11,3 m<sup>3</sup> of free air space and 3,7 m<sup>2</sup> of floor space for each person aged 10 years or more and 5,7 m<sup>3</sup> of free air space and 1,9 m<sup>2</sup> of floor space for each person less than 10 years of age; or
- (j) any other activity, condition or thing declared to be a nuisance by the Minister in terms of the Health Act, 1977.

##### 2. Pest control

- (1) An owner or occupier of premises creates a public health nuisance if —

- (a) the premises are maintained in a manner that attracts or harbours rodents or other pests, or is conducive to the breeding thereof;
  - (b) flies are being attracted to, or can breed on, the premises, in significant numbers because —
    - (i) insufficiently rotted manure or any other organic material is being kept or used; or
    - (ii) any other substance that attracts flies is used or kept other than for the purposes of trapping or killing flies;
  - (c) mosquitoes can breed in significant numbers on the premises because —
    - (i) containers in which mosquitoes can breed, such as tyres, bottles, crockery, and tins, have been left or are kept on the premises;
    - (ii) tanks, barrels and similar containers in which mosquitoes can breed are not fitted with mosquito-proof covers or mosquito wire gauze screens in a manner that prevents mosquitoes gaining access to water contained in them;
    - (iii) gutters and down pipes are sagging or clogged so that stagnant water can accumulate in them; or
    - (iv) approved measures have not been taken to prevent mosquitoes breeding in ponds, excavations, wells, swimming pools or any other stagnant water source on the premises.
  - (2) The following measures are approved measures for the purposes of subsection (1)(c)(iv) —
    - (a) draining accumulated water at least once every seven days;
    - (b) covering accumulated water with oil at least once every seven days; and
    - (c) in the case of wells, providing a mosquito-proof cover and a pump.
- 3. Air pollution**
- An owner or occupier of premises creates a public health nuisance if-
- (a) any waste on the premises is burned outside except in an approved appliance;
  - (b) ash, grit, soot or smoke is emitted from any chimney or appliance or from any other means on the premises in a manner or quantity that is sufficient to have an adverse impact on public health;
  - (c) the erection or destruction of a building or structure causes dust to be discharged into the surrounding atmosphere in a manner or quantity that is sufficient to have an adverse impact on public health; or
  - (d) Any dust is generated on, and emitted from the premises due to any activity or process and discharged into the surrounding atmosphere in a manner or quantity that is sufficient to have an adverse impact on public health.
- 4. Fouling and littering of public places and open spaces.**
- (1) A person creates a public health nuisance if he or she throws, dumps, stores, keeps or drops refuse, rubbish, glass, tins, paper, car wrecks or parts of motor vehicles, dead animals, waste water or flushing water or other litter or waste, whether liquid or solid, on or in a street, road, bridge, thoroughfare, open space, vacant stand, public place or erf, spruit or watercourse, or cause or permit it to be thrown, dumped or dropped there, or cause or permit any such liquid to flow into such a place.
  - (2) The person who has contravened subsection (1), must remedy, to the satisfaction of the environmental health practitioner, any damage to the environment which resulted from such contravention.

## SCHEDULE 2 SCHEDULED USES

### (Sections 1, 8, 9 and 11)

The activities and uses of premises listed in this Schedule are considered to pose an unacceptable risk to public health unless the measures specified in the relevant Chapter of these By-laws and where required, in a permit, are taken to avoid the risk or to reduce it to a level acceptable to the Council.

### Part A: Activities for which a permit is required

#### Section Activity

- 30. Provision of service to remove human excrement or urine.
- 31. Installation of sewage works
- 45. Offensive trades
- 52. Hairdressing, beauty and cosmetology services
- 61. Accommodation Establishments
- 77. Nursing homes used for maternity purposes and for medical and surgical purposes
- 100. Child care services
- 125. Keeping of poultry
- 129. Keeping of rabbits
- 134. Dog Kennels and catteries
- 144. Keeping dangerous animals
- 145. Keeping bees

### Part B: Scheduled uses

#### Chapter Scheduled use

- 4. Sanitary services
- 5. Private Sewage Works
- 6. Water
- 7. Offensive Trades
- 8. Hairdressing, Beauty and Cosmetology Services
- 9. Second-hand Goods
- 10. Accommodation Establishments
- 11. Dry Cleaning and Laundry Establishments
- 12. Swimming Pools and Spa-Baths
- 13. Nursing Homes
- 14. Child-Care Services
- 15. Keeping of Animals



No. 48, 2005

20 October 2005

THE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following Bylaws:

**MATATIELE LOCAL MUNICIPALITY  
BYLAWS RELATING TO THE KEEPING OF ANIMALS, BIRDS AND POULTRY AND BUSINESSES  
INVOLVING THE KEEPING OF ANIMALS, BIRDS POULTRY OR PETS**

**INDEX**

**CHAPTER I  
GENERAL**

*Section*

1. Definitions
2. Application of Bylaws
3. Premises for the keeping of livestock and kennels
4. Keeping of animals, poultry and birds
5. Permits for keeping of animals and poultry

**CHAPTER II**

**KEEPING OF CATTLE, HORSES, MULES AND DONKEYS**

6. Requirements for premises
7. Duties of keeper of cattle, horses, mules and donkeys

**CHAPTER III  
KEEPING OF PIGS**

8. Requirements for premises
9. Duties of keeper of pigs

**CHAPTER IV  
KEEPING OF GOATS AND SHEEP**

10. Requirements for premises
11. Duties of keeper of goats and sheep

**CHAPTER V  
KEEPING OF POULTRY**

12. Requirements for premises
13. Duties of keeper of poultry

**CHAPTER VI  
KEEPING OF RABBITS**

14. Requirements for premises
15. Duties of keeper of rabbits

**CHAPTER VII  
KEEPING OF BIRDS**

16. Requirements for premises
17. Duties of keeper of birds

**CHAPTER VIII  
DEALER IN LIVESTOCK AND OTHER BUSINESSES INVOLVING  
THE KEEPING OF ANIMALS OR POULTRY**

18. Requirements for conducting business

**CHAPTER IX  
DOG KENNELS AND CATTERIES**

19. Requirements for premises
20. Duties of person in control of kennels or catteries

**CHAPTER X  
PET SHOPS AND PET SALONS**

21. Requirements for premises
22. Duties of trader

**CHAPTER XI  
HAWKING OF POULTRY AND RABBITS**

23. Requirements for hawking
24. Duties of hawker

**CHAPTER XII  
MISCELLANEOUS**

25. Draining
26. Discharge of taps

27. Nuisance
28. Illness attributable to animals
29. Inspection
30. Offences and Penalties
31. Repeal
32. Application

**SCHEDULE 1: PERMIT****SCHEDULE 2: APPLICATION FOR PERMIT**

**CHAPTER I  
GENERAL**

**1. DEFINITIONS**

- (1) In these Bylaws, unless the context otherwise indicates —

“adequate” means adequate in the opinion of the Council;

“animal” means any cattle, sheep, goat, horse, mule, donkey, pig, rabbit, cat and dog;

“approved” means approved by the Health Officer regard being had to the reasonable public health requirements of the particular case;

“aviary” means a roofed or unroofed enclosure used for the keeping of birds, other than a portable cage;

“battery system” means the method of keeping poultry or rabbits in cages in either single rows or tier formation within a building or structure;

“bird” means a feathered vertebrate other than poultry;

“cattery” means premises in or upon which boarding facilities for cats are provided or cats are kept and bred for commercial purposes;

“Council” means a municipal council referred to in section 157(1) of the Constitution;

“dwelling” means any building or part thereof used for human habitation;

“enclosure” in relation to animals, means any kraal, pen, paddock or other such fenced or enclosed area used for accommodating, keeping or exercising animals;

“Health Officer” means a medical officer of health appointed in terms of section 22 or 25 of the Health Act, 1977 (Act No. 63 of 1977), and includes a health inspector appointed by a local authority in terms of section 24 of that Act;

“kennels” means premises in or upon which —

- (a) boarding facilities for dogs are provided;
- (b) dogs are bred for commercial purposes; or
- (c) dogs are kept for the purposes of being trained or hired out with or without handlers;

“livestock” means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;

“nuisance” means a nuisance as defined in the Health Act, 1977 (Act No. 63 of 1977);

“permit holder” means the person to whom a permit has been issued by the Health Officer in terms of these Bylaws;

“person in control” means the person actually managing or actually in control of a premises or a business;

“pet” means any domestic or other animal which may be lawfully kept as a pet and includes any bird and non-poisonous reptile;

“pet salon” means any premises in or upon which beauty treatment is given to dogs or cats by washing, drying, brushing, clipping, trimming or by attending to their nails or teeth;

“pet shop” means the business of keeping and selling pets on premises;

“pigsty” means a building, structure or enclosure in which pigs are kept;

“poultry” means fowls, ducks, muscovy ducks, geese, turkeys, pigeons, peacocks and domestic guinea-fowls;

“poultry house” means any roofed-over building or structure, other than one in which a battery system is operated, in which poultry is kept;

“poultry run” means any unroofed wire mesh or other enclosure, whether or not an addition to a poultry house, in which poultry is kept;

“premises” means any land, building or structure or any portion of land, building or structure on or in which any of the activities regulated by these Bylaws are carried on;

“public place” means any road, street, pavement, side-walk, park or other place to which the public has authorised and unimpeded access;

“rabbit hutch” means any roofed-over building or structure, other than one in which a battery systems is operated, in which rabbits are kept;

“rabbit run” means any unroofed wire mesh or other enclosure, whether or not an addition to a rabbit hutch, in which rabbits are kept;

“stable” means any building or structure or any part thereof used for accommodating or keeping any cattle, horses, mules or donkeys.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

**2. APPLICATION OF BYLAWS**

- (1) The provisions of these Bylaws shall not apply to —

- (a) the keeping of cows for commercial milk production;
- (b) any agricultural show where animals, poultry or birds are kept on a temporary basis;
- (c) any laboratory where animals, poultry or birds are kept for research purposes;

Provided that the Health Officer may, if he is satisfied that the application of one or more provisions of these Bylaws is essential in the interest of public health, by notice to the person concerned require such provision be complied with.

- (2) The provisions of sections 4, 5, 10 and 11 shall not apply to the temporary keeping of a goat on any land for the provision of milk for medical reasons: Provided the prior approval of the Health Officer is obtained and no nuisance arises from the keeping of such goat.
- (3) The provisions of section 3, 4(a), 6, 8, 10, 12, 14, 16, 18, 19 and 21 shall apply only to premises newly constructed, reconstructed or converted after the commencement of these Bylaws: Provided that the Health Officer may, if he is satisfied that the application of any one or more of the said requirements is essential in the interests of public health, give notice in writing to the owner or person in control of such premises, to comply with such requirements as he may specify and within a reasonable period stated in the notice.

**3. PREMISES FOR THE KEEPING OF LIVESTOCK AND KENNELS**

- (1) No person shall —
  - (a) keep any livestock, other than poultry, or maintain kennels within any area defined by the Council as unsuitable for the keeping of livestock and the maintenance of kennels: Provided that the foregoing shall not apply in respect of a veterinary clinic or veterinary hospital operating with the Council's consent;
  - (b) keep any livestock, other than poultry, on premises situated on land less than 1 ha in extent: Provided that in the case of a dealer or speculator in livestock the land shall not be less than 2,5 ha in extent.

**4. KEEPING OF ANIMALS, POULTRY AND BIRDS**

- (1) No person shall keep any animal, poultry or bird in or upon any premises —
  - (a) which does not comply with the provisions of these Bylaws;
  - (b) which are so constructed, maintained or situated that the keeping of animals, poultry or birds thereon is, in the opinion of the Health Officer, likely to cause a nuisance or injury to health.

**5. PERMITS FOR KEEPING OF ANIMALS AND POULTRY**

- (1) No person shall —
  - (a) keep any animal, other than a cat, dog or more than ten rabbits or poultry in excess of twenty, unless he is the holder of a permit issued by the Health Officer in the form set out in Schedule 1 hereto: Provided that such permit shall not be required for the keeping of any animal or poultry in connection with the business of a pet shop;
  - (c) keep any animal or poultry in excess of the number specified in such permit: Provided that progeny of any mammal still suckling, shall not be taken into account.
- (2) Application for such a permit shall be made to the Health Officer in the form set out in Schedule 2 hereto.
- (3) A permit shall not be transferable and shall expire on the date on which the permit holder ceases to keep the animals or poultry for which the permit was issued.
- (4) A permit holder shall in writing notify the Health Officer if he ceases to keep the animals or poultry in respect of which a permit was issued or of any increase in the number of animals or poultry kept in excess of the number specified in the permit concerned, within ten days of any such occurrence.
- (5) The Council may cancel a permit issued in terms of subsection (1)(a), if —
  - (a) the construction or maintenance of the premises concerned at any time does not comply with any provision of these Bylaws, or the permit holder contravenes, or fails to comply with any such provision, and the permit holder fails to comply with a written notice from the Health Officer requiring him to make such premises comply with the Bylaws or to cease such contravention or failure within a period specified in such notice;
  - (b) any disease, which in the opinion of the Health Officer or a veterinarian, is of such a nature that it is likely to constitute a danger to the public health or to other animals or poultry, breaks out amongst the animals or poultry kept under such permit;
  - (c) the permit holder or person in control of the premises at the time, personally or through his employee obstructs the Health Officer in his execution of his duties under these Bylaws;
  - (d) the permit holder has been found guilty in a competent court of a contravention of these Bylaws;
  - (e) in the opinion of the Health Officer, a public nuisance exists due to the keeping of the animals.
- (6) The Health Officer shall as soon as a permit has been cancelled, notify the permit holder of that fact in writing.
- (7) The Health Officer may, subject to the foregoing provisions of this section, issue a new permit if he is satisfied that the reason for the cancellation no longer exists or that there is no reason why a new permit should not be issued.

**CHAPTER II****KEEPING OF CATTLE, HORSES, MULES AND DONKEYS****6. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of any cattle, horse, mule or donkey a stable or enclosure complying with the following requirement shall be provided —
  - (a) every wall and partition of the stable shall be constructed of brick, stone, concrete or other durable material.

**7. DUTIES OF KEEPER OF CATTLE, HORSES, MULES AND DONKEYS**

- (1) Every person keeping any cattle, horse, mule or donkey shall —
  - (a) ensure that any such animal is kept within a stable or enclosure;
  - (b) maintain the premises, any equipment, apparatus, container and receptacle used in connection with such keeping in a clean and sanitary condition and in good repair;
  - (c) take effective measures for the prevention of harbouring or breeding of, and for the destruction of flies, cockroaches, rodents and other vermin.

**CHAPTER III****KEEPING OF PIGS****8. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of pigs, a pigsty complying with the following requirements shall be provided —
  - (a) every wall shall be constructed of brick, stone, concrete or other durable material not less than 1,5 m in height and shall have a smooth internal surface;
  - (b) the pigsty shall have a floor area of at least 3 m<sup>2</sup> for each pig to be accommodated therein, with an overall minimum floor area of 6 m<sup>2</sup>.

**9. DUTIES OF KEEPER OF PIGS**

- (1) Every person keeping pigs shall —
  - (a) ensure that every pig is kept within a pigsty;
  - (b) maintain the premises and any equipment, apparatus, container and receptacle used in connection with such keeping, in a clean and sanitary condition and in good repair;
  - (c) take effective measures for the prevention of harbouring or breeding of, and for the destruction of, flies, cockroaches, rodents and other vermin.

**CHAPTER IV  
KEEPING OF GOATS AND SHEEP**

**10. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of any goat or sheep, premises complying with the following requirement shall be provided —
- (a) an enclosure with an area of at least 1,5 m<sup>2</sup> for every goat or sheep to be accommodated therein with an overall minimum floor area of 30 m<sup>2</sup>.

**11. DUTIES OF KEEPER OF GOATS AND SHEEP**

- (1) Every person keeping any goat or sheep shall —
- (a) ensure that every such animal is kept within an enclosure, building or shed;
- (b) maintain the premises and any equipment, apparatus, container and receptacle used in connection with such keeping in a clean and sanitary condition and in good repair;
- (c) take effective measures for the prevention of harbouring and breeding of, and for the destruction of, flies, cockroaches, rodents and other vermin.

**CHAPTER V  
KEEPING OF POULTRY**

**12. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of poultry, premises complying with the following requirements shall be provided —
- (a) a poultry house complying with the following requirements —
- (i) every wall thereof shall be constructed of brick, stone, concrete or other durable material and shall have a smooth internal surface;
- (ii) the floor shall be constructed of concrete or other durable and impervious material brought to a smooth finish.

**13. DUTIES OF KEEPER OF POULTRY**

- (1) Every person keeping poultry shall —
- (a) ensure that all poultry is kept within the poultry house, poultry run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container and receptacle used in connection with such keeping in a clean, sanitary condition and in good repair;
- (c) maintain the premises free from offensive odours and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from vermin;
- (d) ensure that such poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (e) take effective measures for the prevention of harbouring and breeding, and for the destruction of flies, cockroaches, rodents and other vermin and for the prevention of offensive odours arising from the keeping of poultry on the premises.

**CHAPTER VI  
KEEPING OF RABBITS**

**14. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of rabbits premises complying with the following requirements shall be provided —
- (a) a rabbit hutch complying with the following requirement:-
- (i) every wall thereof shall be constructed of brick, stone, concrete or other durable material and shall have a smooth internal surface;

**15. DUTIES OF KEEPER OF RABBITS**

- (1) Every person keeping rabbits shall —
- (a) ensure that all rabbits are kept within the rabbit hutch, rabbit run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container and receptacle used in connection with such keeping, in a clean, sanitary condition and in good repair;
- (c) maintain the premises free from offensive odours and every rabbit hutch, rabbit run or building or structure housing a battery system and all cages clean and free from vermin;
- (d) take effective measures for the prevention of harbouring and breeding and for the destruction of flies, cockroaches, rodents and other vermin and for the prevention of offensive odours arising from the keeping of rabbits on the premises.

**CHAPTER VII  
KEEPING OF BIRDS**

**16. REQUIREMENTS FOR PREMISES**

- (1) For the keeping of birds in an aviary, premises complying with the following requirement shall be provided —
- (a) the aviary shall be properly constructed of durable materials, rodent proof and provided with access thereto adequate for cleaning purposes.

**17. DUTIES OF KEEPER OF BIRDS**

- (1) Every person who keeps birds in an aviary shall —
- (a) ensure that the aviary and the premises are kept in a clean condition and free from vermin;
- (b) take effective measures for the prevention of harbouring and breeding and for the destruction of flies, cockroaches, rodents and other vermin;
- (c) ensure that such birds do not disturb or hinder the comfort, convenience, peace or quiet of the public.

**CHAPTER VIII**

**DEALER IN LIVESTOCK AND OTHER BUSINESSES INVOLVING THE KEEPING OF ANIMALS OR POULTRY**

**18. REQUIREMENTS FOR CONDUCTING BUSINESS**

- (1) Every person conducting the business of a dealer or speculator in livestock or other business involving the keeping of animals or poultry, other than a pet shop, shall comply with the requirements of subsection (2).
- (2) Subject to the provisions of section 31, the requirements of sections 2 to 15 inclusive, shall be complied with in so far as those provisions are applicable to the animals or poultry kept.

**CHAPTER IX  
DOG KENNELS AND CATTERIES**

**19. REQUIREMENTS FOR PREMISES**

- (1) No person shall maintain kennels or a cattery, unless the requirements of subsection (2), inclusive are complied with.
- (2) Every dog or cat shall be kept in an enclosure complying with the following requirement:-
  - (a) it shall be constructed of durable materials and shall have access thereto adequate for cleaning purposes.

**20. DUTIES OF PERSON IN CONTROL OF KENNELS OR CATTERIES**

- (1) Any person in control of kennels or a cattery shall —
  - (a) maintain the premises, equipment and every vessel, receptacle or container and sleeping board used in connection with the kennels or cattery in a clean, sanitary condition and in good repair;
  - (b) keep any sick dog or cat in the isolation facilities required in terms of section 19(10);
  - (c) ensure that dogs and cats kept on the premises do not disturb or hinder the comfort, convenience, peace or quiet of the public.

**CHAPTER X  
PET SHOPS AND PET SALONS**

**21. REQUIREMENTS FOR PREMISES**

- (1) No person shall conduct a business of a pet shop or pet salon in or upon any premises—
  - (a) in which there is direct internal access with any room or place used for human habitation or in which clothing is stored or sold or food for human consumption is prepared, stored, sold or consumed;

**22. DUTIES OF TRADER**

- (1) Every person who conducts the business of a pet shop shall —
  - (a) provide cages for housing animals, poultry or birds, and the following requirements shall be complied with:-
    - (i) the cages shall be constructed entirely of metal or other durable impervious material and shall be fitted with a removable metal tray below the floor thereof to facilitate cleaning.
  - (b) maintain the premises and every cage, tray, container, receptacle, basket and all apparatus, equipment and appliances used in connection with the pet shop, in a clean, sanitary condition, free from vermin and in good repair;
  - (c) take effective measures for the prevention of harbouring or breeding and for the destruction of flies, cockroaches, rodents and other vermin and for the prevention of offensive odours arising from the keeping of pets on the premises.

**CHAPTER XI  
HAWKING OF POULTRY AND RABBITS**

**23. REQUIREMENTS FOR HAWKING**

- (1) No person shall hawk poultry or rabbits, unless the following requirements are complied with —
  - (a) the business of a hawker shall be conducted from premises on which poultry or rabbits shall be kept in compliance with the provisions of Chapters V and VI and facilities shall be provided for the parking of the vehicle used for hawking after normal trading hours.

**24. DUTIES OF HAWKER**

- (1) Every person hawking poultry or rabbits shall —
  - (a) wash and thoroughly cleanse that part of the vehicle in which poultry or rabbits are conveyed and every cage, crate and tray used on the vehicle, after each day's trading;
  - (b) remove from every cage or crate on the vehicle any poultry or rabbits which appear to be sick and place such poultry or rabbits in a separate cage;
  - (c) maintain the premises, vehicle and every cage, crate, tray, vessel, container and receptacle used in connection with such hawking in a clean and sanitary condition, free from vermin and in good repair;
  - (d) store all feed in rodent proof receptacles.

**CHAPTER XII  
MISCELLANEOUS**

**25. DRAINING**

All sinks, wash and hand basins, baths, shower-baths, troughs, floor surfaces, including channels and washing platforms, required to be drained in terms of these Bylaws, shall be drained to an external gully, connected to the Council's sewer or, where no sewer is available or readily accessible, to other means of drainage approved by the Council.

**26. DISCHARGE OF TAPS**

The taps at all water supply points required in terms of these Bylaws, other than those within a building or structure the floors of which are graded and drained, shall be placed so as to discharge directly over and into a dished top fitted to an external gully connected to the Council's sewer or, where no sewer is available or readily accessible, to other means of drainage approved by the Council.

**27. NUISANCE**

- (1) No person shall —
  - (a) keep any animal or pet in such a manner as to cause a nuisance;
  - (b) fail to remove faeces deposited by a dog in a public place whilst under his control or supervision and dispose of such faeces in a refuse receptacle;
  - (c) fail to duly dispose of dead animals in such a manner as prescribed by the Health Officer.

**28. ILLNESS ATTRIBUTABLE TO ANIMALS**

The illness of any person which is attributable to the keeping of any animal, poultry, bird or pet as contemplated in Chapters VII to X inclusive, shall be reported to the Health Officer within 24 hours of diagnosis by the person making the diagnosis.

**29. INSPECTION**

- (1) The Health Officer and any officer authorised thereto by the Council may, in order to satisfy himself that the provisions of these Bylaws are being complied with —
  - (a) enter any premises on which animals, poultry, birds or pets are kept or on which kennels or a cattery is conducted or the business of a

dealer or speculator in livestock or a pet shop, a hawker of poultry or rabbits is being conducted or on which he reasonably suspects animals, poultry, birds or pets are kept or such business is being conducted, at all reasonable times;

- (b) inspect such premises or any vehicle used or reasonably suspected by him to be used for such business and anything thereon or therein; and
(c) question any person on such premises or in such vehicle or who has recently been on such premises or in such vehicle.

30. OFFENCES AND PENALTIES

- (1) Any person —
(a) who contravenes or fails to comply with any provision of these Bylaws; or
(b) who keeps animals, birds or poultry or who is the person in control of or who conducts the business of a dealer or speculator in livestock, a pet shop, dog kennels or cattery or a hawker of poultry or rabbits on any premises fails to ensure that all the provisions of these Bylaws applicable to such premises or business are complied with;
(c) who fails or refuses to give access to premises to the Health Officer of any officer contemplated in section 29 when requested to give such access;
(d) who obstructs or hinders the Health Officer or other officer in the execution on his duties under these Bylaws;
(e) fails or refuses to give information to the Health Officer or such other officer which is lawfully required, or knowingly furnishes false or misleading information;
(f) fails or refuses to comply with a notice in terms of section 2, shall subject to the provisions of subsection (2), be guilty of an offence and shall be liable on conviction to a fine not exceeding R500.00 (Five Hundred Rand) or, in default of payment, to imprisonment for a period not exceeding six months, or in the case of a continuous offence, to a fine not exceeding R20.00 (Twenty Rand) or, in default of payment, to imprisonment for a period not exceeding ten days for every period of 24 hours during which such offence continues.
(2) It shall be competent defence if a person referred to in subsection (1)(b) proves that he did not know could not reasonably have foreseen and could not have prevented the commission of the offence contemplated in subsection (1).

31. REPEAL

The Bylaws relating to the Keeping of Animals, Birds and Poultry and Businesses involving the keeping of Animals, Birds, Poultry or Pets for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.

32. APPLICATION

The Council may by notice in the Provincial Gazette, determine that the provision of these Bylaws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

SCHEDULE 1

Local Municipality: .....

Permit No.: .....
Date: .....

PERMIT: BYLAWS RELATING TO THE KEEPING OF ANIMALS, BIRDS AND POULTRY AND BUSINESSES INVOLVING THE KEEPING OF ANIMALS, BIRDS, POULTRY OR PETS

With reference to your application dated ..... a permit to keep the animals/ poultry as specified hereunder at address so specified is hereby granted.

\*Animals/Poultry: .....
Address: .....

The granting of the permit is subject to your complying with the provisions of the aforementioned Bylaws.

Your attention is invited to the provisions of section 5(4) of the said Bylaws requiring a permit holder to notify the Council's Health Officer of any increase in the number of animals or poultry in excess of the number authorised by the permit and section 5(5) regarding the cancellation of a permit.

Yours faithfully
For Health Officer

\* Specify number and kind of animals or poultry.

SCHEDULE 2

APPLICATION FOR A PERMIT: BYLAWS RELATING TO THE KEEPING OF ANIMALS, BIRDS AND POULTRY AND BUSINESSES INVOLVING THE KEEPING OF ANIMALS, BIRDS, POULTRY OR PETS

I / W e
(full name of applicant/s)

hereby apply for a permit to keep \* animals/poultry/rabbits on premises situated at Stand ..... Street
Township, in terms of the aforementioned Bylaws of the .....
(name of Local Municipality)

Details of the \* animals/poultry/rabbits to be kept are as follows: —

Table with 2 columns: SPECIES and NUMBER. Includes dotted lines for data entry.

I/We accept the responsibility for the keeping of \* animals/poultry/rabbits, in accordance with the provisions of the said Bylaws and acknowledge that in the event of my/our failure to effect such compliance this permit may be cancelled in terms of section 5 of the said Bylaws.

Signature of Applicant/s: .....

Capacity: .....

Date: .....

\*Delete whichever is not applicable.

No. 49, 2005

20 October 2005

THE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following Bylaws:

**MATATIELE LOCAL MUNICIPALITY  
ELECTRICITY BYLAWS**

**INDEX**

- CHAPTER 1 : GENERAL
- CHAPTER 2 : GENERAL CONDITIONS OF SUPPLY
- CHAPTER 3 : SERVICE PROVIDERS
- CHAPTER 4 : RESPONSIBILITIES OF CONSUMERS
- CHAPTER 5 : SPECIFIC CONDITIONS OF SUPPLY
- CHAPTER 6 : SYSTEMS OF SUPPLY
- CHAPTER 7 : MEASUREMENT OF ELECTRICITY
- CHAPTER 8 : ELECTRICAL CONTRACTORS
- CHAPTER 9 : COST OF WORK
- CHAPTER 10: ADMINISTRATIVE ENFORCEMENT PROVISIONS
- CHAPTER 11: JUDICIAL ENFORCEMENT PROVISIONS
- CHAPTER 12: GENERAL
- CHAPTER 13: REPEAL OF BYLAWS

**CHAPTER I  
GENERAL**

**1. DEFINITIONS**

(1) In this By-law, unless inconsistent with the context —

“**accredited person**” means a person registered in terms of the Regulations as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

“**applicable standard specification**” means the standard specifications as listed in Schedule 1 attached to this By-law;

“**certificate of compliance**” means a certificate issued in terms of the Regulations in respect of an electrical installation or part of an electrical installation by an accredited person;

“**consumer**” in relation to premises means:

- (a) any occupier thereof or any other person with whom the Municipality has contracted to supply or is actually supplying electricity thereat; or
- (b) if such premises are not occupied, any person who has a valid existing agreement with the Municipality for the supply of electricity to such premises; or
- (c) if there is no such person or occupier, the owner of the premises;

“**credit meter**” means a meter where an account is issued subsequent to the consumption of electricity;

“**electrical contractor**” means an electrical contractor as defined in the Regulations;

“**electrical installation**” means an electrical installation as defined in the Regulations;

“**high voltage**” means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of 44kV<Un220kV. [SABS 1019];

“**low voltage**” means the set of nominal voltage levels that are used for the distribution of electricity and whose upper limit is generally accepted to be an a.c. voltage of 1000V (or a d.c. voltage of 1500V). [SABS 1019];

“**the law**” means any applicable law, proclamation, ordinance, act of parliament or enactment having force of law;

“**medium voltage**” means the set of nominal voltage levels that lie above low voltage and below high voltage in the range of 1kV<Un44kV. [SABS 1019];

“**meter**” means a device which records the demand and/or the electrical energy consumed and includes conventional and prepayment meters;

“**motor load, total connected**” means the sum total of the kW input ratings of all the individual motors connected to an installation;

“**motor rating**” means the maximum continuous kW output of a motor as stated on the maker’s rating plate;

“**motor starting current**” in relation to alternating current motors means the root mean square value of the symmetrical current taken by a motor when energised at its rated voltage with its starter in the starting position and the rotor locked;

“**Municipality**” means Matatiele Local Municipality, a municipality established in terms of the law or any legal entity duly authorised by the Municipality to provide an electricity service within the jurisdiction of the Matatiele Local Municipality;

“**occupier**” in relation to any premises means —

- (a) any person in actual occupation of such premises;
- (b) any person legally entitled to occupy such premises;
- (c) in the case of such premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers

or tenants, whether on his own account or as agent for any person entitled thereto or interested therein; or

- (d) any person in control of such premises or responsible for the management thereof, and includes the agent of any such person when he/she is absent from the Republic of South Africa or his/her whereabouts are unknown;

“owner” in relation to premises means the person in whom is vested the legal title thereto; provided that —

- (a) in the case of immovable property —
- (i) leased for a period of not less than 50 (fifty) years, whether the lease is registered or not, the lessee thereof, or
  - (ii) beneficially occupied under a servitude or right analogous thereto, the occupier thereof;
- (b) if the owner as hereinbefore defined —
- (i) is deceased or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be, or
  - (ii) is absent from the Republic of South Africa, or if his address is unknown to the Municipality, any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property, and
  - (iii) if the Municipality is unable to determine who such person is, the person who is entitled to the beneficial use of such property,
- shall be deemed to be the owner thereof to the exclusion of the person in whom is vested the legal title thereto;

“point of consumption” means a point of consumption as defined in the Regulations;

“point of metering” means the point at which the consumer’s consumption of electricity is metered and which may be at the point of supply or at any other point on the distribution system of the Municipality or the electrical installation of the consumer, as specified by the Municipality or any duly authorised official of the Municipality: Provided that it shall meter all of, and only, the consumer’s consumption of electricity;

“point of supply” means the point determined by the Municipality or any duly authorised official of the Municipality at which electricity is supplied to any premises by the Municipality;

“premises” means any land or any building or structure above or below ground level and includes any vehicle, aircraft or vessel;

“prepayment meter” means a meter that can be programmed to allow the flow of pre-purchased amounts of energy in an electrical circuit;

“Regulations” means Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended;

“SANS Codes” means the South African National Standards Codes of Practice or the South African Bureau of Standards Codes of Practice as defined in Regulation No. 1373 published in *Government Gazette* 24002, dated 08 November 2002 in terms of the Standards Act, 1993 (Act No. 29 of 1993) or as may be published in the future in terms of that Act.

“safety standard” means the Code of Practice for the Wiring of Premises SABS 0142 incorporated in the Regulations;

“service connection” means all cables and equipment required to connect the supply mains to the electrical installation of the consumer at the point of supply;

“service protective device” means any fuse or circuit breaker installed for the purpose of protecting the Municipality’s equipment from overloads or faults occurring on the installation or on the internal service connection;

“standby supply” means an alternative electricity supply not normally used by the consumer;

“supply mains” means any part of the Municipality’s electricity network;

“tariff” means the Municipality’s tariff or charges for the supply of electricity, and

“token” means the essential element of a prepayment metering system used to transfer information from a point of sale for electricity credit to a prepayment meter and *vice versa*;

“voltage” means the root-mean-square value of electrical potential between two conductors.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

## 2. OTHER TERMS

All other terms used in this By-law shall, unless the context otherwise requires, have the meaning assigned thereto in the Electricity Act, 1987 (Act No. 41 of 1987), as amended, or the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended.

## 3. HEADINGS AND TITLES

The headings and titles in this By-law shall not affect the construction thereof.

### CHAPTER 2

#### GENERAL CONDITIONS OF SUPPLY

## 4. PROVISION OF ELECTRICITY SERVICES

Only the Municipality shall supply or contract for the supply of electricity within the jurisdiction of the Municipality.

## 5. SUPPLY BY AGREEMENT

No person shall use or be entitled to use an electricity supply from the Municipality unless or until such person shall have entered into an agreement in writing with the Municipality for such supply, and such agreement together with the provisions of this By-law shall in all respects govern such supply. If a person uses an electricity supply without entering into an agreement he/she shall be liable for the cost of electricity used as stated in section 44 of this By-law.

## 6. SERVICE OF NOTICE

- (1) Any notice or other document that is served on any person in terms of this By-law is regarded as having been served —
- (a) when it has been delivered to that person personally;
  - (b) when it has been left at that person’s place of residence or business in the Republic with a person apparently over the age of sixteen years;
  - (c) when it has been posted by registered or certified mail to that person’s last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
  - (d) if that person’s address in the Republic is unknown, when it has been served on that person’s agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
  - (e) if that person’s address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates.



- (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
- (3) Any legal process is effectively and sufficiently served on the Municipality when it is delivered to the Municipal Manager or a person in attendance at the municipal manager's office.

#### 7. COMPLIANCE WITH NOTICES

Any person on whom a notice duly issued or given under this By-law is served shall, within the time specified in such notice, comply with its terms.

#### 8. APPLICATION FOR SUPPLY

- (1) Application for the supply of electricity shall be made in writing by the prospective consumer on the prescribed form obtainable at the office of the Municipality, and the estimated load, in kVA, of the installation, shall be stated therein. Such application shall be made as early as possible before the supply of electricity is required in order to facilitate the work of the Municipality.
- (2) An application for an electricity supply for a period of less than one year shall be regarded as an application for a temporary supply of electricity and shall be considered at the discretion of the Municipality or any duly authorised official of the Municipality, which may specify any special conditions to be satisfied in such case.

#### 9. PROCESSING OF REQUESTS FOR SUPPLY

Applications for the supply of electricity will be processed and the supply made available within the periods stipulated in NRS 047.

#### 10. WAYLEAVES

- (1) The Municipality may refuse to lay or erect a service connection above or below ground on any thoroughfare or land not vested in the Municipality or on any private property, unless and until the prospective consumer shall have obtained and deposited with the Municipality written permission granted by the owner of the said private property or by the person in whom is vested the legal title to the land or thoroughfare as aforesaid exists, as the case may be, authorising the laying or erection of a service connection thereon.
- (2) If such permission is withdrawn at any time or if the aforesaid private property or thoroughfare changes ownership and the new owner refuses to grant or continue such permission, the cost of any alteration required to be made to a service connection in order that the supply of electricity may be continued, and of any removal thereof which may become necessary in the circumstances, shall be borne by the consumer to whose premises the supply of electricity is required to be continued.

#### 11. STATUTORY SERVITUDE

- (1) Subject to the provisions of subsection (3) the Municipality may within its municipal area:
  - (a) provide, establish and maintain electricity services;
  - (b) acquire, construct, lay, extend, enlarge, divert, maintain, repair, discontinue the use of, close up and destroy electricity supply mains;
  - (c) construct, erect or lay any electricity supply main on, across, through, over or under any street or immovable property and the ownership of any such main shall vest in the Municipality;
  - (d) do any other thing necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated by paragraphs (a) to (c).
- (2) If the Municipality constructs, erects or lays any electricity supply main on, across, through, over or under any street or immovable property not owned by the Municipality or under the control of or management of the Municipality it shall pay to the owner of such street or property compensation in an amount agreed upon by such owner and the Municipality or, in the absence of agreement, be determined either by arbitration or a court of law.
- (3) The Municipality shall, before commencing any work other than repairs or maintenance on or in connection with any electricity supply main on immovable property not owned by the Municipality or under the control or management of the Municipality, give the owner or occupier of such property reasonable notice of the proposed work and the date on which it proposes to commence such work.

#### 12. RIGHT OF ADMITTANCE TO INSPECT, TEST AND/OR DO MAINTENANCE WORK

- (1) The Municipality shall, through its employees, contractors and their assistants and advisers, have access to or over any property for the purposes of —
  - (a) doing anything authorised or required to be done by the Municipality under this By-law or any other law;
  - (b) inspecting and examining any service mains and anything connected therewith;
  - (c) enquiring into and investigating any possible source of electricity supply or the suitability of immovable property for any work, scheme or undertaking of the Municipality and making any necessary survey in connection therewith;
  - (d) ascertaining whether there is or has been a contravention of the provisions of this By-law or any other law, and
  - (e) enforcing compliance with the provisions of this By-law or any other law.
- (2) The Municipality shall pay to any person suffering damage as a result of the exercise of the right of access contemplated by subsection (1), except where the Municipality is authorised to execute on the property concerned any work at the cost of such person or some other person or to execute on such property any work and recover the cost thereof from such person or some other person, compensation in such amount as may be agreed upon by the Municipality and such person or, in the absence of agreement, as may be determined by arbitration or court of law.
- (3) An employee of the Municipality authorised thereto by such Municipality may, by notice in writing served on the owner or occupier of any property, require such owner or occupier to provide, on the day and at the hour specified in such notice, access to such property to a person and for a purpose referred to in subsection (1).
- (4) The Municipality may gain access to or over any property without notice and may take whatever action as may, in its opinion, be necessary or desirable in consequence of the existence of a state of war or the occurrence of any calamity, emergency or disaster.

#### 13. REFUSAL OR FAILURE TO GIVE INFORMATION

No person shall refuse or fail to give such information as may be reasonably required of him/her by any duly authorised official of the Municipality or render any false information to any such official regarding any electrical installation work completed or contemplated.

#### 14. REFUSAL OF ADMITTANCE

No person shall wilfully hinder, obstruct, interfere with or refuse admittance to any duly authorised official of the Municipality in the performance of his duty under this By-law or of any duty connected therewith or relating thereto.

#### 15. IMPROPER USE

If the consumer uses the electricity for any purpose or deals with the electricity in any manner which the Municipality has reasonable grounds for believing interferes in an improper or unsafe manner or is calculated to interfere in an improper or unsafe manner with the efficient supply of electricity to any other consumer, the Municipality may, with or without notice, disconnect the electricity supply but such supply shall be restored as

soon as the cause for the disconnection has been permanently remedied or removed. The fee as prescribed by the Municipality for the disconnection and reconnection shall be paid by the consumer before the electricity supply is restored, unless it can be shown that the consumer did not use or deal with the electricity in an improper or unsafe manner.

#### 16. ELECTRICITY TARIFFS AND FEES

Copies of charges and fees may be obtained free of charge at the offices of the Municipality.

#### 17. DEPOSITS

The Municipality reserves the right to require the consumer to deposit a sum of money as security in payment of any charges which are due or may become due to the Municipality. The amount of the deposit in respect of each electricity installation shall be determined by the Municipality, and each such deposit may be increased if the Municipality deems the deposit held to be inadequate. Such deposit shall not be regarded as being in payment or part payment of any accounts due for the supply of electricity for the purpose of obtaining any discount provided for in the electricity tariff referred to in this By-law. On cessation of the supply of electricity, the amount of such deposit, free of any interest, less any payments due to the Municipality shall be refunded to the consumer.

#### 18. PAYMENT OF CHARGES

- (1) The consumer shall be liable for all charges listed in the prescribed tariff for the electricity service as approved by the Municipality. A copy of the prescribed tariff is obtainable free of charge from the Municipality.
- (2) All accounts shall be deemed to be payable when issued by the Municipality and each account shall, on its face, reflect the due date and a warning indicating that the supply of electricity may be disconnected should the charges in respect of such supply remain unpaid after the due date.
- (3) An error or omission in any account or failure to render an account shall not relieve the consumer of his obligation to pay the correct amount due for electricity supplied to the premises and the onus shall be on the consumer to satisfy himself/herself that the account rendered is in accordance with the prescribed tariff of charges in respect of electricity supplied to the premises.
- (4) Where a duly authorised official of the Municipality has visited the premises for the purpose of disconnecting the supply of electricity in terms of subsection (2) and he/she is obstructed or prevented from effecting such disconnection, the prescribed fee shall become payable for each visit necessary for the purpose of such disconnection.
- (5) After disconnection for non-payment of an account, the prescribed fees and any amounts due for electricity consumed shall be paid before the electricity supply is reconnected.

#### 19. INTEREST ON OVERDUE ACCOUNTS

The Municipality may charge interest on accounts which are not paid by the due date appearing on the account, at an interest rate as approved by the Municipality from time to time.

#### 20. RESALE OF ELECTRICITY

- (1) Unless otherwise authorised by the Municipality, no person shall sell or supply electricity, supplied to his/her premises under an agreement with the Municipality, to any other person or persons for use on any other premises, or permit or suffer such resale or supply to take place. Where municipal approval is given for the resale of electricity, such resale shall be subject to the conditions laid down in the Electricity Act, 1987 (Act No. 41 of 1987), provided that the reseller shall be permitted to recover his/her actual electricity cost, provided further that he/she must substantiate these costs if called upon to do so.
- (2) Further, in terms of Regulation 11(3)(a) of the Electricity Act, 1987 (Act No. 41 of 1987), the reseller of electricity may recover the administration costs incurred in metering reading and billing from the person so supplied with electricity, provided that, at the request of such person, the reseller must furnish such person with such information as may be necessary to enable him/her to determine whether the administration costs are fair and reasonable.

#### 21. RIGHT TO DISCONNECT SUPPLY

- (1) The Municipality shall have the right to disconnect the supply of electricity to any premises if the person liable to pay for such supply fails to pay any charge due to the Municipality in connection with any supply of electricity which he/she may at any time have received from the Municipality in respect of such premises, or, where any of the provisions of this By-law and/or the Regulations are being contravened, provided the Municipality has given the person 14 (fourteen) days notice to remedy his/her default and the person has failed to remedy such default after notice has been given, or, in the case of a grave risk to person or property, or as envisaged in terms of section 26 of this By-law, without notice. After disconnection for non-payment of accounts or the improper or unsafe use of electricity, the fee as prescribed by the Municipality shall be paid.
- (2) In the case where an installation has been illegally reconnected on a consumer's premises after having been previously legally disconnected by the Municipality, or in the case where the Municipality's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the electricity supply may be physically removed from those premises.

#### 22. NON-LIABILITY OF THE MUNICIPALITY

The Municipality shall not be liable for any loss or damage, direct or consequential, suffered or sustained by a consumer as a result of or arising from the cessation, interruption or any other abnormality of the supply of electricity, unless caused by negligence on the part of the Municipality.

#### 23. LEAKAGE OF ELECTRICITY

Under no circumstances shall any rebate be allowed on the account for electricity supplied and metered in respect of electricity wasted owing to leakage or any other fault in the electrical installation.

#### 24. FAILURE OF SUPPLY

The Municipality does not undertake to attend to a failure of supply of electricity due to a fault in the electrical installation of the consumer, except when such failure is due to the operation of the service protective device of the Municipality. When any failure of supply of electricity is found to be due to a fault in the electrical installation of the consumer or to the faulty operation of apparatus used in connection therewith, the Municipality shall have the right to charge the consumer the fee as prescribed by the Municipality for each restoration of the supply of electricity in addition to the cost of making good or repairing any damages which may have been done to the service main and meter by such fault or faulty operation as aforesaid.

#### 25. SEALS OF THE MUNICIPALITY

The meter, service protective devices and all apparatus belonging to the Municipality shall be sealed or locked by a duly authorised official of the Municipality, and no person not being an official of the Municipality duly authorised thereto shall in any manner or for any reason whatsoever remove, break, deface, or tamper with such seals or locks.

#### 26. TAMPERING WITH SERVICE CONNECTION OR SUPPLY MAINS

- (1) No person shall in any manner or for any reason whatsoever tamper or interfere with any meter or metering equipment or service connection or service protective device or supply mains or any other equipment of the Municipality.
- (2) Where *prima facie* evidence exists of a consumer and/or any person having contravened subsection (1), the Municipality shall have the right

to disconnect the supply of electricity immediately and without prior notice to the consumer. The person shall be liable for all fees and charges levied by the Municipality for such disconnection.

- (3) Where a consumer and/or any person has contravened subsection (1) and such contravention has resulted in the meter recording less than the true consumption, the Municipality shall have the right to recover from the consumer the full cost of his estimated consumption.

#### **27. PROTECTION OF MUNICIPALITY'S SUPPLY MAINS**

- (1) No person shall, except with the consent of the Municipality and subject to such conditions as may be imposed —
- construct, erect or lay, or permit the construction, erection or laying of any building, structure or other object, or plant trees or vegetation over or in such a position or in such a manner as to interfere with or endanger the supply mains;
  - excavate, open up or remove the ground above, next to, under or near any part of the supply mains;
  - damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the supply mains;
  - make any unauthorised connection to any part of the supply mains or divert or cause to be diverted any electricity therefrom;
  - the owner or occupier shall limit the height of trees or length of projecting branches in the proximity of overhead lines or provide a means of protection which in the opinion of the Municipality will adequately prevent the trees from interfering with the conductors should the tree or branch fall or be cut down. Should the owner fail to observe this provision the Municipality shall have the right, after prior written notification, or at any time in an emergency, to cut or trim the trees or other vegetation in such a manner as to comply with this provision and shall be entitled to enter the property for this purpose.
- (2) The Municipality may subject to obtaining an order of court demolish, alter or otherwise deal with any building, structure or other object constructed, erected or laid in contravention with this By-law.
- (3) The Municipality may in the case of an emergency or disaster remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.

#### **28. PREVENTION OF TAMPERING WITH SERVICE CONNECTION OR SUPPLY MAINS**

If the Municipality decides that it is necessary or desirable to take special precautions in order to prevent tampering with any portion of the supply mains, service connection or service protective device or meter or metering equipment, the consumer shall either supply and install the necessary protection or pay the costs involved where such protection is supplied by the Municipality.

#### **29. UNAUTHORISED CONNECTIONS**

No person other than a person specifically authorised thereto by the Municipality in writing shall directly or indirectly connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the supply mains or service connection.

#### **30. UNAUTHORISED RECONNECTIONS**

- (1) No person other than a person specifically authorised thereto by the Municipality in writing shall reconnect, attempt to reconnect or cause or permit to be reconnected to the supply mains or service connection any electrical installation or installations which has or have been disconnected by the Municipality.
- (2) Where the supply of electricity that has previously been disconnected is found to have been reconnected, the consumer using the supply of electricity shall be liable for all charges for electricity consumed between the date of disconnection and the date the electricity supply was found to be reconnected and any other charges raised in this regard. Furthermore, the Municipality reserves the right to remove part or all of the supply equipment until such time as payment has been received in full. In addition, the consumer will be responsible for all the costs associated with the reinstatement of such supply equipment.

#### **31. TEMPORARY DISCONNECTION AND RECONNECTION**

- (1) The Municipality shall, at the request of the consumer, temporarily disconnect and reconnect the supply of electricity to the consumer's electrical installation upon payment of the fee as prescribed by the Municipality for each such disconnection and subsequent reconnection.
- (2) In the event of the necessity arising for the Municipality to effect a temporary disconnection and reconnection of the supply of electricity to a consumer's electrical installation and the consumer is in no way responsible for bringing about this necessity, the Municipality shall waive payment of the fee hereinbefore referred to.
- (3) The Municipality may only under exceptional circumstances temporarily disconnect the supply of electricity to any premises without notice, for the purpose of effecting repairs or carrying out tests or for any other legitimate purpose. In all other instances adequate notice shall be given.

#### **32. TEMPORARY SUPPLIES**

It shall be a condition of the giving of any temporary supply of electricity, as defined in this By-law, that, if such supply is found to interfere with the efficient and economical supply of electricity to other consumers, the Municipality shall have the right, with notice, or under exceptional circumstances without notice, to terminate such temporary supply at any time and, the Municipality shall not be liable for any loss or damage occasioned by the consumer by such termination.

#### **33. TEMPORARY WORK**

Electrical installations requiring a temporary supply of electricity shall not be connected directly or indirectly to the supply mains except with the special permission in writing of the Municipality. Full information as to the reasons for and nature of such temporary work shall accompany the application for the aforesaid permission, and the Municipality may refuse such permission or may grant the same upon such terms and conditions as it may appear desirable and necessary.

#### **34. LOAD REDUCTION**

- (1) At times of peak load, or in an emergency, or when, in the opinion of the Municipality, it is necessary for any reason to reduce the load on the electricity supply system of the Municipality, the Municipality may without notice interrupt and, for such period as the Municipality may deem necessary, discontinue the electricity supply to any consumer's electrically operated thermal storage water heater or any specific appliance or the whole installation. The Municipality shall not be liable for any loss or damage directly or consequentially due to or arising from such interruption and discontinuance of the electricity supply.
- (2) The Municipality may install upon the premises of the consumer such apparatus and equipment as may be necessary to give effect to the provisions of subsection (1), and any duly authorised official of the Municipality may at any reasonable time enter any premises for the purpose of installing, inspecting, testing adjusting and/or changing such apparatus and equipment.
- (3) Notwithstanding the provisions of subsection (2), the consumer or the owner, as the case may be, shall, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring as the Municipality may decide to facilitate the later installation of the apparatus and equipment referred to in subsection (2).

#### **35. MEDIUM AND LOW VOLTAGE SWITCHGEAR AND EQUIPMENT**

- (1) In cases where a supply of electricity is given at either medium or low voltage, the supply and installation of the switchgear, cables and equipment forming part of the service connection shall, unless otherwise approved by the Municipality or any duly authorised official of the Municipality, be paid for by the consumer.

- (2) In the case of a medium voltage supply of electricity, all such equipment shall be approved by any duly authorised official of the Municipality and installed by or under the supervision of any duly authorised official of the Municipality.
- (3) No person shall operate medium voltage switchgear without the written authority of the Municipality.
- (4) All earthing and testing of medium voltage equipment linked to the Municipality's network shall be conducted by or under the supervision of an employee of the Municipality.
- (5) In the case of a low voltage supply of electricity, the consumer shall provide and install a low voltage main switch and/or any other equipment required by the Municipality or any duly authorised official of the Municipality.

### 36. SUBSTATION ACCOMMODATION

- (1) The Municipality may, on such conditions as may be deemed fit by the Municipality or any duly authorised official of the Municipality, require the owner to provide and maintain accommodation which shall constitute a substation and which shall consist of a separate room or rooms to be used exclusively for the purpose of housing medium voltage cables and switchgear, transformers, low voltage cables and switchgear and other equipment necessary for the supply of electricity requested by the applicant. The accommodation shall be situated at a point to which free, adequate and unrestricted access is available at all times for purposes connected with the operation and maintenance of the equipment.
- (2) The Municipality reserves the right to supply its own networks from its own equipment installed in such accommodation, and if additional accommodation is required by the Municipality, such additional accommodation shall be provided by the applicant at the cost of the Municipality.

### 37. WIRING DIAGRAM AND SPECIFICATION

- (1) When more than one electrical installation or electricity supply from a common main or more than one distribution board or meter is required for any building or block of buildings, the wiring diagram of the circuits starting from the main switch and a specification shall on request be supplied to the Municipality in duplicate for approval before the work commences.
- (2) Where an electrical installation is to be supplied from a substation on the same premises on which the current is transformed from medium or high voltage, or from one of the substations of the Municipality through mains separate from the general distribution system, a complete specification and drawings for the plant to be installed by the consumer shall, if so required, be forwarded to the Municipality for approval before any material in connection therewith is ordered.

### 38. STANDBY SUPPLY

No person shall be entitled to a standby supply of electricity from the Municipality for any premises having a separate source of electricity supply except with the written consent of the Municipality and subject to such terms and conditions as may be laid down by the Municipality.

### 39. CONSUMER'S EMERGENCY STANDBY SUPPLY EQUIPMENT

- (1) No emergency standby equipment provided by a consumer in terms of any Regulations or for his own operational requirements shall be connected to any installation without the prior written approval of the Municipality. Application for such approval shall be made in writing and shall include a full specification of the equipment and a wiring diagram. The standby equipment shall be so designed and installed that it is impossible for the Municipality's supply mains to be energized by means of a back-feed from such equipment. The consumer shall be responsible for providing and installing all such protective equipment.
- (2) Where by special agreement with the Municipality, the consumer's standby generating equipment is permitted to be electrically coupled to, and run in parallel with the Municipality's supply mains, the consumer shall be responsible for providing, installing and maintaining all the necessary synchronizing and protective equipment required for such safe parallel operation, to the satisfaction of the Municipality.

### 40. CIRCULAR LETTERS

The Municipality may from time to time issue circulars detailing the requirements of the Municipality regarding matters not specifically covered in the Regulations or this By-law but which are necessary for the safe, efficient operation and management of the supply of electricity.

## CHAPTER 3 SERVICE PROVIDERS

### 41. AGREEMENT AND ASSIGNMENT

- (1) The municipality may, subject to its responsibilities under section 81 of the Systems Act, discharge any of its obligations under section 5 of these Bylaws by entering into a service delivery agreement with a service provider or service providers. [RTF bookmark end: \_Ref14683982]
- (2) Subject to the provisions of the Systems Act or any other law, the municipality may assign to a service provider any right or power enjoyed by the municipality under these Bylaws whenever the assignment is required to enable the service provider to discharge an obligation under its service delivery agreement.
- (3) If a municipality has entered into a service delivery agreement with a service provider, it must publish a notice in the *Provincial Gazette* for the province in which it is situated listing which rights and powers of the municipality under which provisions of these Bylaws have been assigned to the service provider.
- (4) Where the term "municipality" appears in a provision of these Bylaws listed in the notice in subsection (3) it shall be read as "service provider" in that provision.

### 42. CUSTOMER CHARTER

- (1) Service providers must provide services in accordance with a customer charter which must be drawn up in consultation with the municipality and must —
  - (a) accord with the provisions of these Bylaws;
  - (b) be accessible to the public;
  - (c) establish the conditions of supplying the service; and
  - (d) provide for the circumstances in which electricity services may be limited.

## CHAPTER 4 RESPONSIBILITIES OF CONSUMERS

### 43. CONSUMER TO ERECT AND MAINTAIN ELECTRICAL INSTALLATION

Any electrical installation connected or to be connected to the supply mains, and any additions or alterations thereto which may be made from time to time, shall be provided and erected and maintained and kept in good order by the consumer at this own expense and in accordance with this By-law and the Regulations.

### 44. FAULT IN ELECTRICAL INSTALLATION

- (1) If any fault develops in the electrical installation, which constitutes a hazard to persons, livestock or property, the consumer shall immediately disconnect the electricity supply. The consumer shall without delay give notice thereof to the Municipality and shall immediately take steps to remedy the fault.

- (2) The Municipality may require the consumer to reimburse it for any expense to which it may be put in connection with a fault in the electrical installation.

#### 45. DISCONTINUANCE OF USE OF SUPPLY

In the event of a consumer desiring to discontinue using the electricity supply, he/she shall give at least 2 (two) full working days' notice in writing of such intended discontinuance to the Municipality, failing which he/she shall remain liable for all payments due in terms of the tariff for the supply of electricity until the expiration of 2 (two) full working days after such notice has been given.

#### 46. CHANGE OF OCCUPIER

- (1) A consumer vacating any premises shall give the Municipality not less than 2 (two) full working days' notice in writing of his intention to discontinue using the electricity supply, failing which he/she shall remain liable for such supply.
- (2) If the person taking over occupation of the premises desires to continue using the electricity supply, he/she shall make application in accordance with the provisions of section 5 of this By-law, and if he/she fails to make application for an electricity supply within 10 (ten) working days of taking occupation of the premises, the supply of electricity shall be disconnected, and he/she shall be liable to the Municipality for the electricity supply from the date of occupation till such time as the supply is so disconnected.
- (3) Where premises are fitted with prepayment meters any person occupying the premises at that time shall be deemed to be the consumer. Until such time as an application is made by this person for a supply of electricity, in terms of section 5 of this By-law, he/she shall be liable for all charges and fees owed to the Municipality for that metering point as well as any outstanding charges and fees whether accrued by that person or not.

#### 47. SERVICE APPARATUS

- (1) The consumer shall be liable for all costs to the Municipality arising from damage to or loss of any metering equipment, service protective device, service connection or other apparatus on the premises, unless such damage or loss is shown to have been occasioned by an Act of God or an act or omission of an employee of the Municipality or caused by an abnormality in the supply of electricity to the premises.
- (2) If, during a period of disconnection of an installation from the supply mains, the service main, metering equipment or any other service apparatus, being the property of the Municipality and having been previously used, have been removed without its permission or have been damaged so as to render reconnection dangerous, the owner or occupier of the premises, as the case may be, during such period shall bear the cost of overhauling and/or replacing such equipment.
- (3) Where there is a common metering position, the liability detailed in subsection (1) shall devolve on the owner of the premises.
- (4) The amount due in terms of subsection (1) shall be evidenced by a certificate from the Municipality which shall be final and binding.

### CHAPTER 5

#### SPECIFIC CONDITIONS OF SUPPLY

#### 48. SERVICE CONNECTION

- (1) The consumer shall bear the cost of the service connection, as approved by the Municipality.
- (2) Notwithstanding the fact that the consumer bears the cost of the service connection, ownership of the service connection, laid or erected by the Municipality, shall vest in the Municipality, the Municipality shall be responsible for the maintenance of such service connection up to the point of supply. The consumer shall not be entitled to any compensation from the Municipality in respect of such service connection.
- (3) The work to be carried out by the Municipality at the cost of the consumer for a service connection to the consumer's premises shall be determined by the Municipality or any duly authorised official of the Municipality.
- (4) A service connection shall be laid underground, whether the supply mains are laid underground or erected overhead, unless an overhead service connection is specifically required by the Municipality.
- (5) The consumer shall provide, fix and/or maintain on his premises such ducts, wire ways, trenches and fastenings as may be required by the Municipality for the installation of the service connection.
- (6) The conductor used for the service connection shall have a cross-sectional area according to the size of the electrical supply but shall not be less than 10mm<sup>2</sup> (copper or copper equivalent), and all conductors shall have the same cross-sectional area, unless otherwise approved by any duly authorised official of the Municipality.
- (7) Unless otherwise approved, the Municipality shall only provide one service connection to each registered erf. In respect of two or more premises belonging to one owner and situated on adjacent erven, a single bulk supply of electricity may be made available provided the erven are consolidated or notarially tied.
- (8) Any covers of a wire way carrying the supply circuit from the point of supply to the metering equipment shall be made to accept the seals of the Municipality.
- (9) Within the meter box, the service conductor or cable, as the case may be, shall terminate in an unobscured position and the conductors shall be visible throughout their length when cover plates, if present, are removed.
- (10) In the case of blocks of buildings occupied by a number of individual consumers, separate wire ways and conductors or cables shall be laid from the common metering room or rooms to each individual consumer in the blocks of buildings. Alternatively, if trunking is used, the conductors of the individual circuits shall be clearly identified (tied together every 1,5m) throughout their length.

#### 49. METERING ACCOMMODATION

- (1) The consumer shall, if required by the Municipality or any duly authorised official of the Municipality, provide accommodation in an approved position, the meter board and adequate conductors for the Municipality's metering equipment service apparatus and protective devices. Such accommodation and protection shall be provided and maintained, to the satisfaction of the Municipality, at the cost of the consumer or the owner, as the circumstances may demand, and shall be situated, in the case of credit meters, at a point to which free and unrestricted access shall be had at all reasonable hours for the reading of meters but at all times for purposes connected with the operation and maintenance of the service equipment. Access at all reasonable hours shall be afforded for the inspection of prepayment meters.
- (2) Where sub-metering equipment is installed, accommodation separate from the Municipality's metering equipment shall be provided.
- (3) The consumer or, in the case of a common meter position, the owner of the premises shall provide adequate electric lighting in the space set aside for accommodating the metering equipment and service apparatus.
- (4) Where in the opinion of the Municipality the position of the meter, service connection, protective devices or main distribution board is no longer readily accessible or becomes a course of danger to life or property or in any way becomes unsuitable, the consumer shall remove it to a new position, and the cost of such removal, which shall be carried out with reasonable dispatch, shall be borne by the consumer.
- (5) The accommodation for the Municipality's metering equipment and protective devices may, if approved, include the consumer's main switch and main protective devices. No apparatus other than that used in connection with the supply of electricity and use of electricity shall be installed or stored in such accommodation unless approved.

**CHAPTER 6  
SYSTEMS OF SUPPLY**

**50. LOAD REQUIREMENTS**

Alternating current supplies shall be given as prescribed by the Electricity Act, 1987 (Act No. 41 of 1987), and in the absence of a quality of supply agreement, as set out in applicable standard specification.

**51. LOAD LIMITATIONS**

- (1) Where the estimated load, calculated in terms of the safety standard, does not exceed 15kVA, the electrical installation shall be arranged for a two-wire single-phase supply of electricity, unless otherwise approved by the Municipality or any duly authorised official of the Municipality.
- (2) Where a three-phase four-wire supply of electricity is provided, the load shall be approximately balanced over the three phases but the maximum out-of-balance load shall not exceed 15kVA, unless otherwise approved by the Municipality or any duly authorised official of the Municipality.
- (3) No current-consuming appliance, inherently single-phase in character, with a rating which exceeds 15kVA shall be connected to the electrical installation without the prior approval of the Municipality.

**52. INTERFERENCE WITH OTHER PERSONS' ELECTRICAL EQUIPMENT**

- (1) No person shall operate electrical equipment having load characteristics which, singly or collectively, give rise to voltage variations, harmonic currents or voltages, or unbalanced phase currents which fall outside the applicable standard specification.
- (2) The assessment of interference with other persons' electrical equipment shall be carried out by means of measurements taken at the point of common coupling.
- (3) Should it be established that undue interference is in fact occurring, the consumer shall, at his/her own cost, install the necessary equipment to filter out the interference and prevent it reaching the supply mains.

**53. SUPPLIES TO MOTORS**

Unless otherwise approved by the Municipality or any duly authorised official of the Municipality the rating of motors shall be limited as follows:

- (1) Limited size for low voltage motors —

The rating of a low voltage single-phase motor shall be limited to 2kW and/or the starting current shall not exceed 70A. All motors exceeding these limits shall be wound for three phases at low voltage or such higher voltage as may be required.

- (2) Maximum starting and accelerating currents of three-phase alternating current motors —

The starting current of three-phase low voltage motors permitted shall be related to the capacity of the consumer's service connection, as follows:

Insulated service cable, size in mm <sup>2</sup> , copper equivalent mm <sup>2</sup>	Maximum permissible starting current A	Maximum motor rating in kW		
		Direct on line (6 X full-load current)	Star/Delta (2,5 X full-load current)	Other means (1,5 X full-load current)
		KW	kW	kW
16	72	6	13,5	23
25	95	7,5	18	30
35	115	9	22	36,5
50	135	10	25	45
70	165	13	31	55
95	200	16	38	67
120	230	18	46	77
150	260	20	52	87

- (3) Consumers supplied at medium voltage —

In an installation supplied at medium voltage the starting current of a low voltage motor shall be limited to 1,5 times the rated full-load current of the transformer supplying such a motor. The starting arrangement for medium voltage motors shall be subject to the approval of the Municipality.

**54. POWER FACTOR**

- (1) If required by the Municipality, the power factor of any load shall be maintained within the limits 0,85 lagging and 0,9 leading.
- (2) Where, for the purpose of complying with subsection (1), it is necessary to install power factor corrective devices, such corrective devices shall be connected to the individual appliance terminals unless the correction of the power factor is automatically controlled.
- (3) The consumer shall, at his/her own cost, install such corrective devices.

**55. PROTECTION**

Electrical protective devices for motors shall be of such a design as effectively to prevent sustained overcurrent and single phasing, where applicable.

**CHAPTER 7  
MEASUREMENT OF ELECTRICITY**

**56. METERING**

- (1) The Municipality shall, at the consumer's cost in the form of a direct charge or prescribed fee, provide, install and maintain appropriately rate metering equipment at the point of metering for measuring the electricity supplied.
- (2) Except in the case of prepayment meters, the electricity used by a consumer during any metering period shall be ascertained by the reading of the appropriate meter or meters supplied and installed by the Municipality and read at the end of such period except where the metering equipment is found to be defective, or the Municipality invokes the provisions of section 60(2) of this By-law, in which case the consumption for the period shall be estimated.
- (3) Where the electricity used by a consumer is charged at different tariff rates, the consumption shall be metered separately for each rate.

- (4) The Municipality reserves the right to meter the supply to blocks of shops and flats, tenement-houses and similar buildings for the buildings as a whole, or for individual units, or for groups of units.
- (5) No alterations, repairs or additions or electrical connections of any description shall be made on the supply side of the point of metering unless specifically approved in writing by the Municipality or any duly authorised official of the Municipality.

#### 57. ACCURACY OF METERING

- (1) A meter shall be conclusively presumed to be registering accurately if its error, when tested in the manner prescribed in subsection (5) hereof, is found to be within the limits of error as provided for in the applicable standard specifications.
- (2) The Municipality shall have the right to test its metering equipment, if it is established by test or otherwise that such metering equipment is defective, the Municipality shall —
  - (a) in the case of a credit meter, adjust the account rendered;
  - (b) in the case of prepayment meters,
    - (i) render and account where the meter has been under-registering, or
    - (ii) issue a free token where the meter has been over-registering;
 in accordance with the provisions of subsection (6).
- (3) The consumer shall be entitled to have the metering equipment tested by the Municipality on payment of the prescribed fee. If the metering equipment is found not to comply with the system accuracy requirements as provided for in the applicable standard specifications, an adjustment in accordance with the provisions of subsections (2) and (6) shall be made and the aforesaid fee shall be refunded.
- (4) In case of a dispute, the consumer shall have the right at his own cost to have the metering equipment under dispute tested by an approved independent testing authority, and the result of such test shall be final and binding on both parties.
- (5) Meters shall be tested in the manner as provided for in the applicable standard specifications.
- (6) When an adjustment is made to the electricity consumption registered on a meter in terms of subsections (2) or (3), such adjustment shall either be based on the percentage error of the meter as determined by the test referred to in subsection (5) or upon a calculation by the Municipality from consumption data in its possession. Where applicable, due allowance shall be made, where possible, for seasonal or other variations which may affect the consumption of electricity.
- (7) When adjustment is made as contemplated in subsection (6), the adjustment may not exceed a period of six (6) months preceding the date on which the metering equipment was found to be inaccurate. The application of this section does not bar a consumer from claiming back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.
- (8) Where the actual load of a consumer differs from the initial estimated load provided for under section 8(1) to the extent that the Municipality deems it necessary to alter or replace its metering equipment to match the load, the costs of such alteration or replacement shall be borne by the consumer.
- (9) (a) Prior to the Municipality making any upward adjustment to an account in terms of subsection (6), the Municipality shall —
  - (i) notify the consumer in writing of the monetary value of the adjustment to be made and the reasons therefore;
  - (ii) in such notification provide sufficient particulars to enable the consumer to submit representations thereon, and
  - (iii) call upon the consumer in such notice to provide it with reasons in writing, if any, within 21 (twenty-one) days or such longer period as the Municipality may permit why his/her account should not be adjusted as notified.
 (b) Should the consumer fail to make any representations during the period referred to in subsection 9(a)(iii) the Municipality shall be entitled to adjust the account as notified in subsection 9(a)(i).
- (c) The Municipality shall consider any reasons provided by the consumer in terms of subsection 9(a) and shall, if satisfied that a case has been made out therefore, adjust the account appropriately.
- (d) If a duly authorised official of the Municipality decides after having considered the representation made by the consumer that such representations do not establish a case warranting an amendment to the monetary value established in terms of subsection (6), the Municipality shall be entitled to adjust the account as notified in terms of subsection 9(a)(i), subject to the consumer's right to appeal the decision of the official in terms of section 62 of the Municipal Systems Act, 2000.

#### 58. READING OF CREDIT METERS

- (1) Unless otherwise prescribed, credit meters shall normally be read at intervals of one month and the fixed or minimum charges due in terms of the tariff shall be assessed accordingly. The Municipality shall not be obliged to effect any adjustments to such charges.
- (2) If for any reason the credit meter cannot be read, the Municipality may render an estimated account. The electrical energy consumed shall be adjusted in a subsequent account in accordance with the electrical energy actually consumed.
- (3) When a consumer vacates a property and a final reading of the meter is not possible, an estimation of the consumption may be made and the final account rendered accordingly.
- (4) If a special reading of the meter is desired by a consumer, this may be obtained upon payment of the prescribed fee.
- (5) If any calculating, reading or metering error is discovered in respect of any account rendered to a consumer, the error shall be corrected in subsequent accounts. Any such correction shall only apply in respect of accounts for a period of 6 (six) months preceding the date on which the error in the accounts was discovered, and shall be based on the actual tariffs applicable during the period. The application of this section does not prevent a consumer from claiming back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.

#### 59. PREPAYMENT METERING

- (1) No refund of the amount tendered for the purchase of electricity credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced.
- (2) Copies of previously issued tokens for the transfer of credit to the prepayment meter may be issued at the request of the consumer.
- (3) When a consumer vacates any premises where a prepayment meter is installed, no refund for the credit remaining in the meter shall be made to the consumer by the Municipality.
- (4) The Municipality shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of, prepayment meters and/or tokens.
- (5) Where a consumer is indebted to the Municipality for electricity consumed or to the Municipality for any other service supplied by the Municipality (including rates) or for any charges previously raised against him/her in connection with any service rendered, the Municipality may deduct a percentage from the amount tendered to offset the amount owing to the Municipality, as set out in the section 5 agreement for the supply of electricity.
- (6) The Municipality may, at its discretion, appoint vendors for the sale of credit for prepayment meters and shall not guarantee the continued operation of any vendor.



**CHAPTER 8  
ELECTRICAL CONTRACTORS**

- 60.** In addition to the requirements of the Regulations the following requirements shall apply:
- (1) Where an application for a new or increased supply of electricity has been made to the Municipality, any duly authorised official of the Municipality may at his/her discretion accept notification of the completion of any part of an electrical installation, the circuit arrangements of which permit the electrical installation to be divided up into well-defined separate portions, and such part of the electrical installation may, at the discretion of any duly authorised official of the Municipality, be inspected, tested and connected to the supply mains as though it were a complete installation.
  - (2) The examination, test and inspection that may be carried out at the discretion of the Municipality or any duly authorised official of the Municipality in no way relieves the electrical contractor/accredited person or the user or lessor, as the case may be, from his responsibility for any defect in the installation. Such examination, test and inspection shall not be taken under any circumstances (even where the electrical installation has been connected to the supply mains) as indicating or guaranteeing in any way that the electrical installation has been carried out efficiently with the most suitable materials for the purpose or that it is in accordance with this By-law or the safety standard, and the Municipality shall not be held responsible for any defect or fault in such electrical installation.
- 61.** The Municipality shall not be held responsible for the work done by the electrical contractor/ accredited person on a consumer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises.

**CHAPTER 9  
COST OF WORK**

- 62.** The Municipality may repair and make good any damage done in contravention of this By-law or resulting from a contravention of this By-law. The cost of any such work carried out by the Municipality which was necessary due to the contravention of this By-law, shall be to the account of the person who acted in contravention of this By-law.

**CHAPTER 10  
ADMINISTRATIVE ENFORCEMENT PROVISIONS**

**Part I: Appointment of Authorised Officials**

**63. APPOINTMENT OF AUTHORISED OFFICIALS**

- (1) The municipality must appoint authorised officials vested with the power to exercise the powers of an authorised official under these Bylaws and to discharge the municipality's right of access to premises in terms of section 101 of the Systems Act.
- (2) An authorised official is not a peace officer within the meaning of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) and has no powers of arrest in respect of any offence created in these Bylaws.
- (3) In appointing an authorised official, the municipality must have regard to —
  - (a) a person's technical understanding and experience of matters related to electricity services; and
  - (b) any other factor that may be relevant to supervision and enforcement of these Bylaws, whether technical or administrative.
- (4) An authorised official may be an employee of the municipality or any service provider of the municipality.
- (5) Upon appointment, authorised officials must be issued with a means of identification by the municipality which must state the name and function of the authorised official, and must include a photograph of the officer.
- (6) An authorised official, acting within the powers vested in him by these Bylaws, is required to present identification on demand by any member of the public.

**Part II: Powers of Authorised Officials**

**64. RIGHT OF ADMITTANCE TO INSPECT, TEST OR DO MAINTENANCE WORK**

- (1) An authorised official may, by notice in writing served on the owner or occupier of any property, require the owner or occupier to provide, on the day and at the hour specified in such notice, access to such property to the authorised official for the purpose of —
  - (a) doing anything authorised or required to be done by the municipality under these By-law or any other law;
  - (b) inspecting and examining any service mains and anything connected with it;
  - (c) enquiring into and investigating any possible source of electricity supply or the suitability of immovable property for any work, scheme or undertaking of the municipality and making any necessary survey in this connection;
  - (d) ascertaining whether there is or has been a contravention of the provisions of these By-law or any other law, and
  - (e) enforcing compliance with the provisions of these Bylaws or any other law.
- (2) Notwithstanding subsection (1), an authorised official who has reasonable grounds to suspect that harm or damage to property may arise or has arisen as a result of the electricity supply to a premises, or in any way related with the provision of electricity services, the authorised official may, without notice, enter and search any affected premises and take any action necessary to prevent the harm or damage to property including disconnecting the system in terms of section 15. [RTF bookmark end: ]\_Ref78792351
- (3) Any action under this section, including subsection (2), must be conducted in a manner that conforms to the requirements of the Bill of Rights and any other law and, in particular, must be conducted with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.

**65. REFUSAL OR FAILURE TO GIVE INFORMATION**

- (1) In order to monitor or enforce compliance with these Bylaws, an authorised official, may, subject to the requirements of the Bill of Rights, and any other law including the common law, require any person to disclose information, either orally or in writing, and either alone or in the presence of witnesses, on any matter to which these Bylaws relate and require that the disclosure be made on oath or affirmation.
- (2) An authorised official may be accompanied by an interpreter and any other person reasonably required to assist the authorised official in conducting the inspection.
- (3) An authorised official must, on request by a person requested to give information, provide his identification as an authorised official.
- (4) No person shall refuse or fail to give such information as may be reasonably and lawfully required of him by any authorised official or render any false information to any such official regarding any electrical installation work completed or contemplated.

**66. REFUSAL OF ADMITTANCE**

No person shall wilfully hinder, obstruct, interfere with or refuse admittance to any authorised official in the performance of his duty under these Bylaws or of any duty connected with or relating to these Bylaws.



**Part III: Administrative Penalties****67. ESTABLISHMENT OF AN ADMINISTRATIVE PENALTY SYSTEM**

- (1) The municipality may establish an administrative penalty system in terms of this chapter.
- (2) A decision to establish an administrative penalty system in terms of subsection (1), must be published by a notice in the *Provincial Gazette* and comes into operation on the date announced in the notice which may not be less than three (3) months from the date of its publication.

**68. INFRINGEMENT NOTICES**

- (1) If a municipality has established an administrative penalty system, an authorised official may issue an infringement notice to any person who commits an offence listed in Column A of Schedule 3.
- (2) The infringement notice must —
- specify, at the time when the notice is issued, the name and also the residential and postal address, if either or both of these be known, of the person on whom the infringement notice is served;
  - state the particulars of the infringement;
  - specify the amount of the penalty payable in respect of that infringement designated in Column B of Schedule 3;
  - specify the place where the penalty may be paid; and
  - inform the person on whom the infringement notice is served that, not later than 28 calendar days after the date of service of the infringement notice, he or she may —
    - pay the penalty; or
    - inform the municipality in writing at an address set out in the notice that he or she elects to be tried in court on a charge of having committed an offence in terms of Chapter 11 of these Bylaws. [RTF bookmark end: ]\_Ref78729975
- (3) If it appears to the authorised official that an alleged offence cannot be adequately punished by the payment of the administrative penalty then the authorised official may refrain from accepting the administrative penalty and may take proceedings against the alleged offender in an appropriate Court in terms of Chapter 11 of these Bylaws.

**69. TRIAL**

If a person who elects to be tried in court in terms of subsection 68(e)(ii) notifies the municipality of his election, the authorised official must within ten (10) calendar days take all necessary steps, as envisaged in the Criminal Procedure Act, 1977 (Act No. 51 of 1977), in order to secure the attendance and prosecution of the accused, in which event the infringement notice must be cancelled.

**70. WITHDRAWAL OF INFRINGEMENT NOTICE**

- (1) Within one year after the infringement notice has been issued an authorised official may, whether or not the penalty has been paid, withdraw an infringement notice on the basis that new information has been received by the municipality or on any other good cause, by—
- sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn; and
  - providing reasons to the municipal manager for the withdrawal of the infringement notice.
- (2) Where an infringement notice is withdrawn after the penalty has been paid, the amount shall be refunded.

**71. INFRINGEMENT NOTICE NOT AN ADMISSION**

Payment of a penalty shall not be regarded as an admission for the purposes of any proceedings, whether civil or criminal.

**CHAPTER 11****JUDICIAL ENFORCEMENT PROVISIONS****72. OFFENCES**

- (1) Subject to subsection (2), any person who —
- contravenes or fails to comply with any provisions of these Bylaws, other than a provision relating to payment for electricity services;
  - fails to comply with any notice or order issued or condition imposed in terms of or for the purposes of these Bylaws;
  - fails to comply with any lawful instruction given in terms of or for the purposes of these Bylaws; or
  - who obstructs or hinders any authorised representative or employee of the municipality in the execution of his duties under these Bylaws; is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding six (6) months and in the case of any continued offence, to a further fine not exceeding R50 or in default of payment, to imprisonment not exceeding one (1) day for every day during the continuance of such offence after a written notice has been issued by the municipality and served on the person concerned requiring the discontinuance of such an offence. [RTF bookmark end: ]\_Ref46028866
- (2) No person shall be liable to imprisonment if he is unable to afford to pay a fine, and shall instead be liable to a period of community service.
- (3) Any person committing a breach of the provisions of these Bylaws shall be liable to recompense the municipality for any loss or damage suffered or sustained by it in consequence of the breach.

**CHAPTER 12****GENERAL****73. SERVICE OF DOCUMENTS AND PROCESS**

For the purposes of the service of any notice, order or other document relating to non-payment for the provision of electricity services, the address of the owner of the premises to which electricity services are provided is the place where service of documents and process shall be made.

**74. SERVICE OF NOTICES**

- (1) Any notice, order or other document that is served on any person in terms of these Bylaws must, subject to the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), be served personally, falling which it may be regarded as having duly been served —
- when it has been left at that person's place of residence or business, or, where his household is situated in the Republic, when it has been left with a person who is apparently sixteen (16) years or older; [RTF bookmark end: ]\_Ref78792502
  - if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic either personally or in the manner provided by paragraphs (c), or (d) or
  - if that person's address and the identity or the address of his agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates; or
  - subject to section 73, if sent by registered post, whether service by registered post is, or is not required, if effected by sending it by properly addressing it to the addressee's last known residence, place of business or postal address, prepaying and posting a registered letter containing the notice, order or other document, and unless the contrary be proved, shall be presumed to have been effected at the time at which the letter would be delivered in the ordinary course of post.

- (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
- (3) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.
- (4) Any legal process is effectively and sufficiently serviced on the service provider when it is delivered to the managing director or a person in attendance at the managing director's office.

#### 75. COMPLIANCE WITH NOTICES

Any person on whom a notice duly issued or given under this by-law is served shall, within the time specified in such notice, comply with its terms.

### CHAPTER 13

### REPEAL OF BYLAWS

#### 76. REPEAL OF BYLAWS

The Bylaws specified in the first column of Schedule 1 are hereby repealed to the extent set out in the second column of Schedule 1: Provided that the repeal of such Bylaws shall not affect anything done in terms of or any right, obligation or liability acquired or incurred under those Bylaws.

#### 77. DATE OF COMMENCEMENT

These Bylaws commence on the date of publication in the *Provincial Gazette*.

### SCHEDULE 1

“applicable standard specification” means —

- SANS 1607 — Electromechanical watt-hour meters;
- SANS 1524 Parts 0, 1 & 2 — Electricity dispensing systems;
- SANS IEC 60211 — Maximum demand indicators, Class 1.0;
- SANS IEC 60521 — Alternating current electromechanical watt-hour meter (Classes 0.5, 1 & 2);
- SANS 0142 — Code of Practice for the Wiring of Premises;
- NRS 047 — National Rationalised Specification for the Electricity Supply — Quality of Service;
- NRS 048 — National Rationalised Specification for the Electricity Supply — Quality of Supply; and
- NRS 057 — Electricity Metering: Minimum Requirements.

No. 50, 2005

20 October 2005

THE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following Bylaws:

### MATATIELE LOCAL MUNICIPALITY REGULATION OF PARKS AND OPEN SPACES BYLAWS

#### 1. DEFINITIONS

- (1) In these Bylaws, unless the context otherwise indicates —

“authorised official” means an official of the Council who is authorised to do, or to cause to be done any act or function in terms of these Bylaws, and includes a member of the Municipal Police Force;

“lake/dam” means body of water impounded on a stream or river;

“Council” means the Matatiele Local Municipality and its successors in law, and includes the Council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these Bylaws;

“mini-bus” means a motor vehicle designed or adapted, solely or principally, for the conveyance of more than nine (9) persons, but not more than sixteen (16) (including the driver);

“notice” means an official notice drawn up by the Council and displayed by order of the Council at entrances to or at conspicuous places in or on a park and to which the Council shall make known provisions and directives by it in terms of a By-law;

“park” means parks, open spaces, pleasure resorts, recreation areas, gardens, squares, reserves and bird sanctuaries within the Council and being held by the Council, and includes all buildings, grounds and spaces situated in such areas;

“passenger bus” means a motor vehicle designed or adapted for the conveyance of more than sixteen (16) persons (including the driver);

“public holidays” means all holidays, declared as public holidays .

“refundable deposit” means the deposit mentioned in the tariff, determined by the Council from time to time and which shall be refunded, on demand, provided, that no damage has been caused to any facility of the Council, its environment or the recreation grounds during the period within which the facilities, environment, or recreation grounds are used;

“swim” means the entering into the water for the purpose of swimming, or to windsurf or participate in other similar water activity or the accidental contact with the water while participating in such water sport;

“motor cycle” means a motor vehicle which has two (2) wheels and includes any such vehicle having a side-car attached;

“motor quadracycle” means a motor vehicle other than a tractor, which has four (4) wheels and which is designed to be driven by the type of controls usually fitted to a motor cycle;

“motor tricycle” means a motor vehicle, other than a motor cycle or tractor which has three (3) wheels and which is designed to be driven by the type of controls usually fitted to a motor cycle;

“motor vehicle” means any self-propelled vehicle and includes —

- (a) a trailer; and
- (b) a vehicle having pedals and an engine or an electric motor and an internal part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include —
  - (i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or
  - (ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed and not merely adapted for the use of any person suffering from some physical defect or disability and used solely by such person.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

## 2. CONTROL OF PARKS

All land laid out or which may hereinafter be laid out or proclaimed as public parks, within the Council shall, be maintained and used solely for the purpose for which it was laid out or otherwise reserved.

## 3. ENTRANCE TO A PARK

- (1) No person shall be present in a park outside the hours indicated on a notice at or within the vicinity of the park.
- (2) No person shall enter or leave a park except through the gates provided for that purpose.
- (3) No person shall on any day on which an entrance fee is charged enter the park unless he has paid the entrance fees determined by the Council.
- (4) Any person being present in the park shall on the request of an authorised official produce proof of payment of the entrance fee if such entrance fee applies.
- (5) The Council may suspend the payment of entrance fees on any specific day whereon a public function is being held.
- (6) The Council may suspend the payment of an entrance fee on any specific day or days as it may deem fit.

## 4. PERSONAL BEHAVIOUR

- (1) In keeping with Chapter 2 of the Bill of Rights of the Constitution of the Republic of South Africa, 1996, no person shall —
  - (a) fire any fire-arm or pellet gun, discharge any firework, catapult or sling, throw any stone, stick or other missile, use any squirt, syringe or other instrument, or do anything which may endanger or be deemed a nuisance, objectionable or an annoyance to the public;
  - (b) brawl, fight, use profane, indecent or improper language, be intoxicated, bet, gamble, beg, lie on any seat or behave in an indecent or offensive manner, or commit any nuisance or stay in a park overnight;
  - (c) use, intrude upon or attempt to intrude upon any water closet, urinal or other place of convenience provided for the opposite sex;
  - (d) deliver, utter or read aloud any public speech, prayer, book or address of any kind, or sing any song or hold or take part in any public meeting or assemblage, except with the prior written consent of the Council;
  - (e) contrary to a prohibitory notice, prohibiting smoking exhibited on a conspicuous place at or near the entrance of any place or building on a square or other open space, park or other enclosed space, smoke in such place or building;
  - (f) obstruct, disturb, interrupt or annoy any person in the proper use of any park;
  - (g) refuse to leave any park or any other enclosed space at, or after the time of closing the gates, when requested to do so by any authorised officer of the Council, or unlawfully remain therein after the gates or fences or railings have been closed, or enter or leave other than through one of the authorised means of ingress or egress;
  - (h) refuse to give his or her name and address when asked to do so by a duly authorised officer of the Council during his or her presence in a park;
  - (i) make a nuisance of himself by the consumption of alcohol or other intoxicating substance to any other users of a park.

## 5. DAMAGE

- (1) No person shall —
  - (a) remove, mark, damage any fountain, statue, monument, bust, post, chain, railing, fence, seat barrier, gate lamp post, notice board or plate, watch box, house, building, shed, urinal, water closet, flag or other matter or thing, or deface or disfigure the same by pasting or affixing in any way any bills, placard or notice, or by cutting, writing, stamping, printing, drawing, or marking thereon;
  - (b) cut, remove, dig up, fell, burn, pluck, break, climb up or upon or cause damage to timber or to any tree, shrub, brushwood, fencing post, pole, fern, turf, grass, fruit, flower or plant;
  - (c) take, dig, cut, break, damage or remove any gravel, sand, sod, clay, mould, soil, water or other substance;
  - (d) light any fire, except at braai facilities, or burn or do any act, which may cause any timber, brushwood, plant, paper, rubbish or other substance to burn;
  - (e) go into, or attempt to go into any enclosed place, plantation or garden or any temporary enclosure, or walk on any flowerbed or any grass plots, on which walking may be prohibited;
  - (f) commit any encroachment or make or attempt to make any encroachment;
  - (g) erect or place any post, railing, fence, pole, peg, spike, tent, booth, screen, stand, swing or other building, erection or obstruction of any kind whatsoever without the consent of the Council in writing;
  - (h) deposit or leave any refuse, rubbish, paper, dead or other matter or thing in the park, other than in the place provided for such matter;
  - (i) wash clothes or other things in any pond, fountain or ornamental water feature, stream, river or otherwise pollute any water therein;
  - (j) bathe in any pond, fountain, lake, stream, river or ornamental water feature.

## 6. ENTERTAINMENT

- (1) No person shall —
  - (a) sell or offer or expose for sale or hire any commodity or article or distribute any pamphlet, book, handbill, or other printed or written matter without prior written consent of the Council;
  - (b) play or make preparations to play cricket, football, or any other game, except on the allocated places and at the time set apart for such games by the Council;
  - (c) use the entertainment apparatus such as swings, round-a-bouts, seesaws, slides or any other apparatus in a park, which has been supplied for the entertainment of children if he or she is over the age of sixteen (16) years;
  - (d) play or make sounds on any musical instrument, except with the prior written consent of the Council.

## 7. ANIMALS

- (1) No person shall —
  - (a) take any dog into or have any dog or other animal in any park or other enclosed public place in contravention of a notice exhibited in such park, or other enclosed public place;
  - (b) bathe or wash any dog or other animal, or allow any dog or other animal to be in any pond, fountain, stream or river or ornamental water feature;
  - (c) catch or snare birds or lay or place any net, snare or trap for the catching of birds without a permit and the written consent of the Council;
  - (d) take birds' eggs or nests, or shoot or chase or attempt to shoot any bird or animal, or throw any stone or stick or other missile, with intent

to injure or catch any bird or animal, or in any way interfere with any fish, water-fowl or other animal;

- (e) bring into a park or ride in a park on a horse, mule, donkey or any other farm animal except with prior written permission of the Municipality which written permission shall be produced on request by any authorised official.
- (2) In any park where dogs are allowed, such dogs should be kept on leashes.
- (3) The owner of a dog or other animal or the person who has a dog or other animal in his custody or under his supervision shall take care that such a dog or other animal does not attack or terrify any person, animal or bird in a park without reasonable cause.
- (4) Except in the event of a blind person being led by a guide dog, any person in charge of a dog in a park, shall remove any faeces left by such dog.
- (2) The Council may impound any dog or other animal found wandering at large and uncontrolled in a park.

#### 8. VEHICLES

- (1) No person shall —
  - (a) drive, draw or propel any cycle, or vehicle other than a wheeled chair, or a perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or invalid, in any park, except in the places and at the times which shall be defined by the Council's Bylaws or by notices affixed or set up at or near the entrance to any such park;
  - (b) drive any motor cycle, motor quadracycle, motor tricycle or motor vehicle, that may be set aside by notice at a specific rate;
  - (c) draw, propel, stand or place any wheeled motor vehicle, motor cycle or cycle or any machine whatsoever upon any part of a flower-bed or lawn;
  - (d) use any part of any park for the cleaning of any motor cycle, motor quadracycle, motor tricycle or motor vehicle, clothes or other articles;
  - (e) carry out repairs or maintenance to any motor vehicle in a park or other area;
  - (f) park a motor vehicle or motor cycle, motor quadracycle or motor tricycle in a park at any other place than at the parking areas specially set aside for motor vehicles;
  - (g) drive any motor cycle, motor quadracycle, motor tricycle or motor vehicle, in a park while he is under the influence of alcohol or any other drug.
- (2) The Council reserves the right to permanently or temporarily close any road or walkway in a park.

#### 9. TRADING

- (1) No refreshments or drinks shall be hawked or offered for sale in a park except in the rooms, buildings and places assigned by the Council and by persons or bodies properly authorised thereto by the Council.
- (2) No peddler or street vendor shall be allowed to trade in a park without prior written permission from the Council.
- (3) No person shall beg in a park.
- (4) No person shall gamble, participate or present gambling or games of chance in a park.

#### 10. MEETINGS AND ORCHESTRAL PERFORMANCES

- (1) No person shall —
  - (a) present or participate in an orchestral performance in a park without the written permission of the Council and on such conditions as it may determine;
  - (b) present or participate in a sermon, lecture, public discussion or a meeting without the written permission of the Council.

#### 11. CAMPING

No person shall camp in a park or erect any structure without the permission of the Council in terms of its tariffs.

#### 12. LAKE AND DAM WATERS

- (1) No person shall —
  - (a) swim in a lake, dam, stream or river except with the permission of the Council on special occasions, nor shall he wash himself, his clothes or any other item in a lake, dam, stream or river;
  - (b) launch a boat, canoe, raft or any other floating object, irrespective of its propulsion mechanism, onto a lake or dam except from those sections of a lake shore specifically set apart by the Council for that purpose in consultation with existing aquatic clubs;
- (2) The use of a lake or dam surface shall be subject to such conditions as the Council or the bodies to whom the Council relinquished the control determines.

#### 13. ANGLING

- (1) No person shall —
  - (a) angle without a legal permit to angle;
  - (b) angle in a lake or dam except from such portions of the lake shore that the Council from time to time specifically sets aside for the purpose;
  - (c) angle in a lake or dam before or after times specified by the Council.
- (2) The Council reserves the right to temporarily close the angling areas or any part thereof at its own discretion.
- (3) The Council reserves the right to delegate the control of angling to a third party at its discretion.

#### 14. CLOSING OF PARKS TO THE PUBLIC

- (1) The Council reserves the right to close a park or part thereof or to limit the use thereof to a particular group or organisation temporarily or permanently.
- (2) The Council shall, by notices posted at or near the entrance gates, indicate the hours during which any park or enclosed space is closed to the public and may, for any special purpose close any park or closed space, or any part thereof, or any building therein, to the public for such time as it may from time to time consider necessary or expedient.
- (3) The Council shall be entitled to limit the number of visitors to a park or any portion thereof.

#### 15. PENALTIES

- (1) A person contravening a provision of these Bylaws shall be guilty of an offence and be punishable on conviction by imprisonment for a period not exceeding six (6) months, or to a fine not exceeding Two Thousand Rand (R2 000,00), or to both such fine and imprisonment, and in the case of continuing offences, be liable to such fine and imprisonment for each such offence, or to both such fine and imprisonment.
- (2) In addition to the fines mentioned in subsection (1), a person convicted of a contravention of these Bylaws must compensate the Council for

any loss or damage it may have incurred as a result of the contravention. The Council may institute a claim in the appropriate court for the amount of such loss or damage.

- (3) The Council may refuse entrance to a park to a person who repeatedly contravened these Bylaws in which case the authorised official may forthwith remove such a person found in a park from the park notwithstanding the provisions of subsection (3).

#### 16. APPLICATION

The Council may by notice in the *Provincial Gazette*, determine that the provision of these Bylaws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

#### 17. REPEAL

The Bylaws relating to the Regulation of Parks and Open Spaces for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.

### No. 51, 2005

20 October 2005

THE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with section 11 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read together with section 6A (1) of the Business Act, 1991 (Act No. 71 of 1991), made the following Bylaws which Bylaws shall come into operation on the date of publication of this notice.

#### MATATIELE LOCAL MUNICIPALITY STREET TRADING BYLAWS

##### 1. DEFINITIONS

- (1) In these Bylaws, except as otherwise expressly provided or unless the context otherwise requires —

“**approval**” means approval by the authorised official and “**approve**” has a corresponding meaning;

“**association**” means persons who are self-employed and have organised themselves into a street trader association with a constitution and a code of conduct;

“**authorised official**” means an official of the Council to whom it has delegated a duty, function or power under these Bylaws, in relation to the exercise or performance of that duty, function or power and includes any employee acting under the control and direction of such official;

“**Council**” means the Council of the Matatiele Local Council and includes, in relation to a duty, function or power under these Bylaws, a committee or official of the Council to whom it has delegated that duty, function or power;

“**local authority service**” means any system conducted by or on behalf of a local authority for the collection, conveyance, treatment or disposal of refuse, sewage or stormwater or for the generation, impounding, storage, purification or supply of water, gas or electricity;

“**local authority service works**” means all property or works of whatsoever nature necessary or desirable for or incidental to any local authority service;

“**nuisance**” bears the meaning given to it by the Ordinance, or any amendment thereof;

“**Ordinance**” means the Local Authorities Ordinance, 25 of 1974, or any amendment thereof;

“**prescribed**” means prescribed by the Council by resolution;

“**property**” in relation to a street trader, means any goods, receptacle, vehicle or movable structure used or intended to be used in connection with the carrying on of his business as such;

“**public place**” means a public place as defined in section 1 of the Ordinance, or any amendment thereof;

“**prescribed**” means prescribed by the Council by resolution;

“**public road**” means a public road as defined in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996);

“**roadway**” means a roadway as defined in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996);

“**sell**” includes —

- (a) barter, exchange or hire;
- (b) display, expose, offer or prepare for sale;
- (c) store with a view to sell; or
- (a)
- (d) provide a service for reward

and “**sale**” has a corresponding meaning;

“**sidewalk**” means a sidewalk as defined in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996);

“**street trader**” means a person who carries on the business of street trading;

“**street trading**” means the selling of any goods or the supplying or offering to supply any service for reward, as a street vendor, peddler or hawker in a public road or public place but does not include the sale of newspapers only;

“**the Act**” means the Business Act, 1991 (Act No. 71 of 1991), and includes the regulations made thereunder;

“**vehicle**” includes —

- (a) a self-propelled vehicle;
- (b) a trailer;
- (c) a hand-drawn or propelled vehicle; and

“**verge**” means a verge as defined in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996).

- (2) In these Bylaws, unless the context otherwise indicates, any word or expression defined in the Act shall bear the meaning so given to it.
- (3) For the purpose of these Bylaws a single act of offering for sale or of selling goods or services in or from a public road or public place constitutes the carrying on of the business of a street trader.
- (4) For the purpose of these Bylaws a reference to a person carrying on the business of street trader shall include any employee of any such person.
- (5) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

**2. APPLICATION**

No person shall carry on the business of a street trader unless he or she –

- (1) has obtained the written approval of the Council to do so; and
- (2) is a member of a street trader association recognised by the Council.

**3. PROHIBITIONS**

No person shall carry on the business of a street trader –

- (1) at a place or in an area declared under section 6A(2)(a) of the Act as a place or area in which the carrying on of street trading is prohibited;
- (2) on a verge, contiguous to
  - (a) a building belonging to, or occupied solely by the State or the Council;
  - (b) a church or other place of worship; or
  - (c) a building declared to be a national monument under the National Monument Act, 1969 (Act No. 28 of 1969), or any amendment thereof except to the extent that the carrying on of such business is permitted by a notice or sign erected or displayed by the Council and in compliance therewith;
- (3) on a verge contiguous to a building in which business is being carried on by any person who solely or mainly sells goods of the same or similar nature as goods being sold by the street trader concerned, without the consent of that person;
- (4) on that half of a public road contiguous to a building used for residential purposes, if the owner or person in control or any occupier of the building objects thereto;
- (5) at a place where it substantially obstructs pedestrians in the use of a sidewalk or take up a position or deposit his property on a sidewalk so as to do so;
- (6) at a place where it causes an obstruction to vehicular traffic;
- (7) at a place where it causes an obstruction in front of —
  - (a) an entrance to or exit from a building;
  - (b) a fire hydrant;
- (8) on a stand or in any area contemplated in section 6A(3)(b) of the Act if he is not in possession of proof that he has hired such stand or area from the Council or that it has otherwise been allocated to him;
- (9) in contravention of the terms and conditions of the lease or allocation to him of a stand or area contemplated in sections 6A(3)(b) and (c) of the Act.

**4. RESTRICTIONS**

(1) No person carrying on the business of a street trader shall –

- (a) if such business is carried on any public road or public place
  - (i) sleep overnight at the place of such business; or
  - (ii) erect any permanent structure at the business site for the purpose of providing shelter without prior written approval of the Council;
- (b) carry on such business in such a manner as to —
  - (i) create a nuisance;
  - (ii) damage or deface the surface of any public place or any public or private property; or
  - (iii) create a traffic hazard;
- (c) other than in a refuse receptacle approved or provided by the Council, accumulate, dump, store or deposit or cause or permit to be accumulated, dumped, stored or deposited any litter on any land or premises or on any public road or public place;
- (d) obstruct access to a service or to service works of the Council or of the State or any statutory body;
- (e) interfere with the ability of persons using a sidewalk to view the goods displayed behind a shop display window or obscure such goods from view;
- (f) obstruct access to a pedestrian arcade or mall;
- (g) carry on business or take up a position or place his property on a portion of a sidewalk or public place in contravention of a notice or sign erected or displayed by the Council for the purpose of these Bylaws;
- (h) carry on such business in a place or area in contravention of any restriction imposed by Council resolution in terms of section 6A(2)(a) of the Act;
- (i) obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic;
- (j) obstruct access to or the use of street furniture such as bus passenger benches or shelters and queuing lines, refuse disposal bins, and other facilities designed for the use of the general public; or
- (k) obscure any road traffic sign displayed in terms of the Road Traffic Act, 1996 (Act No. 93 of 1996), and regulations made thereunder or any marking, notice or sign displayed or made in terms of these Bylaws.

(2) The Council shall reserve the right to restrict the number of street traders and street trader associations.

(3) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

**5. CLEANLINESS OF PLACE OF BUSINESS AND PROTECTION OF PUBLIC HEALTH**

Every street trader shall –

- (1) unless prior written approval exempting him from the provisions of this paragraph has been given by the Council, daily remove from any public road or public place at the end of each trading day or at the conclusion of trading all goods, moveable structures, waste, packaging material, stock and equipment of whatsoever nature which are utilized in connection with such trading;
- (2) carry on this business in such a manner as not to be a danger or threat to public health or public safety;
- (3) at the request of an officer or an employee of the Council move or remove anything so that the place of business may be cleaned;
- (4) keep the area or stand occupied by him for the purpose of his business as well as his property in a clean and sanitary condition and free of litter; or
- (5) if his activities involve the cooking or other preparation of food, take steps to ensure that no fat, oil or substance drops or overflows onto the surface of a sidewalk or splashes against a building or other structure.

**6. DESIGNATED STREET TRADING AREAS**

- (1) No street trader shall carry on business in a garden or park to which the public has the right of access except with the prior written approval of the Council's Municipal Manager or other authorised official and in compliance with any conditions imposed by him when granting such consent.
- (2) No street trader shall carry on business outside a designated street trading area as determined by the Council, per resolution, from time to time.

**7. OBJECTS USED FOR DISPLAY OF GOODS**

A street trader shall ensure that any structure, container, surface or other object used by him for the preparation, display, storage, or transportation of goods –

- (1) is maintained in a good state of repair and in a clean and sanitary condition; and
- (2) is not so placed or stacked so as to constitute a danger to any person or so as to be likely to injure any person.

**8. REMOVAL AND IMPOUNDMENT**

- (1) For the purpose of this By-law "goods" includes any receptacle, vehicle or movable structure.
- (2) An officer may remove and impound goods –
  - (a) which he reasonably suspects are being used or are intended to be used or have been used in or in connection with the carrying on of any business of a street trade, and
  - (b) which he finds at a place where the carrying on of such business is restricted in terms of section 4(h) or section 5 or prohibited in terms of sections 3(1) to (9) and which in his opinion constitutes an infringement of such provision, whether or not such goods are in the possession or under the control of any person at the time of such removal or impoundment.
- (3) Any officer acting in terms of subsection (2) shall –
  - (a) except in the case of goods which have been left or abandoned, issue to the person carrying on the business of street trader a receipt of any goods so removed and impounded; and
  - (b) forthwith deliver any such goods to the authorised official.
- (4) Neither the Council nor a councillor, official, officer or employee of the Council shall be liable for any loss of or damage to any goods removed and impounded in terms of this section.

**9. DISPOSAL OF IMPOUNDED GOODS**

- (1) Any perishable goods removed and impounded in terms of section 8(2) may at any time after the impoundment thereof be sold or destroyed by the Council and in the case of a sale of such goods the proceeds thereof, less any expenses incurred by the Council in connection with the removal, impoundment and sale of such goods, shall, upon presentation of the relevant receipt issued in terms of section 8(3)(a), be paid to the person who was the owner of such goods when such goods were impounded. If such owner fails to claim the said proceeds within three months of the date on which such goods were sold, such proceeds shall be forfeited to the Council.
- (2) The owner of any goods (other than perishable goods), dealt with by the Council in terms of subsection (1), impounded in terms of section 8(2) who wishes to claim the return of such goods shall, within a period of one month of the date of the impoundment of such goods, apply to the Council and shall present the relevant receipt issued in terms of section 8(3)(a), failing which such goods may be sold by the Council and in the event of sale of such goods the provisions of subsection (1) relating to the proceeds of a sale shall apply.
- (3) If the owner of any goods impounded in terms of section 8(2) claims the return of such goods from the Council and such owner is unable or refuses to refund any expenses incurred by the Council in connection with the removal and impoundment of such goods, such goods may be sold by the Council and proceeds of any sale of such goods less any such expenses and the cost of such sale shall be paid to such owner.
- (4) In the event of the proceeds of any sale of goods contemplated by this section not being sufficient to defray any expenses incurred by the Council in connection with the removal, impoundment and sale of such goods, the owner of such goods shall remain liable for so much of such expenses as is not defrayed by the proceeds of the sale of such goods.

**10. GENERAL OFFENCES AND PENALTIES**

- (1) Any person who –
  - (a) contravenes or fails to comply with any provision of these Bylaws;
  - (b) ignores, disregards or disobeys any notice, sign or marking displayed or erected for the purpose of these Bylaws;
  - (c) contravenes or fails to comply with any approval or condition granted or imposed in terms of these Bylaws;
  - (d) for the purpose of these Bylaws make a false statement knowing it to be false in a material respect or deliberately furnishes false or misleading information to an authorised official or officer; or
  - (e) threatens, resists, interferes with or obstructs an authorised official, officer or employee of the Council in the performance of his powers, duties or functions under these Bylaws, shall be guilty of an offence and on conviction be liable to a fine of R500.00 (Five Hundred Rand) or imprisonment for a period not exceeding 3 (three) months.
- (2) When an employee of a street trader performs any act or is guilty of any omission which constitutes an offence under these Bylaws the employer shall be deemed to have performed the act or to be guilty of the omission himself and he shall be liable on conviction to the penalties mentioned in subsection (1) unless he can prove that –
  - (a) in performing the act or being guilty of the omission the employee was acting without his knowledge or permission;
  - (b) all reasonable steps were taken by him to prevent the act or omission; and
  - (c) it was not within the scope of the authority or the course of the employment of the employee to perform an act of the kind in question.
- (3) The fact that an employer issued instructions forbidding any act or omission referred to in subsection (2) shall not of itself be accepted as sufficient proof that he took all steps referred to in paragraph (b) of that subsection.
- (4) When an employer is by virtue of the provisions of subsection (2) liable for anything done or omitted by his employee, then that employee shall also be liable to prosecution for the offence.

**11. PRESUMPTIONS**

In any prosecution of a street trader for a contravention of these Bylaws, the accused shall be deemed to know the provisions of these Bylaws and to know that the offence with which he is charged is a contravention thereof.

**12. REPEAL OF EXISTING STREET TRADING BYLAWS**

The Bylaws relating to Street Trading for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.

THE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following Bylaws:

**MATATIELE LOCAL MUNICIPALITY  
ADVERTISING SIGNS BYLAWS**

**1. DEFINITIONS**

- (1) In the interpretation of these Bylaws, the following words and expressions shall have the meanings respectively assigned to them hereunder, unless such meanings are repugnant to or inconsistent with the context in which they occur:
- “**advertisement**” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature and which is visible from any street or public place;
- “**advertising signage structure**” means any physical structure built to display advertising;
- “**advertising vehicle**” means a vehicle which has been constructed or adapted for use primarily for the display of advertisements;
- “**aerial advertisement**” means any advertisement displayed in the air by the use of a balloon, kite, inflatable object, aircraft or any other means;
- “**affix**” includes to paint onto and “**affixed**” shall have a corresponding meaning;
- “**animated advertisement**” means an electric advertisement that contains variable messages in which representation is made by the appearance of movement through an electric light source or beam;
- “**applicant**” means the person/s by whom an application for permission to erect a sign or display an advertisement is made, which application shall be endorsed by the owner of the premises upon which such advertisement or sign is to be located;
- “**application**” in relation to advertising sign/s may include all proposed advertising signs per business per site;
- “**appropriate**” means that the dimensions, installation, materials, place and/or supports are, in the opinion of the Council, suitable for, and appropriate in, all circumstances of the case;
- “**approval**” means approval by the Council or its delegated officials;
- “**banner sign**” is a temporary or permanent sign painted or embossed on flexible material suspended by ropes or other means;
- “**bill-sticking**” means an advertisement or poster pasted directly onto an existing surface which is not intended specifically for the display of a poster or advertisement;
- “**building**” means any structure whatsoever with or without walls, having a roof or canopy and a normal means of ingress and egress thereunder, covering any area in excess of 5m<sup>2</sup> and having an internal height of more than 1,7m;
- “**canopy**” means a rigid roof-like projection from the wall of a building;
- “**cantilever**” means a projecting feature that is dependant for its support on the main structure of a building without independent vertical or other supports;
- “**change of face**” means an alteration to the content of the advertisement displayed on an approved signage structure;
- “**clear height**” in relation to a sign means the vertical distance between the lowest edge of the sign and the level of the ground, footway or roadway immediately below the sign;
- “**cluster sign**” means a number of signs, all of the same size, erected symmetrically on one or more standards or pylons;
- “**combustible**” means will burn or ignite at or below a temperature of 750°C when tested for combustibility in accordance with British Standard 476: 1932: Definitions of fire-resistance, incombustibility and non-inflammability of building materials and structures (including methods of test);
- “**Council**” means the Matatiele Local Municipality and its successors in law, and includes the Council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these Bylaws;
- “**Council property**” includes all property, whether movable or immovable, which is owned by, vests in or is under the control of the Council;
- “**curtilage**” is the whole of the area of land within the boundaries of the subdivision/s forming the site of any building;
- “**depth of a sign**” means the vertical distance between the uppermost and lowest edges of the sign;
- “**deemed to comply**” means that if an advertising signage structure meets certain specified criteria it may be deemed to satisfy the requirements of the Council for consent purposes;
- “**designated areas**” are areas of maximum, partial or minimum control that have been specifically designated in the policy for the display of various types of advertising signs;
- “**display**” means the display or erection of an advertising sign or structure;
- “**electronic sign**” means a sign that has an electronically controlled, illuminated display surface which allows the advertisement to be changed, animated or illuminated in various ways;
- “**election advertisement**” means an advertisement used in connection with any national, provincial or municipal election, by-election or referendum;
- “**environmental impact assessment**” in relation to outdoor advertising means an assessment of the impact that an advertising sign or structure may have on the environment;
- “**estate agents’ board**” means an advertisement that is temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale or to let;
- “**flag**” means a piece of cloth (or similar material) upon which an advertisement is displayed which is attached to a single rope, pole or flagstaff projecting vertically in such a way that its contents are normally not readable in windless conditions. Flags exclude—
- (a) national flags that do not carry advertisement in addition to the design of the flag or flagstaff; and
  - (b) flags carried as part of a procession;
- “**flashing advertisement**” means an electric advertisement which intermittently appears and disappears;
- “**flat sign**” means any wall sign, other than a projecting sign, which is directly attached to the face of an external wall of a building or on a wall external to and not part of a building;



- “**gore**” means the area immediately beyond the divergence of two roadways bounded by the edges of those roadways;
- “**ground sign**” is a self-supporting sign erected on the ground and which is not attached to a building or a wall;
- “**illuminated advertisement**” means an advertising signage structure which has been installed with electrical or other power for the purpose of illuminating the message of such sign;
- “**lawfully displayed**” means displayed within the public view in accordance with the Bylaws applicable at the time of the erection of the sign;
- “**main wall**” means any external wall of a building but shall not include a parapet wall, balustrade or railing of a veranda or balcony;
- “**mobile sign**” means a sign mounted on a vehicle or trailer and used specifically for advertising purposes;
- “**municipality**” means the area of jurisdiction of the Matatiele Local Municipality;
- “**non-profit body**” is a body established to promote a social goal without the personal financial gain of any individual or profit-making commercial organisation involved;
- “**occupier**” includes any person in actual occupation of land or premises without regard to the title under which he/she occupies;
- “**on-show sign**” means a temporary sign erected to indicate that a property is on view for sale;
- “**on site or directional**” in relation to any advertisement, means that such advertisement conveys only the name and the nature of the industry, trade, business, undertaking or activity which is carried on within the building or premises on which the advertisement is displayed;
- “**outdoor advertising**” means any form of advertising as defined, visible from any street or public place and which takes place out of doors;
- “**overall height**” in relation to a sign, means the vertical distance between the uppermost edge of the sign and the level of the ground, pathway or roadway immediately below it;
- “**portable board**” is any self-supporting sign or any other collapsible structure which is not affixed to the ground and which is capable of being readily moved;
- “**posters**” are placards intended to be temporarily displayed in a street or public place as an announcement of a meeting, function or event relating to an election, activity or undertaking;
- “**premises**” means any building together with the land on which such building is situated;
- “**projected sign**” means any sign projected by a cinematograph or other apparatus, but does not include a sign projected onto the audience’s side of a drive-in cinema screen during a performance;
- “**projecting sign**” means any wall sign which is affixed to a building and protrudes more than 300mm from the wall of such building;
- “**public place**” means any road, street, thoroughfare, bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in the Council and to which the public has access;
- “**remote or third party advertising**” means that the content of such advertisement is unrelated to anything being undertaken on the premises on which such advertisement is displayed;
- “**return wall**” means any external wall of a building or any other wall, which faces any boundary other than a street façade.
- “**road reserve**” means the area contained within the statutory width of a road;
- “**Road Traffic Act**” means the National Road Traffic Act, 1996 (Act No. 93 of 1996) and the Regulations promulgated in terms of this Act, as amended from time to time;
- “**road traffic sign**” means any road traffic sign as defined in the Road Traffic Act, 1996;
- “**roof sign**” means a sign painted or affixed directly onto the roof covering of a building;
- “**SAMOAC**” means the South African Manual for Outdoor Advertising Council;
- “**sandwich board**” is a portable, double-sided, freestanding, vertically splayed sign standing on the ground or carried by a person or vehicle;
- “**sign**” means any physical structure or device intended for the display of an advertisement;
- “**signalised traffic intersection**” means an intersection controlled by traffic lights;
- “**sky sign**” means a sign that is placed or erected on or above the roof, parapet wall or eaves of a building;
- “**specific consent**” means the written approval of the Council which is required on submission of a formal application;
- “**street furniture**” means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, street lights, or any other road-related structures;
- “**street name signs**” means pole-mounted, double-sided, internally illuminated advertisements displayed in combination with street naming;
- “**street line**” means the boundary of a public street;
- “**temporary sign**” means a sign, not permanently fixed and not intended to remain fixed in one position, which is used to display an advertisement for a temporary period;
- “**tri-vision**” means a display which, through the use of a triangular louvre construction, permits the advertising of three different copy messages in a predetermined sequence;
- “**under-awning sign**” means a sign suspended or attached to the soffit or a canopy or veranda;
- “**veranda**” is a roofed structure attached to or projecting from the façade of a building and supported along its free edge by columns or posts;
- “**visual zone**” means the road reserve of a road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250m from the road reserve boundary of a freeway in an urban area; and
- “**zone**” means the use zone as defined in the Matatiele Town Planning Scheme in course of preparation.

- (2) For the purpose of the application of the measurements, dimensions or areas specified in these Bylaws in relation to signs, the same shall be applied to the sign as a whole, inclusive of any space between letters, words, figures, symbols, pictures, drawings and the like appearing thereon, and also any space between the perimeter of the sign and the actual advertisement appearing thereon.
- (3) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

## 2. APPROVAL FOR ADVERTISEMENTS AND SIGNS

- (1) Subject to the provisions of these Bylaws, no person shall erect or cause or allow to be erected, altered, displayed or maintained any advertisement or sign which is visible from any street or public place or on any Council property without first having obtained the written approval of the Council or its duly delegated officials.
- (2) Temporary or portable signs being posters or bills or the like temporarily displayed solely for or in connection with the particular occasion, function or event to which they relate, including directional signs to such an event, signs relating to an election or referendum held or conduct-

ed under the authority of any law, and signs carried through the streets, shall only be displayed with the prior written consent of the Director Technical Services and subject to such conditions as he may impose. Such signs shall not exceed 0,5m<sup>2</sup> in area.

### 3. EXEMPT ADVERTISEMENTS AND SIGNS

- (1) Subject to the provisions of these Bylaws, advertisements or signs for which no approval is required are as follows:
  - (a) Any advertisement or sign not exceeding 2m<sup>2</sup> which is required to be displayed in terms of any national, provincial or municipal legislation; i.e. company, close corporation, co-operative, licensed premises or professional offices, or any security sign limited to one per street frontage or premises.
  - (b) Any advertisement or sign over or near the main entrance to any premises in which a business is carried on and which bears only the name of the business.
  - (c) One advertisement or sign per street frontage indicating only the name and nature of an enterprise, practice, accommodation facility and place of residence as well as the name of the proprietor, partner or practitioner with a maximum area of 1,5m<sup>2</sup> per sign; or indicating the name and nature of institutions and other community facilities with a maximum area of 3m<sup>2</sup> per sign.
  - (d) Any non-illuminated advertisement displayed inside a building or on a display- or shop front window.
  - (e) Any advertisement not exceeding 4,5m<sup>2</sup>, displayed with the curtilage of the premises relating to the accommodation being offered to let or purchase in the building, limited to one advertisement per advertising agent per street frontage and not displayed for longer than 30 (thirty) days after the date of sale or lease.
  - (f) Project boards advertising only the builders and professional consultants involved in a project, not exceeding 18m<sup>2</sup> and with a maximum erected height or 6m, displayed within the curtilage of the premises whilst building work is in progress, limited to one per street frontage and to be removed within 30 (thirty) days of completion of the project.
  - (g) A national flag of any country except when, in the Council's opinion, more than one national flag is used to promote, advertise or identify an economic activity, in which case the provisions of these Bylaws shall apply.
  - (h) Any change of face to any remote advertisement displayed or erected if approval has already been granted by the Council for the advertising signage structure.
  - (i) Aerial advertising by means of an aircraft: Provided that the necessary approval has been obtained from Civil Aviation, including any conditions and requirements as prescribed.
  - (j) Signs not exceeding 0,25m<sup>2</sup> in area affixed to the wall of a building or erected within the boundary line indicating that the property can be leased and by whom it is maintained.
  - (k) Signs relating to the immediate sale of newspapers and the like within a public street.
  - (l) Signs required to be displayed by law.
  - (m) Signs which, on merit, are exempted by the Municipal Manager in consultation with the Planning and Building Plan Portfolio Committee.

### 4. APPLICATION, ASSESSMENT AND APPEAL PROCEDURE

- (1) Every person intending to display, erect, alter or maintain any advertisement or sign, for which the prior written permission of the Council is required, shall submit a written application to the Council on the prescribed form, together with the prescribed fee in accordance with the Schedule of advertising sign charges (Schedule A). The application shall be signed by the owner of the proposed advertising sign and by the registered owner of the land or building on which the advertising sign is to be erected or displayed or, on behalf of the owner of the land or building, by his/her agent authorised in writing by such owner and shall be accompanied by the following plans drawn in accordance with the following requirements:
  - (a) A locality plan drawn to scale showing the sign in relation to surrounding roads and structures within a 500m radius, where applicable.
  - (b) A site plan showing the position of the sign or advertisement on the premises, drawn to a minimum scale of 1:500 and giving all dimensions, showing the position of the sign in relation to the boundaries, other buildings, structures, services and features on the site and showing the streets and buildings on properties abutting the site.
  - (c) Detailed dimensioned drawings sufficient to enable the Council to consider the appearance of the sign or advertisement including materials, construction and illumination details.
  - (d) Detailed dimensioned drawings showing the full text and graphic details of the advertisement to a scale of minimum 1:20 where applicable.
  - (e) Detailed dimensioned elevations and sections to a scale of minimum 1:100 showing the position of the advertisement or sign in relation to the buildings, structures, features and other existing advertising signs on the site and in the surrounds.
  - (f) Coloured photographs to illustrate the position of the sign in relation to the buildings, structures, features and other existing advertising signs on the site and in the surrounds.
  - (g) Such other additional drawings, environmental impact assessments and/or photographs as are necessary, in the opinion of the Council, to explain the true nature and scope of the application.
- (2) In certain circumstances, the Council may use discretion to accept drawings that show only a portion of the plan or elevation of a building/s, or drawings to a smaller scale, or computer generated graphics drawn to scale to illustrate the proposal where certain drawings may be difficult to provide or even photographs where this is considered sufficient.
- (3) In addition, where required, the applicant shall submit additional structural and other drawings and certifications as required giving full details of the calculations, size and materials used in the supporting framework, its fixings, securing and anchorage as well as for the structure and its advertisement to ensure this sign's stability, fire and safety compliance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993); as amended from time to time.
- (4) In addition, the applicant shall indemnify the Council against any consequences arising from the erection, display or mere presence of such advertising sign.
- (5) All signs to be erected or displayed must comply with the applicable Town Planning Scheme Regulations, as well as other relevant legislation, as amended from time to time.
- (6) In considering applications, in addition to any other relevant factors, the Council shall ensure that the design and display of all advertising signs conforms to the Council's policy and to SAMOAC's guidelines for control in terms of the general conditions and principles as set out in these documents, as amended from time to time.
- (7) The Council may refuse an application or grant its approval, subject to such conditions as it may deem expedient but not inconsistent with the provisions of these Bylaws or the Council's policy on outdoor advertising.
- (8) An approval or refusal of an application by the Council shall be made in writing with reasons provided within 60 (sixty) days of a complete application having been submitted in terms of these Bylaws.

- (9) On approval, a complete copy of the application as submitted shall be retained by the Council for record purposes.
- (10) Any advertisement or sign erected or displayed shall be in accordance with the approval granted and any condition or amended condition imposed by such approval; and the person who erects an approved sign shall notify the Council within 7 (seven) days of such sign or advertisement being erected.
- (11) The person/s to whom permission has been granted for the display of any advertisement or sign which extends beyond any boundaries of any street or public place shall enter into a written encroachment agreement with the Council, indemnify the Council in respect of the sign and be liable to the Council for the prescribed annual encroachment rental.
- (12) Approval of all advertising signs shall be at the pleasure of the Council and will endure for a period as may be determined by the Council either in relation to the advertising structure or to the advertising content or both, whereafter a new application for consideration must be submitted to the Council for approval in terms of these Bylaws.
- (13) The applicant may appeal in writing against any refusal, lack of decision or condition imposed by the duly authorised official/s.
- (14) The appeal referred to in subsection (13) shall be lodged within 30 (thirty) days of the date of the notice and will be submitted, together with a report, to the relevant committee of the Council for consideration.

#### 5. WITHDRAWAL OR AMENDMENT OF APPROVAL

- (1) The Council may, at any time, withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Council, an advertising sign does not conform to the guidelines for the control of signage in terms of the Council's policy and/or SAMOAC, as amended from time to time, or for any other reason Council may deem fit.
- (2) The Council may, at any time, revoke its approval for the display of an encroaching sign and cancel the encroachment agreement referred to in section 4(11), giving notice in writing to the owner/applicant of such decision. The owner/applicant shall also advise the Council in writing giving details of any intent to transfer ownership of any encroaching sign.
- (3) An approved sign shall be erected within 6 (six) months from the date of approval whereafter such approval shall lapse unless written application for extension is made, which may only be granted for a maximum period of 2 (two) months.
- (4) Any application which has been referred back to the applicant for amendment shall be resubmitted within 2 (two) months of the date of the referral notice, failing which the application shall lapse.
- (5) Permission for an advertising sign is granted to the applicant only and shall lapse if he ceases to occupy the premises, provided that written approval may be granted by the Council to transfer this right to the new occupier of the premises if such approval is sought within 30 (thirty) days from the date of the new occupation.
- (6) An electronic or illuminated advertisement which, in the opinion of the Council, causes a disturbance to the occupants of any affected premises shall be altered in such a manner as prescribed by the Council in writing, or be removed by the applicant/occupier within such period as may be specified.
- (7) The permission granted in respect of an advertisement or sign shall lapse if any alteration or addition is made to such advertisement or sign, provided that Council may approve minor alterations at its discretion by means of an endorsement on the original application.

#### 6. STRUCTURAL REQUIREMENTS

- (1) Every sign shall be neatly and properly constructed, executed and finished in a workmanlike manner.
- (2) Every sign attached to or placed on a building, fence or wall, shall be rigidly and securely attached thereto so that it is safe and that movement in any direction is prevented. The method of attachment shall be such that it is capable of effectively securing, supporting and maintaining not less than twice the weight of the sign in question, with the addition of any force to which the sign may be subjected. The use of nails or staples for the purpose of anchorage and support is prohibited.
- (3) Every projecting sign or suspended sign shall, unless the Director Technical Services otherwise approves, have not less than four supports —
  - (a) which shall be of metal;
  - (b) any two of which shall be capable of carrying the weight of the sign;
  - (c) the designed strength of which, acting together, shall be calculated on a weight of the sign with a horizontal wind pressure of 1,5kPa;
  - (d) which shall be neatly constructed as an integral part of the design of the sign or otherwise concealed from view.
- (4) All signs and supports thereof, which are attached to brickwork, masonry or concrete shall be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side. The bolts shall be of such size and strength as will ensure effective compliance with paragraphs (2) and (3) hereof.
- (5) Glass
 

All glass used in signs (other than glass tubing used in neon or similar signs) shall be safety glass at least 3,5mm thick. Glass panels in signs shall not exceed 2m<sup>2</sup> in area, each panel being securely fixed in the body of the sign independently of all other panels.
- (6) Electrical requirements
 

Every illuminated sign and every sign in which electricity is used shall —

  - (a) be constructed of material which is not combustible;
  - (b) be provided with an external switch in an accessible position whereby the electricity supply to such a sign may be switched off;
  - (c) be connected according to statutory regulations.
- (7) All exposed metalwork in a sign, or its supports, shall be painted or otherwise treated to prevent corrosion and all timber shall be similarly treated to prevent decay.
- (8) No sign shall be constructed in whole or in part of cloth, canvas, cardboard, paper or like material, except where the sign relates solely to current or forthcoming programmes of public entertainment displayed upon a cinema or theatre, or is a sign on a sunblind.

#### 7. ELECTRICAL REQUIREMENTS

Every electronic and illuminated advertising sign including its supports and framework shall be constructed entirely of non-combustible materials and shall be installed in accordance with the provisions of the Council's Standard Tariffs and Procedures and the Code of Practice for the wiring of premises in accordance with the SABS or applicable legislation/regulations.

#### 8. MAINTENANCE OF SIGNS

- (1) The person having possession, or control of any sign, while such sign is erected and constructed in contravention of the provisions of this By-law, shall be guilty of an offence.
- (2) (a) No sign, which exists or extends beyond the street line shall remain, except during the pleasure of the Council. The Council may by written notice served on the person having possession or control of any such sign, require such person to remove such sign within a period of time specified in such notice, except where in the opinion of the Council the sign constitutes a potential source of danger to the public, or

will or is likely to damage or interfere with any existing or proposed works of the Council or upon the public street, the Council shall have the right to remove such sign forthwith.

Any such person who fails to comply with such notice shall be guilty of an offence.

- (b) The person having possession or control of any sign extending or existing beyond the street line, shall at all times indemnify the Council against all actions or claims which may be brought against it by any person for loss, injury or maintenance, repair or removal of the sign, and shall also reimburse the Council in respect of all expenses incurred in defending any action or resisting any claim.
- (c) The person having possession or control of any sign extending or existing beyond the street line shall pay to the Council the fee prescribed in the schedule of tariffs and charges in respect of the sum total of the surface area containing any advertisement (inclusive of any space between lettering and the like and any space between the actual advertisement and the perimeter of the sign).
  - (i) The above charges shall be payable to the municipality or its duly appointed agents upon application in advance, and thereafter annually on the anniversary of the date of application for the time the sign is in place.
  - (ii) No charge shall be payable unless the sign projects, or is more than 100mm, beyond the street line.
  - (iii) Where during the course of the period of 12 (twelve months) referred to in paragraph (i) hereof, any sign is lawfully replaced by another sign, no additional charge in respect of that period shall be made unless the sign substituted has a greater surface area than the former sign, in which event a further charge calculated as above in respect of the excess area shall become immediately due and payable to the Council.
  - (iv) Where any sign is removed voluntarily, or at the instance of the Council, no refund of any charges paid shall be made by the Council.
  - (v) The payment of any charges as herein provided shall not in any way prejudice or affect the provisions of paragraph (a) of this By-law.
- (d) The person having possession or control of any sign extending, or existing beyond the street line, shall when required in writing by the Director Technical Services, enter into a written agreement with the Council in respect of such sign, undertaking the obligations contained in paragraphs (b) and (c) of this By-law; provided that the absence of any such agreement shall in no way affect the provisions of these Bylaws. Whenever any change occurs in the identity of the person having possession or control of any such sign, such change shall forthwith be notified to the Director Technical Services in writing by the person formerly having such possession or control.

## 9. OFFENCES AND REMOVAL OF SIGNS

- (1) Any person who displays or erects any advertisement or sign for which no approval has been granted by the Council in terms of section 2, or which approval has expired, or has been withdrawn, or which advertisement or sign does not conform with the approved application or any of its conditions, or does not comply with or is contrary to any provision of these Bylaws or to any other applicable Act or Regulation, shall be guilty of an offence.
- (2) Any person who erects or continues to display any advertisement or sign which ceases to be relevant to the premises on which it is displayed by virtue of a change in use, ownership or occupancy of the premises to which it relates or for any other reason, shall be guilty of an offence.
- (3) Any person who displays or erects any advertisement or sign which contravenes or fails to comply with any provision, requirements or conditions as set out in any notice issued and served in terms of these Bylaws or other applicable legislation, or who knowingly makes any false statement in respect of any application in terms of these Bylaws, shall be guilty of an offence.
- (4) The Council may serve notice on the person/s who is displaying the advertisement or who has erected the sign or cause the advertisement or sign to be displayed or erected, or the owner or occupier of the premises upon which such advertisement or sign is being displayed or erected or upon both such persons, directing those persons to remove such advertisement or sign or to do such other work as may be set forth in the notice, within a time frame specified therein which shall not be less than 14 (fourteen) days from the date of receipt of the notice, so as to bring the advertisement or sign into conformity or compliance.
- (5) If any person/s to whom any notice has been given in terms of subsection (3) fails to comply with a direction/instruction contained in such notice within the specified period, the Council may remove or arrange for the removal of the advertisement or sign, or affect any of the alterations prescribed in the notice.
- (6) The Council may recover the expenses incurred as a result of any removal, action taken, repairs to Council property or for any other costs incurred from any person(s) to whom the notice was issued in terms of subsection (3). No compensation shall be payable by the Council to any persons in consequence of such removal, repairs or action taken.
- (7) Any person who fails to remove any poster, banner, flag or election advertisement within the prescribed period shall be guilty of an offence. The Council shall be entitled to remove any such advertisement and deduct the prescribed amount from any deposit made in respect of the advertisement(s) so removed by the Council: Provided that if the amount of money to be deducted exceeds the amount of the deposit made, the Council shall be entitled to recover such excess amount from such person(s); Provided further that when any such poster, banner or election advertisement is removed in terms of these Bylaws, the Council shall be entitled to destroy any such advertisement without giving notice to anyone.
- (8) Any person/s who, having displayed or caused to be displayed any portable board in respect of which approval has been granted in terms of these Bylaws, fails to remove such board within 2 (two) hours of the time as specified in section 9, shall be guilty of an offence and the Council shall be entitled to remove any such portable board and to recover from such person/s the fee prescribed: Provided that any portable board so removed by the Council may be destroyed without giving notice to anyone.
- (9) Any advertisement or sign, other than those referred to in subsections (6) and (7), which were removed or confiscated by the Council in terms of these Bylaws, may be reclaimed within 60 (sixty) days from the date of removal or confiscation and on payment of the charges due, failing which the Council shall have the right to use, dispose of or sell such sign at its discretion.
- (10) If, in the opinion of the Council, the advertising sign constitutes a danger to life or property and in the event of the applicant/owner and/or occupier failing to take the necessary action with immediate effect, the Council may carry out or arrange for the removal of such sign and recover the expenses so incurred.
- (11) Any person who, in the course of erecting or removing any advertising sign, causes damage to any natural feature, electric structure or service, or any other Council installation or property, shall be guilty of an offence and punishable in terms of section 15 of these Bylaws and shall be liable for damages so incurred.
- (12) The Council is entitled to summarily remove any unauthorised advertising signs on its own property without giving notice to anyone.

## 10. PROHIBITIONS

- (1) The following advertisements and signs are prohibited:
  - (a) Any advertisement or sign, other than an exempted sign, for which neither a permit nor approval has been obtained or which does not comply with the requirements of, or which is not permitted by these Bylaws or any other law.
  - (b) Any advertisement which, in the opinion of the Council, is indecent, obscene or objectionable or of a nature which may produce a pernicious or injurious effect on the public or on any particular class of person/s or on the amenity of any neighbourhood.

- (c) Any advertisement or sign that is painted onto or attached in any manner to any tree, plant, rock or to any other natural feature.
- (d) Any advertisement or sign which obstructs any street, fire escape, exit way, window, door or other opening used as a means of egress or for ventilation or for fire fighting purposes.
- (e) Any illuminated sign whether laser, animated, flashing or static, which disturbs or is a nuisance to the residents and/or occupants of any building and/or to any member/s of the public affected thereby.
- (f) Any advertisement or sign which is prohibited in terms of any Town Planning Scheme Regulation or other legislation.
- (g) Any advertisement or sign not erected in accordance with these Bylaws or not in accordance with the specifications approved by the City Council, or the terms or conditions attached by the Council to any such approval.
- (h) Any advertisement or sign which may obstruct or interfere with any traffic sign or signal for traffic control, or which is likely to interfere with or constitute a danger to traffic, shipping or aircraft or to the public in general.
- (i) Any advertisement or sign which may inhibit or obstruct the motorists' vision or line of sight thus endangering vehicular and pedestrian safety.
- (j) Any form of bill-sticking by means of posters or placards to any existing structure without the approval of the Council.

#### 11. DISCRETIONARY POWERS

- (1) The Council or its delegated officer/s shall exercise discretionary powers to permit or not to permit advertising signs in terms of the provisions of these Bylaws in the following cases:
  - (a) Any advertisements on a portable board displayed on a street pavement.
  - (b) Any mobile advertising vehicles and their designated positions of display.
  - (c) Advertisements or signs painted on or in any way affixed to the surface of any window other than a display window.
  - (d) Advertisement or signs on top of a canopy or veranda.
  - (e) Advertisements painted on roofs or displayed or erected as a sky sign in an area other than industrial or harbour zone.
  - (f) Advertisements or signs displayed or erected in an area other than industrial or general business zone.
  - (g) Advertisements or signs made of certain materials not considered by the Council to be suitable or appropriate for the intended purpose.
  - (h) Banners and flags affixed to flagpole/s as a ground sign or attached to an existing building or structure.
  - (i) Any remote or third party advertising signs, sponsored signs and signs for non-profit organisations and institutions.
  - (j) Any advertisements or signs of dimensions not in accordance with the provisions of these Bylaws.

#### 12. SIGNS ON THE COUNCIL PROPERTY AND TEMPORARY ADVERTISEMENTS

Temporary advertisements and signs on the Council property are subject to the Council's specific consent as set out in these Bylaws. Permanent advertisements and signs on the Council property; i.e. street furniture, street name signs, dustbins, bus shelters, suburban and community advertisements and any other remote advertising signs are subject to the Council's specific authority and/or tender procedure. The Council shall be obliged to set out and agree to the specifications and required performance standards for these signs prior to calling for proposals.

##### (1) Billboards

- (a) Every person who wishes to display or cause to display a billboard advertisement shall submit to the Council a written application on the prescribed form and pay the prescribed fee. Such applications shall be accompanied by an environmental impact assessment in the case of billboards in excess of 36m<sup>2</sup> and/or for smaller billboards at the Council's discretion.
- (b) This type of sign shall be permitted only in urban areas of minimum control and in urban areas of partial control at the Council's discretion, subject to specific consent and assessment of their environmental impact as required, which shall include the visual, social and traffic safety aspects.
- (c) The name of the owner of the billboard or sign must be clearly displayed on all boards together with the identification number approved by Council.
- (d) Any billboard so displayed shall —
  - (i) comply with all legal requirements of the South African National Roads Agency Limited and Road Traffic Act where applicable;
  - (ii) comply with any other applicable National, Provincial or Local Government legislation and policy, including these Bylaws and the Council's policy on outdoor advertising;
  - (iii) not be erected within an area of maximum control, unless, after an environmental impact assessment and public participation process, the Council identifies that such area, subject to such terms and conditions as it may impose, may be reclassified as an area of lesser control, which may not be relaxed further than the control type in the area adjacent to the site in question;
  - (iv) not be detrimental to the nature of the environment in which it is located by reason of abnormal size, intensity of illumination or design;
  - (v) not be, in its content, objectionable, indecent or insensitive to any sector or member of the public;
  - (vi) not unreasonably obscure partially or wholly any approved sign previously erected and legally displayed;
  - (vii) not constitute a danger to any person or property;
  - (viii) not encroach over the boundary line of the property on which it is erected; and
  - (ix) not be erected if considered by the Council to be a distraction to drivers, cyclists or pedestrians which could contribute to unsafe traffic conditions.
- (e) The positioning of billboards shall —
  - (i) be spaced at least 120m, 200m or 250m apart when in view of each other on the side of the road/s to which they are directed or aimed with up to 60 km/h, 80 km/h or 100 km/h+ speed limit respectively;
  - (ii) not be erected within 100m from the ramp gore of public roads and from overhead traffic directional signs;
  - (iii) not be permitted within a radius of 100m from the centre of an intersection on any arterial road and within a radius of 50m from the centre of an intersection on any lower order road;
  - (iv) not have an overall height in excess of 12m above the surface of the road level to which it is aimed;
  - (v) not have an overall dimension which exceeds 64m<sup>2</sup> in the case of ground signs and 54m<sup>2</sup> in the case of wall signs;
  - (vi) not have as main colours, red or amber or green when located at signalised traffic intersections and shall not obscure or interfere with any road traffic light or sign;
  - (vii) not constitute a road safety hazard or cause undue disturbance or permitted to be illuminated if such illumination, in the opinion of the Council, constitutes a road safety hazard or causes undue disturbance;

- (viii) ensure that the traffic flow is not impeded during their erection and servicing on public roads, unless prior permission from the Council has been obtained and the necessary precautions taken and arranged;
- (ix) in the case of wall signs, be attached only to the side and back walls of buildings which do not fulfil the function of a street or front façade of the building.

**(2) Ground signs**

- (a) Only one on-site, locality bound, freestanding ground sign per premises shall be permitted either where such a sign is necessary to facilitate the location of the entrance or access to a business premises; or where it is not reasonably possible to affix appropriate signs to the building; or where the business premises is so set back as to make proper visibility of signs on the building not feasible, or where the existence of a freestanding composite sign may prevent the proliferation of signage.
- (b) On-site, locality and non-locality bound freestanding ground signs in the form of business signs and tower structures may not exceed 7,5m in overall height and 6m<sup>2</sup> in total area. In addition, they may not exceed 4,5m<sup>2</sup> in total area in respect of any individual advertisement thereon and have a clear height of less than 2,4m. Where a more solid structure is used, the maximum area per sign may be increased to 9m<sup>2</sup> and where the sign incorporates a combination sign, the maximum area per signage structure may be increased to 12m<sup>2</sup>. Only one sign or advertising panel on a combination sign shall be allowed per enterprise per street frontage.
- (c) A remote, non-locality bound ground sign which does not have an overall height in excess of 7,5m above the ground at any point nor dimensions which exceed 6m in length and 3m in height, a total area of 18m<sup>2</sup>, shall be deemed to be of appropriate dimensions: Provided that a ground sign which has greater dimensions shall not be erected unless, in the opinion of the Council, such sign will be or is deemed to be erected or displayed in an appropriate place.
- (d) All signs erected on a monopole shall be appropriately designed so that the height of the support is proportionally not too long in relation to the size of the sign.
- (e) A maximum of 2 pylon signs per tower, bridge or pylon shall be permitted. The maximum sign area per tower may not exceed 36m<sup>2</sup>. The sign must be wholly contained within the structure and must have no projections.
- (f) Every ground sign or sign on towers, bridges and pylons shall be independently supported and properly secured to an adequate foundation and be without the aid of guys, stays, struts, brackets or other restraining devices and/or be entirely self-supporting and not dependent upon any existing structure for its support in any way.

**(3) Wall signs**

- (a) Flat signs
  - (i) Unless otherwise stipulated, flat signs shall, at no point, project more than 300mm from the surface of the wall to which they are attached. The maximum projection of any part of a flat sign shall be 100mm where the underside of such sign measures less than 2,4m from a footway or pathway immediately below it and the maximum projection shall be 300mm where the underside of such sign measures more than 2,4m above such footway or ground level.
  - (ii) On-site, locality bound flat signs shall be permitted to be attached to the front, side and back walls of buildings; remote, non-locality bound flat signs shall only be permitted to be attached to the side and back walls of buildings which do not fulfil the function of a building façade and to construction site boundary walls and fences.
  - (iii) No more than two locality bound flat signs per enterprise shall be permitted and no more than one non-locality bound flat sign per wall shall be permitted.
  - (iv) Flat signs shall not cover any windows or other external openings of a building or obstruct the view from such openings.
  - (v) Flat signs shall not exceed 54m<sup>2</sup> in total area and shall not exceed 30% of the overall area of the wall surface to which they are attached, affixed or painted, whichever is the lesser, provided that in urban landscapes of maximum control the signs may not exceed 20% of the wall surface area.
  - (vi) An environmental impact assessment shall be required for all flat signs in excess of 36m<sup>2</sup>.
- (b) Projecting signs
  - (i) The minimum clear height of a projecting sign shall be in excess of 2,4m.
  - (ii) Projecting signs shall be 300mm in maximum thickness.
  - (iii) Projecting signs shall not be allowed to extend within 600mm of the edge of a roadway.
  - (iv) The maximum projection shall be 1,5m in the case of a projecting sign which has a clear height of more than 7,5m; and 1m where the sign has a clear height of less than 7,5m.
  - (v) Projecting signs shall be installed perpendicular to the street façade or to the direction of oncoming traffic.
  - (vi) All projecting signs shall be locality bound

**(4) Roof signs**

- (a) The maximum permitted size of a roof sign shall be 18m<sup>2</sup> or 6m<sup>2</sup> per face for three-sided units: Provided that only one sign per building shall be allowed.
- (b) Roof signs shall not project in front of a main wall of a building so as to extend beyond the roof of such building in any direction.
- (c) Roof signs shall not obstruct the view or affect the amenity of any other building.
- (d) Roof signs shall be placed in such a manner so as not to interfere with the run-off of rainwater from the roof of the building.
- (e) Roof signs shall be thoroughly secured and anchored to the building on or over which they are to be erected and all structural loads shall be safely distributed to the structural members of the building without the use of guys, stays or other restraining devices.
- (f) A roof sign, including all its supports and framework, shall be constructed entirely of non-combustible materials approved by the Council or its duly authorised official/s and if illuminated, shall not be placed on or over the roof of any buildings unless such sign, as well as the entire roof construction, is of non-combustible material.

**(5) Veranda, balcony, canopy and under-awning signs**

- (a) Signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony, and beam or fascia of a veranda or balcony. Such signs may not exceed 1m in height, project beyond any of the extremities of the surface to which it is affixed, or project more than 300mm in front of the surface to which it is affixed or extend within 600mm of the edge of a roadway.
- (b) Signs may be affixed flat onto or painted on supporting columns, pillars and posts. Such signs may not project more than 50mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such column, pillar or post. Sign affixed flat onto cylindrical supporting structures shall be curved to fit the form of such structure and only one sign shall be allowed per column, pillar or post.
- (c) Subject to the provisions of subsections (a) and (b), signs shall not be allowed on or over architectural features of buildings nor shall they be allowed to cover any window or obstruct the view from any such opening.

- (d) Under-awning signs suspended below the roof of a veranda, canopy or balcony shall have a maximum sign area of 1m<sup>2</sup> per face with a maximum of 2m<sup>2</sup> in total sign area and shall not exceed 1,8m in length or 600mm in height. The allowable thickness of such signs is between 100mm and 300mm. Every such sign shall be perpendicular to the building line and fixed at a clear height of not less than 2,4m. Only one sign per enterprise façade shall be allowed with a minimum spacing of 3m centre to centre between signs. Such signs shall not extend beyond the external edges of the canopy or veranda to which it is attached.
- (e) Signs on the roof of a veranda, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut out logos and/or letter without visible bracing or support. Signs shall only be placed on top of veranda roofs where such veranda does not have an appropriate wall, railing or beam to which the sign may be affixed. All such signs shall not extend beyond the extremities of the veranda roof, canopy or balcony and only one sign per enterprise façade shall be allowed with a maximum height of 1 m.
- (f) Sunblinds and awnings shall be so made and fixed as to be incapable of being lowered to less than 2m above the footway or pavement directly beneath it. Such signs shall be parallel to the building line and placed in a manner so as not to interfere with vehicular or pedestrian traffic, traffic lights or traffic signs in any way.
- (g) Signs on adjacent buildings shall be aligned as far as possible in order to achieve a straight line or parallel configuration.
- (6) Posters, banners and flags**
- (a) Every person intending to display or cause or permit to be displayed any advertisement relating to an election or advertising any meeting, function or event of a sporting, civic, cultural, social, educational, religious, charitable, political or other similar character in any street or public place or on Council property shall first obtain the written permission of the Council.
- (b) Every application for permission shall be made on the prescribed form and be accompanied by the prescribed fee and deposit as contain in the Schedule of Advertising Sign Charges (Schedule A); such deposit shall be refunded when all the advertisements have been removed to the satisfaction of the Council. The applicant shall, on application, submit a copy of all the posters to which the application relates and written details of the streets in which the posters are to be displayed.
- (c) Any person who displays or causes a poster, banner or flag advertisement to be displayed shall comply with the following requirements to the Council's satisfaction:
- (i) Any advertisement relating to an election, meeting, function or event shall be a maximum size of 600mm high x 450mm wide; shall have a clear height of minimum 2m; and shall be securely fixed to durable hardboard or other approved backing board.
  - (ii) In the case of banners or flags, the maximum size shall be 3m<sup>2</sup>, suspended between non-corrosive pole/s or other approved support/s; and which shall be placed and fastened in such a manner so as not to constitute a danger to any vehicular traffic, pedestrian, person/s or property in any street, public place or Council property.
  - (iii) Any person/s or, in the case of election advertising, each political party displaying or causing to display any poster advertisement relating to the same meeting, function or event shall only be permitted one poster per electricity lamppost. No posters are permitted to be displayed on bridges, traffic lights, traffic signs, natural features, freeways and/or national routes.
  - (iv) Any advertisement relating to an election, meeting, function or event shall not be placed in such a manner that the content of separate advertisements when read in succession, forms a continuous relative legend.
  - (v) Any advertisement relating to a meeting, function or event other than an election, shall not be displayed for longer than 14 (fourteen) days before the day on which it begins or longer than 3 (three) days after the day on which it ends. Election advertisements may be displayed from the beginning of the day of declaration of an election to the end of the third day after the election.
  - (vi) The total number of posters displayed at any one time relating to any meeting, function or event may not exceed 100, except in special circumstances and with the consent of the Council. In the case of election advertisements, no limitation will be placed on the number of posters displayed.
  - (vii) Any advertisement relating to an election shall be on the basis of a written agreement between the Independent Electoral Commission and the relevant political party.
  - (viii) Banners approved in terms of this section may not be larger than 6m<sup>2</sup>.
  - (ix) Auction posters approved in terms of this section may not be larger than 2m<sup>2</sup>.
  - (x) Banners and flags may be applied for as directional advertising for streetscaping urban areas such as pedestrian malls and gateways or for displaying only the name, corporate symbol and nature of enterprises.
- (e) Every poster for which permission is granted shall be provided with a Council sticker or marking which shall be visibly displayed to indicate the Council's approval and the Council shall be entitled to retain one such poster for identification purposes.
- (7) Estate agents' boards and portable boards**
- (a) Every agent or person intending to display, cause or permit to be displayed any portable board, shall annually submit the prescribed, written application to the Council and pay the prescribed fee for approval of the number of portable boards specified in such application.
- (b) Any person who displays or causes any such portable board to be displayed on any Council property other than a road reserve, unless specific approval has been granted for the display on other property of the Council, shall comply with the following requirements to the Council's satisfaction:
- (i) Portable boards are only to be used for the purpose of indicating the route to the property or premises to be sold or advertised.
  - (ii) Portable boards are to be of appropriate structure and size, not exceeding 600mm<sup>2</sup>, and collectively the number of boards displayed may not, in the opinion of the Council, detract from the amenities of the streetscape or environment.
  - (iii) Subject to the provisions of the Road Traffic Act and other applicable legislation, portable boards are not to be positioned nearer than 1,8m from the edge of the roadway, and placed at such height that the lower edge of the board does not exceed 600mm above the ground.
  - (iv) Portable boards are not to be positioned nearer than 10m from any road intersection, entrance or exit from a dual carriage way or freeway as defined in the Road Traffic Act or other applicable legislation.
  - (v) Portable boards are not to be positioned so as to obstruct the view of any road traffic sign or street name sign from any portion of roadway as defined in the Road Traffic Act or other applicable legislation.
  - (vi) Portable boards are not to be positioned so as to hinder or obstruct pedestrians' right of way on a sidewalk or to unfairly prejudice other traders.
  - (vii) The display of portable boards for show-houses will only be permitted on Saturdays, Sundays and public holidays. Other approved portable boards advertising services may only be displayed during normal trading hours, hereafter they shall be removed.
  - (viii) Only one portable board per street frontage per enterprise shall be allowed to advertise services and such signs shall be placed directly in front of the advertiser's premises.



- (ix) Applicants will be required to indemnify the Council against any claims that may arise from the placement of such signs within the road reserve or on Council property and shall be required to procure third party insurance for this purpose.

**(8) Aerial advertisement**

- (a) Every person who wishes to display or cause to display an aerial advertisement, except by means of an aircraft, shall submit to the Council a written application on the prescribed form and pay the prescribed fee and such application shall be accompanied by —
- (i) particulars of the content of dimensions of the aerial advertisement and of the aerial device by means of which the advertisement is to be displayed as well as the materials used and method of construction and anchorage;
  - (ii) particulars of the intended location with a description of the premises to which the aerial device will be anchored or tethered and details of electricity and telephone poles and cables and other structures within 30m of the point of anchorage;
  - (iii) the name and address of the person/s or contractor/s displaying the aerial advertisement and the name and address of the approved competent person in attendance of the aerial device and of its owner;
  - (iv) the period and times of intended display;
  - (v) where the applicant is not the owner of the premises to which the aerial device is to be anchored or tethered, the written consent of the owner for such anchoring;
  - (vi) proof of the provision of an automatic deflation device;
  - (vii) adequate public liability insurance to the Council's satisfaction; and
  - (viii) approval and any conditions and requirements prescribed by the National Civil Aviation Authority.
- (b) No aerial advertisement shall be displayed or caused to be displayed on, from or over Council property, including any street or public place, unless approval has been granted by the Council who may impose such conditions as it deems fit.

**(9) Advertising vehicles**

- (a) Every person who wishes to display or cause to display any advertisement on an advertising vehicle shall annually submit to the Council a written application on the prescribed form and pay the prescribed fee, and such application shall be accompanied by —
- (i) particulars of the materials of which the advertising sign is made, its dimensions, and the manner of its construction and the method by which it is secured to the advertising vehicle;
  - (ii) the name, address and telephone number of the owner of the vehicle or, if the owner resides or has his place of business outside the boundaries of the Council, of the person having control over the vehicle at all times; and
  - (iii) a copy of the current vehicle licence issued in respect of such vehicle, as well as the registration as required in terms of the Road Traffic Act.
- (b) No advertising vehicle shall be placed or caused to be placed on private property or Council property, including any demarcated parking bay, in a public road or within a road reserve —
- (i) unless the prior written approval of the Council has been obtained in terms of these Bylaws and designated display site(s) have been approved in terms of these Bylaws; and
  - (ii) provided that, if no approved designated site(s) exists, advertising vehicle signs shall only be permitted to be displayed if they are mobile at all times and comply with legislation and conditions imposed by the Council.
- (c) Advertising vehicles parked on private property for the purpose of storage shall be positioned in such a manner as not to be visible from a street or public place.
- (d) The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 6m<sup>2</sup>.
- (e) Notwithstanding any provisions of these Bylaws, the Council or its authorised officials may, without prior notice, remove an advertising vehicle from Council property, and in the case of an unauthorised advertising vehicle on private property, the Council may serve notice instructing the immediate removal thereof.
- (f) Unless an advertising vehicle impounded by the Council in terms of paragraph (e) has been reclaimed within a period of three (3) months from the date of notification, such vehicle shall be disposed of by the Council to defray any costs involved. Impounded advertising vehicles shall only be released by the Council after all removal costs and fines have been paid in full and a copy of the current licence registration papers have been submitted for verification.

**13. PRESUMPTIONS**

- (1) If any person is charged with an offence in terms of these Bylaws, it shall be presumed that—
- (b) any person/s who erects or displays or who causes to be erected or displayed any advertisement or sign, whether such person/s be the applicant, the owner or the occupier of the premises, the manufacturer of any part of the signage structure or the proprietor of the undertaking or activity to which such an advertisement relates and any of their agents, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (c) any person/s, club, body or political party responsible for organising, sponsoring, promoting or in control of any meeting, function or event to which a sign, poster, election or aerial advertisement relates, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (d) any person/s whose name appears on the advertisement or sign or whose product or services are advertised on such sign shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (e) an advertisement displayed upon the exterior wall or fence constituting the apparent boundary of any premises and fronting any street or public place shall be deemed to be displayed in a street or public place;
  - (f) where any notice or other document is required by these Bylaws to be served on any person, it shall be deemed to have been properly served, within 5 (five) working days of dispatch, if served personally on him/her or any member of his household apparently over the age of sixteen years at his/her place of residence, or on any person employed by him at his place of business, or if sent by registered post to such person's residential or business address as it appears in the records of the Council, or if such person is a company, closed corporation or a trust, if served on any person employed by that company, closed corporation or trust at its registered office, or if sent by registered post to such office;
  - (g) any advertisement or sign lawfully in existence prior to the date of promulgation of these Bylaws shall be presumed to have been lawfully displayed or erected in terms of these Bylaws: Provided that it is continuously displayed or kept in position without any alteration other than a minor alteration approved in writing by the Council; and
  - (h) anything done under or in terms of any provision repealed by these Bylaws shall be deemed to have been done under the corresponding provisions of these Bylaws and such repeal shall not affect the validity of anything done under the Bylaws so repealed. Any application lodged and pending before the Council at the time of commencement of the policy and/or promulgation of these Bylaws, shall be dealt with in terms of these Bylaws.



**14. SAVINGS IN RESPECT OF EXISTING SIGNS**

The following provisions shall apply in respect of the existing signs lawfully displayed at the date of promulgation of these Bylaws:

- (1) Where any such sign complies with the provisions of these Bylaws such sign may be continued to be displayed, subject to the provisions of these Bylaws and shall be deemed to be a sign approved by the Council in terms of these Bylaws.
- (2) Where any such sign does not comply with the provisions of these Bylaws such sign may be continued to be displayed, subject otherwise to the provisions of these Bylaws: Provided that —
  - (a) if the sign is a sign to which the provisions of section 8 of these Bylaws are applicable, the Council may, without in any manner detracting from its right to require the removal of such sign, by notice in writing require the person having possession or control of such sign, to alter, modify or adjust such sign within a period of 90 (ninety) days from the date of receipt of such notice, or such longer period as the Council may specify, in order that it may be made to comply with these Bylaws.

Any such person who fails to comply with such notice, shall be guilty of an offence.

(b) No such sign shall be repainted, renovate or reconstructed, unless it is first made to comply with the provisions of these Bylaws, and the approval of the Council thereto has been obtained in terms of section 2 of these Bylaws. Any person who repaints, renovates or reconstructs any such sign in contravention of the provisions hereof, shall be guilty of an offence.

(c) The Council may, at any time after the expiration of a period of 3 (three) years from the date of the promulgation of these Bylaws by notice in writing, require the person having possession or control of any such sign (not being a sign to which the provisions of section 8 of these Bylaws are applicable) to alter, modify or adjust such sign in order that it may be made to comply with these Bylaws; or alternatively, to remove such sign, within a period of 30 (thirty) days from the date of receipt of such notice or such longer period as the Council may specify.

Any such person who fails to comply with such notice shall be guilty of an offence.

- (3) Any existing sign not lawfully displayed at the date of promulgation of these Bylaws shall be removed by the owner or person having possession or control thereof.

**15. PENALTIES**

Any person who contravenes any provision of these Bylaws shall be guilty of an offence and liable, upon conviction, to a fine or imprisonment for a period not exceeding six months or both the fine and the imprisonment.

**16. AREAS OF CONTROL**

\* Refer to Schedule B.

**17. REPEAL OF BYLAWS**

The Bylaws relating to the Control of Outdoor Advertising for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.

**SCHEDULE A:****ADVERTISING SIGN CHARGES****A. Application fees and deposits for a licence/permit for outdoor advertising**

Every person who applies to the Council for its approval or permission shall, on making application, pay to the Council the charge determined therefore and no application shall be considered until such charge has been paid; the charges are set out below:

1. A non-refundable application fee of R150.00 (One Hundred and Fifty Rand) must be tendered with each application for sign types 2 (ground signs), 3 (wall signs), 4 (roof signs) and 5 (veranda, balcony, canopy and under-awning signs). Any minor amendment to an application, considered by the duly authorised official of Council to be a minor amendment, may be submitted at a reduced application fee of R50.00 (Fifty Rand) each.
2. A non-refundable application fee of R450.00 (Four Hundred and Fifty Rand) must be tendered with each application for sign type 1 (billboards) and all non-locality bound signs in excess of 12m<sup>2</sup>.
3. The approval fee for 1 and 2 is R40.00 (Forty Rand) per square metre of advertising display or part thereof with a minimum fee of R40.00 (Forty Rand) per application.
4. A non-refundable application fee of R50.00 (Fifty Rand) must be tendered with each application for advertisements for sign types 6 (posters, banners and flags).
5. On approval of posters, the applicant must purchase non-refundable stickers from the Council which are to be clearly visible on all posters displayed as follows:
  - (a) R1.00 (One Rand) per sticker to be paid for each poster to be displayed for non-profit bodies only. These posters must display the fundraising numbers of the bodies or a formal constitution has to be submitted to the Council. No commercial advertising and logos of sponsors will be permitted to appear on such posters;
  - (b) R2.50 (Two Rand and Fifty Cents) per sticker to be paid for each poster to be displayed for religious, sporting, social, cultural, political and other events. A subordinate percentage of commercial advertising and logos of sponsors is permitted to appear on such posters; or
  - (c) R5.00 (Five Rand) per sticker to be paid for each poster to be displayed for events considered by the Council or its duly authorised officials to be primarily of a commercial nature.
6. A non-refundable application fee of R600.00 (Six Hundred Rand) per annum or part thereof must be tendered with the annual application for sign type 7 (estate agents' boards); the maximum number of boards required at any given time to be specified in such application.
7. A non-refundable application fee of R50.00 (Fifty Rand) each per annum must be tendered with the annual application for sign type 7 (portable boards or any other collapsible structure).
8. A non-refundable application fee of R200.00 (Two Hundred Rand) must be tendered with each application for sign type 8 (aerial advertisements); adequate public liability insurance for the duration of display will also need to be furnished to Council's satisfaction.
9. A non-refundable application fee of R1 200.00 (One Thousand Two Hundred Rand) per annum or part thereof must be tendered with each annual application for any sign type 9 (advertising vehicles); a certified copy of the current vehicle licence will also need to be furnished.
10. An encroachment fee of R45/m<sup>2</sup> to be paid on approval of an application for each sign type that encroaches over Council property.

**Note:** The duration of approval for all advertising signs shall be at the Council's discretion.

**B. Fines and penalties for offences and removal of advertising signs in terms of sections 9 and 14**

1. Upon conviction of a first offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months, or both the fine and imprisonment.
2. In the case of a continuing offence, the offender shall be liable to a further fine not exceeding R100.00 (One Hundred Rand) for every day during the continuance of such offence.

3. Upon conviction of a second or subsequent offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.
4. For the unauthorised display of sign types 6 (posters, banners or flags), the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months.
5. For the unauthorised display of sign types 7 (estate agents boards, portable boards or any other collapsible structure), the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months.
6. Any person contravening sections 9 and/or 14 shall upon conviction be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.

**Note:** Any advertising sign which has been removed and confiscated but not destroyed by the Council, as a result of non-compliance with these Bylaws, may be repurchased by the original owner/applicant at the cost incurred as a result of such removal and/or storage.

Furthermore, any sign/s removed and not repurchased within 60 (sixty) days of confiscation, or 3 (three) months in the case of advertising sign type 9 (advertising vehicles), shall be disposed of by the Council to defray expenses.

**SCHEDULE B:  
AREAS OF CONTROL (SECTION 16)**

	Maximum		Partial	Minimum
Natural landscape	Rural landscape	Urban landscape	Urban landscape	Urban landscape
National parks	Municipal parks	Metropolitan	Central Business	Industrial areas
Game reserves	Horticultural areas	Open Space Systems	Districts Commercial and	Industrial zones
Nature reserves	Rural smallholdings	Urban smallholdings	office components of	Transport nodes
Forestry areas	Private open spaces	All residential zones	residential amenities	Traffic corridors
Natural environments	Public open spaces	Private open spaces	Commercial enclaves	Transportation terminals
Marine reserves	Intensive agriculture	Public open spaces	in residential areas	
Beaches and sea shores	Scenic drives	Pedestrian malls	Commercial nodes and ribbon	
Oceans	Scenic routes	Pedestrian squares	Development Entertainment	
Extensive agriculture	Scenic features	Community facilities	districts or complexes	
Scenic corridors	Peri-urban and	Scenic features	Educational institutions	
Scenic landscapes	Traditional areas	Scenic drives	Sports fields and stadia	
River corridors		Gateways	Municipal/government	
Wetlands open spaces		River corridors	Mixed use and	
		Wetlands	interface areas	
		Conservation areas	Visual zones along	
		Heritage sites	urban roads/freeways	
		Historic or graded buildings and areas		

No. 53, 2005

20 October 2005

**T**HE Council of Matatiele Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following Bylaws:

**MATATIELE LOCAL MUNICIPALITY**

**WASTE MANAGEMENT BYLAWS**

**INDEX**

	<b>CHAPTER 1</b>
<b>INTERPRETATION, PRINCIPLES AND OBJECTS</b>	
	<b>CHAPTER 2</b>
<b>WASTE MANAGEMENT PLANNING, POLICY AND STRATEGY</b>	
	<b>CHAPTER 3</b>
<b>COUNCIL SERVICES</b>	
	<b>CHAPTER 4</b>
<b>COMMERCIAL SERVICES</b>	
	<b>CHAPTER 5</b>
<b>TRANSPORTATION AND DISPOSAL OF WASTE</b>	
	<b>CHAPTER 6</b>
<b>SERVICE PROVIDERS</b>	
	<b>CHAPTER 7</b>
<b>LICENSEES</b>	
	<b>CHAPTER 8</b>
<b>LITTERING, DUMPING AND ABANDONED ARTICLES</b>	
	<b>CHAPTER 9</b>
<b>ADMINISTRATIVE ENFORCEMENT PROVISIONS</b>	

## CHAPTER 10

## JUDICIAL ENFORCEMENT PROVISIONS

## CHAPTER 11

## GENERAL PROVISIONS

## CHAPTER I

## INTERPRETATION, PRINCIPLES AND OBJECTS

## 1. DEFINITIONS

(1) In these Bylaws, unless the context indicates otherwise —

“**affected person**” means a person who has been issued, or who is being issued, with an enforcement notice;

“**approved**” in the context of bins, bin liners, containers, receptacles and wrappers means approved by the Council or service provider for the collection and storage of waste;

“**authorised official**” means an authorised official authorised by the Council for purposes of these Bylaws to perform and exercise any or all of the functions and powers specified herein;

“**Bill of Rights**” means Chapter 2 of the Constitution of the Republic of South Africa, 1996;

“**bin**” means an approved receptacle for the storage of less than 1,5 cubic metres of waste which may be supplied by the Council or service provider to premises in terms of these Bylaws;

“**bin liner**” means an approved loose plastic or other suitable material liner for use in the interior of a bin;

“**building waste**” includes all waste produced during the construction, alteration, repair or demolition of any structure, and includes building rubble, earth, vegetation and rock displaced during such construction, alteration, repair or demolition;

“**bulky waste**” means business waste or domestic waste which by virtue of its mass, shape, size or quantity is inconvenient to remove in the routine door-to-door council service provided by the Council or service provider;

“**business waste**” means waste, other than hazardous waste, healthcare risk waste, building waste, industrial waste, garden waste, bulky waste and special industrial waste, generated on premises used for non-residential purposes;

“**commercial services**” means any service, excluding council services, relating or connected to accumulating, collecting, managing, recycling, sorting, storing, treating, transporting, disposing, buying or selling of waste or any other manner of handling waste;

“**container**” means an approved receptacle having a capacity greater than 1,5 cubic metres for the temporary storage of waste in terms of these Bylaws;

“**Council**” means —

(a) the Municipal Council of Matatiele Local Municipality, or its successor in title, and any committee or person to which or whom an instruction has been given or any power has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Systems Act or, where the context so requires, means the aforesaid Matatiele Local Municipality; or

(b) a service provider in respect of any power, function or duty of the Council as contemplated in paragraph (a), assigned by it for the purpose of these Bylaws to that service provider in terms of section 81(2) of the Systems Act;

“**council services**” means a municipal service relating to the collection of waste, including domestic waste, business waste and dailies, provided exclusively by the Council or service providers in accordance with the provisions of the Systems Act and Chapter 6 of these Bylaws, and which in the case of business waste extends only to waste deposited in bin liners, bins and 240 litre wheeled bins;

“**damage to the environment**” means any pollution, degradation or harm to the environment whether visible or not;

“**dailies**” means putrescible waste generated by hotels, restaurants, food shops, hospitals, and canteens that must be collected on a more frequent basis, normally a daily basis, to prevent the waste from decomposing and presenting a nuisance, environmental or health risk;

“**domestic waste**” means waste generated on premises used solely for residential purposes and purposes of public worship, including halls or other buildings used for religious purposes, but does not include business waste, building waste, garden waste or bulky waste;

“**dump**” means placing waste anywhere other than an approved receptacle or a place designated as a waste handling facility or waste disposal facility by the Council or service provider;

“**DWAF**” means the National Department of Water Affairs and Forestry;

“**enforcement notice**” means a notice issued by an authorised official under section 39 of these Bylaws;

“**environment**” means the surroundings within which humans exist made up of —

(a) the land, water and atmosphere of the earth;

(b) micro-organisms, plant and animal life;

(c) any part or combination of (a) and (b) and the interrelationships among and between them; and

(d) the physical, chemical aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“**environmental emergency**” means any unexpected or sudden occurrence that may cause or has caused serious harm to human health or damage to the environment, regardless of whether the potential for harm or damage is immediate or delayed;

“**firm**” includes any juristic person or any association of persons established or operating in the Republic of South Africa;

“**garden waste**” means waste generated as a result of normal domestic gardening activities, including grass cuttings, leaves, plants, flowers and other similar small and light organic matter, but does not include tree branches with a diameter thicker than 40mm at any point of its length, bulky waste or any waste generated as a result of garden service activities;

“**garden service**” means the provision of gardening services by a licensee including the cutting of grass, pruning of trees or any other horticultural activity including landscaping, to any domestic, business, commercial or industrial premises;

“**garden waste handling facility**” means a waste handling facility that receives and temporarily stores garden waste or any other recyclable waste;

“**hazardous waste**” means waste containing or contaminated by poison, a corrosive agent, a flammable substance having an open flash-point of less than 90°C, an explosive, radioactive material, a chemical or any other waste that has the potential even in low concentrations to have a significant adverse affect on public health or the environment because of its inherent toxicological, chemical and physical characteristics;

“**health care risk waste**” means all hazardous waste generated at health care facilities such as hospitals, clinics, laboratories, medical research institutions, dental and medical practitioners and veterinarians;

“**industrial waste**” means waste generated as a result of manufacturing, maintenance, fabricating, processing or dismantling activities, but does not include building waste, business waste, dailies, special industrial waste, hazardous waste, health care risk waste or domestic waste;

**“land reclamation”** means the planned and engineered disposal of inert or other appropriate waste for the purpose of constructing any facility or changing the natural features of any piece of land;

**“level of service”** means the frequency of the council service and the type of service point;

**“licensee”** means any person who has obtained a licence in terms of Chapter 7 of these Bylaws;

**“litter”** means any object or matter which is discarded by a person in any place except in an approved receptacle provided for that purpose or at a waste handling facility or waste disposal facility;

**“local community”** in relation to the Council means that body of persons comprising—

- (a) the residents of the Council;
- (b) the ratepayers of the Council;
- (c) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the Council; and
- (d) visitors and other people residing outside of the Council who, because of their presence in the Council, make use of services or facilities provided by the Council;

**“nuisance”** means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

**“occupier”** includes any person in actual occupation of the land or premises without regard to the title under which he occupies, and, in the case of premises let to lodgers or various tenants, includes the person receiving the rent payable by the lodgers or tenants whether for his own account or as an agent for any person entitled thereto or interested therein;

**“owner”** includes any person that has the title to any premises or land or any person receiving the rent or profits of any land or premises from any tenant or occupier thereof, or who would receive such rent or profits if such land or premises were let, whether for his own account or as an agent for any person entitled thereto or interested therein: Provided that the “owner” in respect of the premises on the Sectional Title Register opened in terms of section 12 of the Sectional Titles Act, 1986 (Act No. 95 of 1986), means the body corporate as defined in that Act, in relation to such premises;

**“person”** means natural person or firm and includes licensees;

**“pollution”** means any change in the environment caused by —

- (a) substances; or
- (b) noise, odours, dust or heat, emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state,

where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

**“premises”** means an erf or any other portion of land, including any building thereon or any other structure utilised for business, industrial or residential purposes;

**“prescribed fee”** means a fee determined by the Council by resolution in terms of section 10G(7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

**“public place”** includes any public building, public road, overhead bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden park, enclosed space vested in a Council, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;

**“public road”** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes —

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, ferry, or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

**“radioactive material”** means any substance consisting of, or containing, any radioactive nuclide, whether natural or artificial;

**“radioactive waste”** means any radioactive material which is or is intended to be disposed of as waste;

**“recyclable waste”** means waste which has been separated from the waste stream, and set aside for purposes of re-use, reclamation or recycling;

**“resident”** means in relation to a Council a person who is ordinarily resident in the Council;

**“road reserve”** means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway or that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder;

**“service delivery agreement”** means an agreement between the Council and a service provider in terms of which the service provider is required to provide council services;

**“service provider”** means any person who has entered into a service delivery agreement with the Council in terms of the Systems Act;

**“special industrial waste”** means waste consisting of a liquid, sludge or solid substance, resulting from a manufacturing process, industrial treatment or the pre-treatment for disposal purposes of any industrial or mining liquid waste, which in terms of the Council’s drainage or sanitation Bylaws may not be discharged into a drain or a sewer;

**“Structures Act”** means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“sustainable development”** means the integration of social, economic and environmental factors into planning, implementation and decision-making so as to procure that development serves present and future generations;

**“Systems Act”** means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“target”** means any desired air, water quality or waste standards contained in any legislation;

**“tariff”** means the user charge for the provision of council services, determined and promulgated by the Council or adjusted by a service provider in terms of Tariff Policy Bylaws adopted under section 75 of the Systems Act;

**“waste”** means any undesirable or superfluous matter, material, by-product or residue of any process or activity that has been discarded, accumulated or stored for the purpose of discarding, re-use, reclamation or recycling. Waste products may be liquid or solid and may include products that contain a gaseous component and may originate from domestic, commercial or industrial activities, but does not include —

- (a) matter processed as part of sanitation services under the Water Services Act (Act No. 107 of 1997);
- (b) any gas or gaseous product which may be regulated by national or provincial legislation; or

(c) any radioactive material save where these Bylaws specifically permit it to be handled;

“waste disposal facility” means any facility or site which receives waste for disposal thereof, and which is operated in terms of a permit obtained from DWAF or any other competent authority or where such a facility is an incinerator, registration or such permission as is required by law, and includes garden waste handling facilities;

“waste generator” means any person or firm that generates or produces waste;

“waste handling facility” means any facility that accepts, accumulates, handles, recycles, sorts, stores or treats waste prior to its transfer for incineration or final disposal;

“workplace” means any place within the Council on or in which or in connection with which, a person undertakes council services or commercial services; and

“wrapper” means a plastic or other suitable or approved material covering that totally encloses bales or slugs of compacted waste.

(2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

## 2. PRINCIPLES

- (1) The Council has the responsibility to ensure that all waste generated within the Council is —
  - (a) collected disposed of or recycled in accordance with these Bylaws; and
  - (b) that such collection disposal or recycling takes account of the waste management hierarchy set out in subsection (2) below.
- (2) The underlying principle of these Bylaws is to establish a waste management hierarchy in the following order of priority:
  - (a) avoidance, waste minimisation and waste reduction;
  - (b) re-use;
  - (c) recycling, reprocessing and treatment; and
  - (d) disposal.
- (3) Any official involved in the application of these Bylaws must, as far as reasonably possible, take into account the hierarchy referred to in subsection (2).

## 3. MAIN OBJECTS

- (1) The main objects of these Bylaws are —
  - (a) the regulation of the collection, disposal and recycling of waste;
  - (b) the regulation of the provision of council services by service providers and commercial services by licensees; and
  - (c) enhancing sustainable development.
- (2) In pursuing the main objects of these Bylaws, and in particular the object set out in subsection (1), the Council must —
  - (a) endeavour to ensure that local communities are involved in the development of local waste plans;
  - (b) endeavour to minimise the consumption of natural resources;
  - (c) promote the recycling and re-use of waste;
  - (d) encourage waste separation to facilitate re-use and recycling;
  - (e) promote the effective resourcing, planning and delivery of council services and commercial services;
  - (f) endeavour to achieve integrated waste planning and services on a local basis;
  - (g) promote and ensure environmentally responsible council services and commercial services; and
  - (h) endeavour to ensure compliance with the provisions of these Bylaws.

## 4. DUTY OF CARE

- (1) Every person has a duty to manage any waste generated by his activities or the activities of those persons working under his direction in such a manner that the waste does not cause harm to human health or damage to the environment. In particular —
  - (a) no person may engage in council services or commercial services in a manner that results in, or creates a risk of harm to human health or damage to the environment, except insofar as such risk of harm or damage is an unavoidable aspect of the council services or waste management service and has been authorised by the Council; and
  - (b) every person who generates waste or engages in council services or commercial services must take all reasonable measures to prevent any other person from contravening subsection (1) above in relation to that waste.
- (2) Without limiting its generality, subsection (1) applies to an owner of land, premises or equipment, a person in control of land, premises or equipment or a person who has a right to use the land, premises or equipment on which or in which —
  - (a) any activity or process is or was performed or undertaken; or
  - (b) any other situation exists, which causes, or is likely to cause, harm to human health or damage to the environment.
- (3) Any person subject to the duty imposed in subsection (1) may be required by the Council or an authorised official to take measures to ensure compliance with the duty.
- (4) The measures referred to in subsection (1) that a person may be required to undertake include —
  - (a) investigation, assessment and evaluation of the impact that their activities; the process or a situation have on the environment;
  - (b) informing and educating employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing damage to the environment;
  - (c) ceasing, modifying or controlling any act, process, situation or activity which causes damage to the environment;
  - (d) containing or preventing the movement of pollutants or other causes of damage to the environment;
  - (e) eliminating or mitigating any source of damage to the environment; or
  - (f) rehabilitating the effects of the damage to the environment.

### CHAPTER 2

#### WASTE MANAGEMENT PLANNING, POLICY AND STRATEGY

##### PART 1: LOCAL WASTE PLANS

## 5. DEVELOPMENT OF LOCAL WASTE PLANS

- (1) The Council must prepare a Local Waste Plan for the Council within one year of commencement of these Bylaws, which plan must be imple-

mented within four years of the commencement of these Bylaws. The objectives of the Local Waste Plan include —

- (a) establishing a means of ensuring that waste is collected, re-used, recycled or disposed of without causing harm to human health or damage to the environment and, in particular, without —
  - (i) risk to water, air, soil, plants or animals;
  - (ii) causing nuisance through noise or odours; or
  - (iii) adversely affecting rural or urban areas or areas of special interest;
- (b) establishing an integrated network of waste handling and waste disposal facilities to ensure that —
  - (i) comprehensive and adequate council services and commercial services are established within the Council;
  - (ii) the disposal of waste occurs at accessible waste disposal facilities; and
  - (iii) the most appropriate methods and technologies are used in order to ensure a high level of protection for and prevention of damage to the environment and harm to human health;
  - (iv) encouraging the minimisation or reduction of waste;
  - (v) promoting the recovery of waste by means of recycling or re-use through proven alternative technology; and
  - (vi) any other object which would enhance sustainable development.

## 6. SCOPE, PREPARATION AND AMENDMENT OF THE LOCAL WASTE PLAN

- (1) The Local Waste Plan includes but is not be limited to the following matters —
  - (a) population and development profiles within the Council;
  - (b) an assessment of all significant sources and generators of waste within the Council;
  - (c) an assessment of the quantities and classes of waste currently generated and projected to be generated within the Council;
  - (d) an assessment of the existing markets, council services, commercial services and waste handling and waste disposal facilities for each waste category;
  - (e) an assessment of the existing options for waste reduction, management and disposal within the Council;
  - (f) an assessment of the number of persons within the Council who are not receiving council services and proposed strategies and targets for providing these services to such persons;
  - (g) proposed strategies and targets for managing and reducing waste in the Council and for the efficient disposal of waste that cannot be re-used or recycled;
  - (h) strategies for waste education and initiatives for separating waste at its source;
  - (i) strategies for raising awareness of waste management issues;
  - (j) strategies for establishing the information system as required in section 7;
  - (k) an implementation programme that identifies the required time-frames, resources and responsibilities for achieving these strategies and targets;
  - (l) a mechanism for monitoring performance in light of these targets and strategies;
  - (m) current and anticipated waste collection, transportation, transfer and disposal costs;
  - (n) a consideration of how the Local Waste Plan relates to other relevant plans of the Council; and
  - (o) such other matters as may be required by any other legislation, regulation or guidelines.
- (2) In preparing the Local Waste Plan, the Council must —
  - (a) take into consideration any Integrated Development Plan or Land Development Objectives of the Council, and the requirements of any national or provincial legislation or policy;
  - (b) consult with the local community, as required by the Systems Act;
  - (c) take reasonable steps to bring its Draft Local Waste Plan to the notice of the local community by inviting comment thereon from members of the local community. Not less than two months must be allowed for submitting such comments, and the finalisation of the Local Waste Plan must be after considering any comment received from the local community;
  - (d) send copies of the Draft Local Waste Plan to the Minister of Environmental Affairs and the Minister of Water Affairs and Forestry, and neighbouring Municipalities for their information; and
  - (e) send a copy of the Draft Local Waste Plan to the KwaZulu-Natal Province for comment and finalise the local waste plan after considering such comment.
- (3) The Council may amend the Local Waste Plan from time to time and must review the plan at least every five (5) years. Such amendments or reviews must be conducted in consultation with the local community.
- (4) The Council must publish a report once a year on the implementation of the plan. The report must include —
  - (a) a description of activities and measures taken to achieve the objects of the plan;
  - (b) an indication of whether the objects of the plan are being achieved, and if not, and explanation of problems which have undermined the achievement of the objects;
  - (c) details of convictions under these Bylaws; and
  - (d) a description of significant incidents of dumping.

## **PART II: INFORMATION SYSTEM**

### 7. ESTABLISHMENT OF AN INFORMATION SYSTEM

- (1) The Council must establish and maintain an Information System which records how waste is managed within the Council.
- (2) The Information System may include any information relating to or connected to the management of waste within the Council.
- (3) Details regarding the implementation of the Information System will be set out in the Local Waste Plan referred to in section 6.
- (4) The local community is entitled to reasonable access to the information contained in the Information System, subject to any limitations imposed by law. In giving effect to this right, the Council must —
  - (a) at the request of a member of the local community, provide information contained in the Information System;
  - (b) take steps to ensure that the information provided is in a format appropriate for lay readers; and
  - (c) may impose a fee for providing such information in order to cover the cost of providing the information requested.

**8. PURPOSE OF THE INFORMATION SYSTEM**

- (1) The purpose of the information system is for the Council to —
  - (a) record data relating to the implementation of the Local Waste Plan and the management of waste in the Council;
  - (b) record information held by the Council in relation to any of the matters referred to in subsection (1)(a) — (e);
  - (c) furnish information upon request or as required by law to provincial and national government;
  - (d) gather information regarding potential and actual waste generators, service providers and licensees;
  - (e) provide information to waste generators, service providers, licensees and the local community in order to —
    - (i) facilitate monitoring of the performance of the Council, service providers and licensees, and, where applicable, waste generators;
    - (ii) stimulate research; and
    - (iii) assist the Council to achieve the main objects of these Bylaws.

**9. PROVISION OF INFORMATION**

- (1) The Council may, subject to the provisions of any other law including the common law require any waste generator, licensee, service provider or person involved in or associated with the provision of council services or commercial services within the Council to furnish information to the Council that may reasonably be required for the Information System. Such information may concern —
  - (a) significant sources of waste generation and the identification of the generators of waste;
  - (b) quantities and classes of waste generated;
  - (c) management of waste by waste generators;
  - (d) waste handling and waste disposal facilities;
  - (e) population and development profiles;
  - (f) reports on progress in achieving any waste management targets;
  - (g) the management of radioactive waste;
  - (h) any information which has been compiled in accordance with subsection (1);
  - (i) markets for waste by class of waste or category; and
  - (j) any other information required by legislation, regulation or guidelines.
- (2) The Council may, at its discretion, determine when and how often information must be furnished.

**10. MANNER OF ENGAGING IN WASTE MINIMISATION INITIATIVES**

Notwithstanding the need to promote waste minimisation recycling and re-use of waste, no person may undertake minimisation initiatives in such a manner that is likely to cause or to increase the risk of harm to human health or damage to the environment.

**CHAPTER 3****COUNCIL SERVICES****PART I: PROVIDING ACCESS TO COUNCIL SERVICES****11. DUTY TO PROVIDE ACCESS TO COUNCIL SERVICES**

- (1) The Council has an obligation to the local community to progressively ensure efficient, affordable, economical and sustainable access to council services.
- (2) This duty is subject to —
  - (a) the obligation of the local community to pay the prescribed fee, for the provision of council services, which must be priced in accordance with any nationally prescribed norms and standards for rates and tariffs; and
  - (b) the right of the Council to differentiate between categories of users and geographical areas when setting service standards and levels of service for the provision of council services. In exercising the right in this subsection, the Council must comply with national legislation and have regard to the factors set out in subsection (1).
- (3) The Council must take the following factors into account in ensuring access to council services:
  - (a) the waste management hierarchy set out in section 2;
  - (b) the need to use resources efficiently;
  - (c) the need for affordability;
  - (d) the requirements of operational efficiency;
  - (e) the requirements of equity; and
  - (f) the need to protect human health and the environment.

**12. THE PROVISION OF COUNCIL SERVICES**

- (1) The Council must as far as reasonably possible and subject to the provisions of these Bylaws —
  - (a) provide for the collection of domestic waste, business waste and dailies on a regular basis, which in the case of dailies requires collection on a daily basis; and
  - (b) provide recycling facilities,
 at a cost to end users determined in accordance with the prescribed fee promulgated by the Council.
- (2) In relation to council services, the Council may determine —
  - (a) the quantities of waste that will be collected;
  - (b) which residential or commercial premises require council services more frequently than the regular collection service for reasons of health, safety and environmental protection;
  - (c) the maximum amount of waste that may be placed for collection without the provision of an additional service or the imposition of an additional tariff; and
  - (d) specify requirements for the provision of waste storage areas and access to such areas in respect of new premises which are constructed after the commencement of these Bylaws.
- (3) The Council may provide, or require the generator of the waste to provide, and approved receptacle for the storage of domestic waste, business waste and dailies pending collection. Where such receptacle is provided by the Council, it remains the property of the Council.

- (4) In providing council services, the Council or service provider may determine or designate —
  - (a) collection schedules;
  - (b) locations for placing approved receptacles for collection;
  - (c) which types of waste generated by the occupier of any premises are recyclable waste and determine the conditions for their storage or collection; and
  - (d) which waste items are unsuitable for collection.
- (5) The Council or service provider may require a generator of dailies and business waste to compact that portion of the waste that is compactable. Such a requirement may be imposed where the quantity of dailies or business waste generated on premises requires daily removal of more than the equivalent of eight 240-litre bins and where, in the opinion of the Council or service provider, the major portion of such waste is compactable. The occupier of premises may elect to compact any volume of such waste and place it into an approved receptacle or wrapper approved by the Council or service provider: Provided that—
  - (a) the capacity of the wrapper must not exceed 85 litres and the mass of the wrapper and contents must not exceed 35 kilograms;
  - (b) after the waste has been compacted and put into the wrapper, it must be placed in the approved receptacle and must be stored so as to prevent damage to the wrapper or any nuisance arising until collected.
- (6) Any approved receptacle used in terms of subsection (3) may be collected, emptied and returned to the premises of the Council or service provider at such intervals as it may deem necessary.
- (7) The Council or service provider may review any decisions taken in terms of subsection (6) at any time.
- (8) The Council or service provider must notify all generators of domestic waste, business waste and dailies of any decisions taken in terms of subsections (6) or (7) in writing.

#### **PART II: USING COUNCIL SERVICES**

### **13. OBLIGATIONS OF GENERATORS OF DOMESTIC WASTE, BUSINESS WASTE AND DAILIES**

- (1) Any person generating domestic waste, business waste and dailies (other than waste which has been designated by the Council as recyclable) must place domestic waste, business waste and dailies in an approved receptacle.
- (2) No person may allow an animal in his control to interfere with, overturn or damage a receptacle, which has been placed for collection.
- (3) The occupier of premises must ensure that —
  - (a) no hot ash, unwrapped glass or other domestic waste, business waste and dailies which may cause damage to approved receptacles or which may cause injury to the Council or service provider's employees while carrying out their duties in terms of these Bylaws, is placed in approved receptacles before suitable steps have been taken to avoid such damage or injury;
  - (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render such approved receptacles unreasonably difficult for employees of the Council or service provider to handle or carry, is placed in such receptacles;
  - (c) every approved receptacle on the premises is kept closed save when waste is being deposited in it or discharged from it, and every approved receptacle is kept in a clean and hygienic condition;
  - (d) the approved receptacle delivered by the Council is not used for any purpose other than the storage of domestic waste, business waste and dailies and, in particular, that no fire may be lit in a bin or container;
  - (e) the approved receptacle is placed outside the entrance to the premises before a time and on a day of the week specified by the Council or service provider by notice to the owner or occupier of the premises, except where, on written application to the Council, the Council has indicated in writing that it is satisfied that a person is physically infirm or otherwise incapable of complying with the notice; and
  - (f) the approved receptacle, placed in accordance with subsection (3) must be undamaged and properly closed so as to prevent the dispersal of its contents.
- (4) The owner or occupier of premises must provide space and any other facilities deemed necessary by the Council or service provider on the premises for the storage of approved receptacles.
- (5) The space provided in terms of subsection (4) must —
  - (a) be in such a position on the premises as will allow the storage of approved receptacles without their being visible from a street or public place;
  - (b) where dailies are generated on the premises —
    - (i) be in such a position as will allow the collection and removal of such waste by the Council or service provider's employees without hindrance; and
    - (ii) be not more than 20m from the entrance to the premises used for the collection of waste by the Council or service provider;
  - (c) be so located as to permit convenient access to and egress from such space for the Council or service provider's waste collection vehicles;
  - (d) comply with any further reasonable requirements imposed by the Council or service provider by notice to the owner or occupier of the premises; and
  - (e) be constructed in accordance with the requirements of any applicable building regulations.
- (6) The occupier of premises must place or cause the approved receptacles to be placed in the space provided in terms of subsection (4) and must at all times keep them there, save that —
  - (a) in the case of buildings erected, or buildings, the building plans of which have been approved, prior to the coming into operation of these Bylaws, or
  - (b) in the event of the Council or service provider being unable to collect and remove waste from the space provided in terms of subsection (4),

the Council or service provider may, having regard to the avoidance of nuisance and the convenience of collection of waste, indicate a position within or outside the premises where the approved receptacles must be placed for the collection and removal of such waste and such receptacles must then be placed in such position at such times and for such period as the Council or service provider may require.

### **14. THE PRESCRIBED FEE FOR COUNCIL SERVICES**

The Council may either levy rates on property or determine tariffs (or both) for the provision of council services.

### **15. LIABILITY TO PAY FOR COUNCIL SERVICES**

- (1) The owner of premises is liable to the Council to pay the prescribed fee for the provision of council services, and is not entitled to exemption from the liability to pay the prescribed fee by reason of his not making use, or of making a partial or limited use, of council services regardless of whether the Council provides such services directly or through a service provider.



- (2) The prescribed fee becomes due and payable on the same date as the general assessment rate levied.

#### CHAPTER 4

#### COMMERCIAL SERVICES

##### *PART I: PROVISION OF COMMERCIAL SERVICES BY LICENSEES AND FLOW CONTROL*

#### 16. PROVISION OF COMMERCIAL SERVICES BY LICENSEES

- (1) Save in the case of garden waste, only a licensee may provide commercial services.
- (2) Any person requiring commercial services must satisfy himself that the contractor is licensed to collect and dispose of the category of waste that has been generated and must take reasonable steps to ensure that the relevant waste is collected and disposed of in terms of these Bylaws.

#### 17. PROVISION FOR COUNCIL CO-ORDINATION OF WASTE DISPOSAL

The Council may direct, by a notice published in the Provincial Gazette, that a category of waste be disposed of at a particular depot or disposal site. No person may dispose of such waste other than as specified in the notice gazetted under this section or as specified by the Council under other empowering legislation prior to the coming into operation of these Bylaws.

#### 18. STORAGE OF BUSINESS, INDUSTRIAL AND RECYCLABLE WASTE

- (1) The owner or occupier of premises on which business, industrial or recyclable waste is generated must ensure that until such time as such waste is collected by a licensee from the premises on which it was generated —
- the waste is stored within a bulk container or other approved receptacle; and
  - no nuisance, including but not limited to dust, is caused by the waste in the course of generation, storage, or collection.

#### 19. COLLECTION AND DISPOSAL OF INDUSTRIAL, BUSINESS AND RECYCLABLE WASTE

- (1) The owner or occupier of premises generating business, industrial and recyclable waste must ensure that —
- the container in which the waste is stored may not be kept in a public place except as required for collection;
  - the waste is collected by a licensee within a reasonable time after the generation thereof; and
  - that the service rendered by the licensee must only be in respect of that portion of the business, industrial or recyclable waste authorised in its licence.
- (2) A licensee must dispose of business, industrial or recyclable waste at a waste handling facility or waste disposal facility designated by the Council as a waste disposal facility for that purpose in terms of section 17 above and in accordance with the provisions of section 18.

##### *PART III: GARDEN WASTE AND BULKY WASTE*

#### 20. STORAGE, COLLECTION AND DISPOSAL OF GARDEN WASTE AND BULKY WASTE

- (1) The owner or occupier of the premises on which garden waste is generated may compost garden waste on the property, provided that such composting does not cause a nuisance.
- (2) The occupier of the premises on which garden waste is generated and not composted or on which bulky waste is generated must ensure that such waste is collected and disposed within a reasonable time after the generation thereof.
- (3) Any person or licensee may remove garden waste and bulky waste: Provided that once such waste has been collected from the premises on which it was generated, it is deposited at a garden waste handling facility in accordance with the provisions of section 20.
- (4) At the written request of the occupier of premises the Council or service provider may, in its sole discretion, deliver an approved receptacle for the purpose of storing garden waste in addition to any approved receptacle delivered to the premises for the storage of domestic waste. The provisions contained in section 20, read with the necessary changes, must apply, to an approved receptacle delivered in terms of this section but which is to be used for the storage of garden waste.
- (5) Where, in the course of providing council services, the Council or the service provider providing the service, is of the opinion that it would cause inconvenience to members of the public not, at the same time, to remove garden and bulky waste, the Council or service provider may remove such waste if such waste has been placed in an approved receptacle referred to in section 20 in the space designated for domestic waste, in which event the tariff for domestic waste, read with the necessary changes, must apply.

##### *PART IV: BUILDING WASTE*

#### 21. GENERATION OF BUILDING WASTE

- (1) The owner or occupier of premises on which building waste is to be generated must notify the Council, in writing, of the intention to generate building waste and of the proposed manner for its removal at least fourteen (14) days prior to the intended generation of such waste.
- (2) The owner or occupier of such premises must ensure that —
- until disposal, all building waste, together with the containers used for the storage, collection or disposal thereof, is kept on the premises on which the waste was generated;
  - the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
  - any building waste which is blown off the premises is promptly retrieved; and
  - pursuant to any instructions from the Council, any structure necessary to contain the building waste is constructed.

#### 22. STORAGE OF BUILDING WASTE

- (1) The owner or occupier of premises may apply to the Council for written consent to place an approved receptacle for the storage and collection of building waste in the road reserve for the period of such consent.
- (2) Any consent given in terms of subsection (1) may be subject to such conditions as the Council may consider necessary.
- (3) Every approved receptacle, authorised in terms of subsection (1) and used for the removal of building waste, must —
- have clearly marked on it the name, address and telephone number of the person in control of such approved receptacle;
  - be fitted with reflecting chevrons or reflectors which must completely outline the front and the back thereof; and
  - be covered at all times other than when actually receiving or being emptied of such waste so that no displacement of its contents can occur.

#### 23. COLLECTION AND DISPOSAL OF BUILDING WASTE

- (1) The owner or occupier of premises on which building waste is generated must ensure that the waste is disposed of by a licensee.
- (2) All building waste must be disposed at a waste disposal facility designated for that purpose by the Council in terms of a notice under section 23, unless the Council has given written consent for the building waste to be used for the purpose of land reclamation or for recycling.

**PART V: SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE****24. GENERATION OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) No person may carry on an activity which may cause special industrial, hazardous or health care risk waste to be generated, without notifying the Council, prior to the generation of such waste, of the composition of such waste, the estimated quantity generated, the method of storage, the proposed duration of storage, the manner in which it will be collected and disposed, and the identity of the licensee removing such waste: Provided that where such waste is being generated as a result of activities which commenced prior to the commencement of these Bylaws, the generator must notify the Council within six months of the commencement of these Bylaws.
- (2) If so required by the Council, the notification referred to in subsection (1) may be substantiated by an analysis of the composition of such waste certified by an appropriately qualified industrial chemist.
- (3) The person referred to in subsection (1) must notify the Council in writing of any changes occurring with respect to the generation, composition, quantity and method and location of disposal of the special industrial, hazardous, or health care risk waste.

**25. STORAGE OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) Any person carrying on an activity which may cause special industrial, hazardous or health care risk waste must ensure that the special industrial, hazardous or health care risk waste generated on the premises is kept and stored thereon until it is collected from the premises.
- (2) Special industrial, hazardous or health care risk waste stored on premises must be stored in such a manner that it does not become a nuisance or cause harm to human health or damage to the environment, and in accordance with the requirements of any applicable building regulations or additional Bylaws.
- (3) Special industrial, hazardous or health care risk waste must be stored in an approved receptacle for a period not exceeding any maximum period stipulated by the Council before collection.
- (4) The Council may enact additional Bylaws providing guidelines for the management of health care risk waste.

**26. COLLECTION AND DISPOSAL OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) Only licensees may transport special industrial, hazardous and health care risk waste and must do so in accordance with the requirements of the Council, stipulated as licence conditions or in additional Bylaws, in respect of the type of vehicle, the markings and manner of construction of such vehicle, procedures for safety and cleanliness, and documentation relating to the source, transportation and disposal of such waste, and the requirements of any other legislation.
- (2) A licensee licensed to collect and dispose of special industrial, hazardous or health care risk waste, must inform the Council at those intervals the Council may stipulate in the licence or elsewhere, about the removal of special industrial, hazardous or health care risk waste, the date of such removal, the quantity, the composition of the waste removed and the facility at which the waste has been disposed.
- (3) A licensee must dispose of special industrial, hazardous or health care risk waste at a waste disposal facility designated by the Council as a waste disposal facility for that purpose and in accordance with the provisions of section 25.

**CHAPTER 5****TRANSPORTATION AND DISPOSAL OF WASTE****27. TRANSPORTATION OF WASTE**

- (1) Notwithstanding the provisions of any other legislation, no person may —
  - (a) operate a vehicle for the conveyance of waste upon a street unless the vehicle has a body of adequate size and construction for the type of waste being transported;
  - (b) fail to maintain the vehicles used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times;
  - (c) cause or permit any waste being transported in or through the Council to become detached, leak or fall from the vehicle transporting it, except at a waste disposal facility;
  - (d) knowingly dispose waste at a waste disposal facility that is not permitted to accept such waste.

**28. DISPOSAL OF WASTE**

- (1) Waste generated within the Council must be disposed of at a waste disposal facility that has been permitted to accept and dispose of such waste in terms of section 17 and in accordance with the provisions of any other law regulating the disposal of waste.
- (2) No person may burn waste either in a public or private place except at an authorised incinerator operated by a licensee, or other than at a place designated by the Council for such purpose.
- (3) Notwithstanding the provisions of subsection (1), any person may dispose of those forms of recyclable waste specified by the Council in a notice in terms of section 17 or elsewhere at designated garden waste handling facilities, but may do so only if all such waste is brought to the facility in vehicles able to carry a maximum load of one tonne or less.
- (4) The disposal of waste at any waste disposal facility may, in addition to any conditions imposed by a competent authority, be subject to such conditions as the Council may from time to time specify, including the hours of opening and closing, the nature of the waste which may be disposed of, the position in any such waste disposal facility in which the waste may be placed and any other matter which the Council considers necessary to ensure the environmentally sound management of waste.
- (5) Every person who enters a waste disposal facility must —
  - (a) enter the waste disposal facility at an access point determined by the operator of the waste disposal facility;
  - (b) on request, provide the Council or the operator of the waste disposal facility with any information regarding the composition of the waste; and
  - (c) follow all instructions issued by the operator of the waste disposal facility in regard to access to the actual place where, and the manner in which, the waste should be deposited.
- (6) No person may —
  - (a) bring any liquor or intoxicating or narcotic substance onto a waste disposal facility or enter such facility in an intoxicated state;
  - (b) enter a waste disposal facility for any purpose other than the disposal of waste in terms of these Bylaws, unless authorised to do so by the operator of the waste disposal facility or the Council and then only at such times and on such conditions as the Council or operator may from time to time determine;
  - (c) dispose of waste at a waste disposal facility which is not permitted for such waste; or
  - (d) light any fire upon or near any disposal area without authorisation.
- (7) Any person who contravenes subsection (6) will be liable for all reasonable costs incurred by the Council in removing or otherwise dealing with waste improperly disposed of at a waste disposal facility.
- (8) The operator of the waste disposal facility may at any time require a vehicle or a container on a vehicle that has entered the waste disposal facility for the purposes of disposing waste to be weighed at a weighbridge.

- (9) The Council, the operator of the waste disposal facility, an authorised official or any other persons duly authorised by the Council may, at a waste disposal facility, inspect the content and nature of waste to be disposed of or processed and may take samples and test any waste found on any vehicle to ascertain its composition.
- (10) Any person contravening any of the provisions of this section may be refused entry or be removed from a disposal waste disposal facility.

#### CHAPTER 6

#### SERVICE PROVIDERS

#### 29. AGREEMENT, DELEGATION AND CUSTOMER CHARTER

- (1) The Council may discharge any of its obligations under section 29 of these Bylaws by entering into a service delivery agreement with a service provider or service providers in terms of the Systems Act.
- (2) Subject to the provisions of the Systems Act or any other legislation, the Council may assign to a service provider any power enjoyed by the Council under these Bylaws: Provided that the assignment is required for the service provider to discharge an obligation under its service delivery agreement.
- (3) Any reference in these Bylaws to "Council or service provider" should be read as the "Council" if the Council has not entered into a service delivery agreement, and should be read as "service provider" if the Council has entered into a service delivery agreement.
- (4) Service providers must provide services in accordance with a customer charter which must be drawn up in consultation with the Council and which must —
  - (a) accord with the provisions of these Bylaws;
  - (b) be accessible to the public;
  - (c) establish the conditions of the service including collection times; and
  - (d) provide for the circumstances in which council services may be limited.

#### CHAPTER 7

#### LICENSEES

#### PART I: REGISTRATION

#### 30. REGISTRATION REQUIREMENTS

- (1) Any person who provides or intends to provide commercial services within the Council must register with the Council.
- (2) Registration must be by written notification to the Council, and must specify —
  - (a) the name and the residential and postal address of the person providing commercial services, and if a company or close corporation, its registration number, names of its directors or members and the address of its registered head office;
  - (b) the nature of the waste management service provided or intended to be provided by the person;
  - (c) the scope of the service, which must specify the number of clients served or intended to be served at the time of registration, the geographical area of operation and the actual or intended capital expenditure involved, or to be involved, in rendering the service; and
  - (d) the disposal facilities it owns or intends to utilise for the disposal of waste it collects or generates.
- (3) The Council must provide proof of registration specifying the name and the residential and postal address of the registered person and describing the nature of the commercial services provided or intended to be provided by that person.
- (4) Where a person has registered in terms of subsection (1) and the person —
  - (a) acquires a firm providing commercial services;
  - (b) merges with other persons providing commercial services;
  - (c) changes ownership;
  - (d) changes juristic nature;
  - (e) changes the nature of the commercial services it provides;
  - (f) intends to cease providing such services;
  - (g) is involved in winding-up proceedings; or
  - (h) increase its gross revenue or client base in excess of 25%,
 then that person must notify the Council of that occurrence and, save in the circumstances set out in subsection (f) or (g), re-register in accordance with the provisions of subsection (4).

#### PART II: LICENCE TO PROVIDE COMMERCIAL SERVICES

#### 31. LICENCE REQUIREMENTS

- (1) Subject to section 27, no person may provide commercial services without having first obtained a licence.
- (2) Licences issued under these Bylaws —
  - (a) are personal to the licensee and incapable of cession or assignment without the prior written consent of the Council;
  - (b) are valid for the period stipulated in the licence, which period may not exceed five (5) years, and may, upon application in terms of these Bylaws, be renewed by the Council for further periods; and
  - (c) may be suspended or revoked by the Council, on grounds for suspension or revocation which must be stipulated in the licence.

#### 32. LICENCE APPLICATION

- (1) Applications for a licence to provide commercial services must be in writing on a form prescribed by the Council. The form must specify the information to be included in the application and the time available for making the application, which period must not be less than two (2) months in duration.
- (2) The Council must consider each application, having regard to the following:
  - (a) the financial, technical and managerial competency and experience of the applicant;
  - (b) the environmental, health and safety record of the applicant;
  - (c) the nature of the waste management service to be provided; and
  - (d) any other factors which the Council considers relevant.
- (3) After considering the application in terms of subsection (1), the Council must —
  - (a) approve the application by issuing a licence subject to terms and conditions; or

- (b) reject the application, which rejection must be accompanied by reasons.

### 33. LICENCE TERMS AND CONDITIONS

- (1) When issuing a licence in terms of section 33, the Council may, subject to the provisions of subsection (2), impose any licence conditions it deems reasonably necessary.
- (2) Licences issued by the Council must —
- (a) describe the geographical area of operation of the licensee;
  - (b) specify the licence period and the procedure for any licence renewal;
  - (c) specify the category or categories of waste the licensee may manage;
  - (d) contain a requirement that the licensee must comply with these Bylaws, and applicable provincial and national legislation;
  - (e) require the licensee to keep monthly records in respect of —
    - (i) the quantities of waste received, the location of the sources generating the waste, the identity of the generator and, where the licensee manages different categories of waste, the quantity of each category managed;
    - (ii) emission levels where the licensee manages a licensed incinerator;
    - (iii) any activity related to the achievement of local, provincial or national targets where such targets have been determined, and must include the results of monitoring such activity;
    - (iv) any waste minimisation or recycling activities in which the licensee is involved;
    - (v) consumer supply figures; and
    - (vi) complaints received by the public;
  - (f) require the licensee to have the appropriate property and liability insurance for any waste disposal or handling facilities owned by it in accordance with an insurance programme approved by the Council under the licence, which approval may not subject the Council to any liability if the insurance programme proves inadequate;
  - (g) permit the licensee to conduct any other business activity not regulated in the licence: Provided that any such business activity does not conflict with or adversely affect the licensee's obligations under the licence, these Bylaws or any other law, and provided that such activities are separately accounted for;
  - (h) stipulate procedures for amendment of the licence;
  - (i) stipulate circumstances under which the licence may be revoked or suspended by the Council and set out an appeals procedure;
  - (j) prescribe the payment of a licence fee;
  - (k) require the licensee to take reasonable steps to prevent his employees from committing any act or omission in the course of their employment that may cause harm to humans or damage to the environment;
  - (l) require the licensee to ensure compliance with these Bylaws and conditions by its employees, agents and sub-contractors, and ensure that sub-contractors are licensed to store, collect, transport and dispose of any waste stream that they have been contracted to manage; and
  - (m) contain any other term or condition that the Council considers relevant.

### 34. PROHIBITED CONDUCT

- (1) Licensees may not:
- (a) cease operations at a waste disposal facility without a closure plan approved by DWAF and the Department of Environmental Affairs and Tourism or any other competent authority;
  - (b) abandon a waste disposal facility or waste handling facility;
  - (c) operate in contravention of the terms and conditions of their licence;
  - (d) fail or refuse to give information, or give false or misleading information when required to do so in terms of these Bylaws;
  - (e) fail to take all reasonable steps to prevent an act or an omission by an employee where the employee is or was acting on behalf of the licensee, when such an act or omission would constitute an offence if it were the act or omission of a licensee;
  - (f) dispose of any health care risk waste otherwise than by incineration, unless prior consent has been obtained from the DWAF; or
  - (g) dispose of hazardous or special industrial waste otherwise than by disposing of it at a waste disposal facility which has been permitted for the disposal of this category of waste.

### 35. TRANSITIONAL PROVISIONS AND EXEMPTIONS

- (1) Any person lawfully providing commercial services within the Council at the time an application for a licence is made, may continue to provide commercial services while the licence application is being considered by the Council.
- (2) A Council may at its sole discretion, and having regard to the main object of these Bylaws and its Local Waste Plan, exempt any form of commercial service from the provisions of Chapter 7 of these Bylaws and must indicate the terms and scope of any exemption in a notice published in the Provincial Gazette.

## CHAPTER 8

### LITTERING, DUMPING AND ABANDONED ARTICLES

#### 36. DUTY TO PROVIDE FACILITIES FOR LITTER

- (1) The Council, or owner in the case of privately owned land, must take reasonable steps to ensure that sufficient approved receptacles are provided for the discarding of litter by the public, in any place to which the public has access.
- (2) The Council, or owner of privately owned land, must ensure that all approved receptacles installed on the premises for the collection of litter are —
  - (a) maintained in good condition;
  - (b) suitably weighted and anchored so that they cannot be inadvertently overturned;
  - (c) constructed in such a manner as to ensure that they are weatherproof and animal proof;
  - (d) of suitable size to contain all litter likely to be generated on the premises and by the users thereof;
  - (e) placed in locations convenient for the use by users or occupants of the premises to discourage littering or the unhealthy accumulation of waste; and
  - (f) emptied and cleansed periodically or when full. The emptying and cleansing of approved receptacles must be sufficiently frequent as to ensure that no receptacle or its contents may become a nuisance or provide reasonable grounds for complaint.

- (3) In any public place where an approved receptacle has been placed for the depositing of litter, the Council may put up notices about littering.

### 37. PROHIBITION OF LITTERING

- (1) No person may —
- cause litter;
  - sweep any waste into a gutter, onto a road reserve or onto any other public place;
  - disturb anything in, or remove anything from any receptacle which has been placed for the purposes of collecting litter in such a manner as to cause the contents of the receptacle to spill or fall onto the ground around it; and
  - allow any person under his control to do any of the act contemplated in paragraphs (a), (b) or (c) above.
- (2) Notwithstanding the provisions of subsection (1), the Council, or owner in the case of privately owned land to which the public has access, must within a reasonable time after any litter has been discarded, dumped or left behind, remove such litter or cause it to be removed. For the purposes of this section, a reasonable time may mean that period of time before the litter becomes a nuisance or cause for complaint.

### 38. PROHIBITION OF DUMPING AND ABANDONING ARTICLES

- (1) No person may, without authorisation, deposit or permit the depositing of any waste whether for gain or reward or otherwise, upon any land or in any building of which he is the owner or occupier except where such deposits are made in accordance with the provisions of these Bylaws.
- (2) Subject to any provisions to the contrary contained in these Bylaws, no person may leave any article or allow any article under his or her control to be left at a place with the intention of abandoning it.
- (3) No person may dump waste.
- (4) Any article, other than a motor vehicle deemed to have been abandoned in terms of section 114 of the Road Traffic Act, 1989 (Act No. 29 of 1989), which, in the light of such factors as the place where it is found, the period it has been lying at such place and the nature and condition of such article, is reasonably regarded by the Council as having been abandoned, may be removed and disposed of by the Council as it may deem fit.
- (5) The Council may remove and dispose of any article which is chained or fastened to any pole, parking meter or any other property belonging to the Council, without authorisation as it may deem fit.

## CHAPTER 9

### ADMINISTRATIVE ENFORCEMENT PROVISIONS

#### PART I: APPOINTMENT OF AUTHORISED OFFICIALS

### 39. APPOINTMENT OF AUTHORISED OFFICIALS

- (1) The Council shall appoint authorised officials who shall be vested with the power to —
- discharge the Council's right of access to premises in terms of section 101 of the Systems Act;
  - issue an enforcement notice under section 44;
  - impose an infringement notice in terms of section 45; and
  - exercise the powers of an authorised official under the Local Government Ordinance.
- (2) An authorised official is not a peace officer within the meaning of the Criminal Procedure Act and has no powers of arrest in respect of any offence created in these Bylaws.
- (3) In appointing an authorised official, the Council shall have regard to:
- a person's technical understanding and experience of matters related to waste management; and
  - any other factor that may be relevant to supervision and enforcement of these Bylaws, whether technical or administrative.
- (4) An authorised official may be an employee of the Council or any service provider of the Council: Provided that, in the latter case, there is no conflict of interest between the person's duty as an authorised official and as an employee of the service provider.
- (5) Upon appointment, authorised officials shall be issued with a means of identification by the Council (hereinafter called "an identification") which shall state the name and function of the authorised official, and must include a photograph of the officer. An authorised official, acting within the powers vested in him by these Bylaws, is required to present identification on demand by a member of the local community.

#### PART II: POWERS OF AUTHORISED OFFICIALS

### 40. POWERS TO EXECUTE WORK AND INSPECT VEHICLES AND PREMISES

- (1) In addition to the powers an authorised official has as an authorised representative of the Council under section 101 of the Systems Act or any other legislation, an authorised official, may —
- enter any land or premises to execute work or conduct an inspection in accordance with the Local Government Ordinance; and
  - may search any vehicle or other mode of conveyance with the consent of the owner or person in charge of the vehicle.
- (2) Where consent is not obtained in terms of subsection (1)(b), a vehicle or other mode of conveyance may be searched or stopped and searched.
- (3) A search conducted in terms of these Bylaws must be conducted in a manner that conforms to the requirements of the Bill of Rights and any other law and, in particular, must be conducted with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (4) To the extent that access to premises does not fall within the scope of section 101 of the Systems Act or any other legislation, an authorised official who has reasonable grounds to suspect that there is an environmental emergency and that any delay in obtaining a search warrant will cause serious harm to human health or damage to the environment may, without warrant, enter and search any premises associated with the emergency: Provided that the entry and search be conducted in conformity with the requirements of the Bill of Rights and any other law, and in particular, with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (5) Where, in the opinion of an authorised official, any search of a vehicle, as contemplated in these Bylaws, gives rise to the reasonable apprehension that the presence of waste in or on that vehicle is a serious and immediate danger to human health or to the environment, the authorised official may seize that vehicle in order to prevent, or where that is impossible, to mitigate harm to human health or damage to the environment.
- (6) In the event of the seizure of any vehicle under subsection 5 the Council must —
- forthwith take steps to dispose of such waste in order to prevent, and where that is impossible, to mitigate, harm to human health or damage to the environment; and
  - return the said vehicle, within 48 hours after disposing of such waste, to the control of the licensee or person from whose possession or control it was taken.

**41. POWERS TO QUESTION**

- (1) In order to monitor or enforce compliance with these Bylaws, the authorised official, may, subject to the requirements of the Bill of Rights, and any other law including the common law, require a licensee or any other person to disclose information, either orally or in writing, and either alone or in the presence of witnesses, on any matter to which these Bylaws relate, require that the disclosure be made on oath or affirmation.
- (2) An authorised official may be accompanied by an interpreter and any other person reasonably required to assist the authorised official in conducting the inspection.
- (3) An authorised official must, on request, provide his identification as an authorised official.

**42. SUPERVISION OF LICENSEES**

- (1) Authorised officials must inspect the workplace of a licensee not less than twice a year and an authorised official is entitled to enter the workplace of a licensee for this purpose.
- (2) Such an inspection must be conducted in conformity with the requirements of the Bill of Rights, and any other law, and in particular, an authorised official in conducting an inspection under subsection (1) must do so with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (3) If an authorised official is of the opinion, after such an inspection, that a licensee is complying with these Bylaws, he may, subject to the provisions of subsection (4), issue the licensee with a certificate confirming compliance, which must state —
  - (a) the name and residential and postal address of the licensee;
  - (b) the time, date and scope of the inspection; and
  - (c) any remarks which in the opinion of the authorised official may be relevant.
- (4) If a licensee fails to obtain a certificate confirming compliance at three inspections over a period of two (2) years, the authorised official may recommend that the Council review the licence, and should there be reasonable grounds, the Council may revoke the licence in terms of subsection (4): Provided that the consecutive inspections occur at not less than four month intervals.
- (5) Authorised officials must keep a register recording each inspection that has been undertaken.

**43. SUPERVISION OF OWNERS AND OCCUPIERS**

Owners and occupiers must keep their premises clean and free from any waste which in the opinion of an authorised official is likely to cause a nuisance, harm to human health or damage to the environment, and must take reasonable steps to prevent an employee acting in the course of their employment, from committing an act or omission that may cause a nuisance, harm to human health or damage to the environment.

**PART III: ENFORCEMENT AND INFRINGEMENT NOTICES****44. ENFORCEMENT NOTICES**

- (1) If, in the opinion of the authorised official, a person is —
  - (a) causing a nuisance, harm to human health or damage to the environment; or
  - (b) as licensee, is failing to comply with the terms of a licence granted in terms of these Bylaws; or
  - (c) as owner or occupier, failed to satisfy an obligation in terms of section 13 of these Bylaws, the authorised official may issue or cause to be issued on that person an enforcement notice in terms of this section.
- (2) An enforcement notice issued under this section must state —
  - (a) the name and also the residential and postal address, if either or both of these be known, of the affected person;
  - (b) the nature of the nuisance, harm to human health or damage to the environment that the affected person is causing or is likely to cause;
  - (c) the steps required to forestall or remediate the nuisance, harm to human health or damage to the environment in sufficient detail to enable compliance with the enforcement notice;
  - (d) that the affected person must not later than twenty-one (21) calendar days from the date on which the enforcement notice is issued take steps to comply with the notice;
  - (e) that failure to comply with the requirements of the enforcement notice within the period contemplated in paragraph (d) may result in civil liability; and
  - (f) that written representations may be made to the Council in accordance with section 47, or a designated committee or internal functionary to which powers under these Bylaws have been delegated, at a specified place, within twenty-one (21) calendar days of receipt of the notice.
- (3) If an affected person fails to comply with an enforcement notice, the Council or anyone authorised by the Council, may perform the steps required in the enforcement notice: Provided that Council does so in conformity with the requirements of the Bill of Rights and any other law, in particular, an authorised official must act with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (4) Where the Council incurs any expenditure as a result of performing such steps, the Council may recover any reasonable expenditure from the person who failed to act as directed or, where criminal proceedings have not been instituted, by means of civil proceedings.
- (5) Any licensee which commits an offence in terms of subsection (1)(b) and has, within the last five (5) years, been convicted of the same offence, may be declared a serial offender under these Bylaws and have its licence revoked immediately.

**45. INFRINGEMENT NOTICES**

- (1) If, in the opinion of the authorised official, a person is —
  - (a) contravening sections 13, 15, 18, 22, 24, 28, 30, 34, 37 or 38 of these Bylaws; or
  - (b) allowing waste other than domestic waste or dailies to remain uncollected,
 the authorised official may serve or cause to be served on that person an infringement notice in terms of this section instead of a notice contemplated in section 56 of the Criminal Procedure Act (Act No. 51 of 1977).
- (2) The infringement notice must —
  - (a) specify, at the time when the notice is issued, the name and also the residential and postal address, if either or both of these be known, of the person on whom the infringement notice is served;
  - (b) state the particulars of the infringement;
  - (c) specify the amount of the penalty payable in respect of that infringement and the place where the penalty may be paid which penalty may not exceed R5 000.00 (Five Thousand Rand); and
  - (d) inform the person on whom the infringement notice is served that, not later than twenty eight (28) calendar days after the date of service of the infringement notice, he may —

- (i) pay the penalty; or
  - (ii) inform the Council in writing that he elects to be tried in court on a charge of having committed an offence under section 45.
- (3) Where a person makes an election under subsection (d)(ii) the procedure set out in section 47 applies.

#### 46. COMPLAINTS

Any person may lodge a complaint with an authorised official, or through any other channel established by the Council, that any other person is causing harm to human health or damage to the environment by engaging in council services or commercial services, in which event the authorised official, unless he has reasonable grounds to believe that the complaint is frivolous or an abuse of the main objects of these Bylaws set out in section 3, must investigate the complaint and must, if he is satisfied that such harm is or is likely to be caused, issue an enforcement notice or infringement notice, whichever be appropriate.

#### 47. REPRESENTATIONS

- (1) Any affected person may make representations to the Council, or a designated committee or internal functionary of the Council to which the Council has delegated its powers, in the manner specified in the enforcement notice.
- (2) Representations must be made by submitting a sworn statement or affirmation to the Council, designated committee or internal functionary within twenty one (21) calendar days of the service of the notice.
- (3) Any representation not lodged within twenty one (21) calendar days must not be considered, save where the affected person has shown good cause and the Council, the designated committee or internal functionary condones the late lodging of the representation.
- (4) The Council, or designated committee or internal functionary, must duly consider the representations and any response thereto by an authorised official or any other person, if there be such a response; and may, on its own volition, conduct any further investigations to verify the facts if that, in its opinion, is necessary. If the Council, or designated committee or internal functionary, should conduct any further investigations, the results of such investigation must be made available to the affected person, who must be given an opportunity of making a further response if he so wishes, and the Council, or designated committee or internal functionary, must also consider such further response.
- (5) After the Council, or designated committee or internal functionary, is satisfied that the requirements of subsection (4) have been satisfied, the Council, or designated committee or internal functionary, must make an order in writing and give a copy of it to the affected person setting out its findings. Such an order may —
  - (a) confirm, alter or set aside in whole or in part, an enforcement notice; and
  - (b) must specify the period within which the affected person must comply with any order made by it.
  - (c) If the enforcement notice is confirmed, in whole or in part, or is altered but not set aside, the Council, or designated committee or internal functionary, must inform the affected person that he may elect to be tried in court, or must discharge the obligations set out in the enforcement notice.
- (6) If the affected person elects to be tried in court, he must notify the Council, or designated committee or internal functionary of his election within seven (7) calendar days, and on receipt of such notification by the Council, or designated committee or internal functionary, the provisions of section 48 apply.
- (7) If the affected person does not elect to be tried in court, he must discharge his obligations under the enforcement notice within the prescribed manner and time.
- (8) If the affected person lodges a representation or elects to be tried in court, any requirement in terms of section 41 of these Bylaws requiring compliance with an enforcement notice, may be suspended unless, in the opinion of the Council, the affected person has caused an environmental emergency in which event and without derogation from any right that the affected person may have, or may in the future have, at common law or under any other law, to any relief of whatever nature, the affected person must immediately comply with any such requirement on being ordered, orally or in writing, by the Council to do so.
- (9) If there is an environmental emergency and if the affected person, despite receiving a lawful order made in terms of subsection (5), fails to comply with such an order, the Council may itself cause the environmental emergency to be stopped, reversed or abated, in which event the Council may institute civil proceedings for the recovery of any reasonable and necessary expenditure which it has incurred or may incur in effecting such a stoppage, reversal or abatement.

### CHAPTER 10

#### JUDICIAL ENFORCEMENT PROVISIONS

#### 48. SERVICE OF DOCUMENTS AND PROCESS

For the purpose of the service of any notice, order or other document relating to non-payment for the provision of council services, the address of the owner of the premises on which domestic waste and dailies is generated is deemed to be the place for service of documents and process of such owner.

#### 49. SERVICE OF NOTICES

- (1) Where any notice or other document is required by these Bylaws to be served on any person other than for the purpose of criminal proceedings —
  - (a) it must be served on him personally, failing which if it be served on any member of his household, 16 years or older, who signs for the receipt of such notice at his place of residence or business; and
  - (b) if sent by registered post to the person's address as contemplated in section 48, it constitutes service in terms of section 7 of The Interpretation Act, 1957 (Act No. 33 of 1957).

#### 50. TRIAL

If a person who elects to be tried in court in terms of sections 47(6) or 47(8), notifies the Council of his election, the authorised official must within ten (10) calendar days take all necessary steps, as envisaged in the Criminal Procedure Act, 1977 (Act No. 51 of 1977), in order to secure the attendance and prosecution of the accused, in which event the enforcement notice or infringement notice must be cancelled.

#### 51. OFFENCES AND PENALTIES

- (1) Any person, including an affected person or licensee, who —
  - (a) contravenes or fails to comply with any provisions of these Bylaws;
  - (b) fails to comply with any notice issued in terms of these Bylaws; or
  - (c) fails to comply with any lawful instruction given in terms of these Bylaws; or
  - (d) who obstructs or hinders any authorised representative or employee of the Council in the execution of his or her duties under these Bylaws, is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding six (6) months.

**CHAPTER 11**  
**GENERAL PROVISIONS**

**52. OWNERSHIP**

- (1) The person holding the permit to operate a waste disposal facility is deemed to be the owner of the waste disposed at that facility.
- (2) Such operator has a right of recourse against —
  - (a) any person that causes waste to be disposed at the waste disposal facility where that person knowingly and without the knowledge of the operator disposes waste that that facility is not permitted to accept; and
  - (b) any waste generator that knowingly puts waste out for collection that is not of the category being collected.

**53. CONSOLIDATION OF BYLAWS**

- (1) Any Bylaws relating to the main objects of these Bylaws must be maintained by the Council in consolidated form together with these Bylaws, and must be made available to the public, on request.
- (2) Additional Bylaws may be enacted relating to —
  - (a) the steps and measures to be adopted in giving effect to the duty of care set out in section 4;
  - (b) the locations at which any activities relating to waste, including disposal, may be carried out;
  - (c) the separation of waste at any stage in any activity relating to waste;
  - (d) measures to promote waste minimisation;
  - (e) the implementation and operation of recycling, re-use, refundable deposit or take-back schemes;
  - (f) penalties to be prescribed for the violation of licence conditions, and
  - (g) information to be furnished to the Council.

**54. APPLICATION**

The Council may by notice in the *Provincial Gazette*, determine that the provision of these Bylaws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

**55. REPEAL OF BYLAWS**

The Bylaws relating to Waste Management for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.



**ALGEMENE KENNISGEWING — ISAZISO KUWONKEWONKE — GENERAL NOTICE**

No. 94, 2005

20 October 2005

**MUNICIPAL DEMARCATION BOARD****REDETERMINATION OF MUNICIPAL BOUNDARIES AND THE WITHDRAWAL OF THE DECLARATION OF A DISTRICT MANAGEMENT AREA IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998, READ WITH THE CONSTITUTION, THE LOCAL GOVERNMENT: CROSS-BOUNDARY MUNICIPALITIES ACT, 2000, AND THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998  
(KwaZulu-Natal/Eastern Cape)**

**I**N terms of section 22 of the Local Government: Municipal Demarcation Act, 1998, the Minister of Provincial and Local Government requested the Municipal Demarcation Board to re-determine the boundaries of certain municipalities. Details of the proposed changes were gazetted in Government Gazette No. 27937 of 19 August 2005, and the Board complied with section 26 of the Demarcation Act, 1998.

In terms of section 21(1) of Local Government: Municipal Demarcation Act, 1998, (Act No.27 of 1998) the Municipal Demarcation Board has provisionally re-determined the boundaries of Sisonke District Municipality (DC43), Matatiele Local Municipality (KZ5a3), Alfred Nzo District Municipality (DC44), O.R.Tambo District Municipality and Umzimvubu Local Municipality (EC05b2), as reflected in the Schedule and maps.

In terms of Section 6 of the Local Government: Municipal Structures Act, 1998 the declaration of the District Management Area (DCDMA44: O' Conners Camp) situated in Alfred Nzo District Municipality, is hereby withdrawn.

Any person aggrieved by the re-determination of the municipal boundaries and/or the withdrawal of the declaration, may submit objections within 30 days of publication of this notice, to:

The Municipal Demarcation Board  
Private Bag X 28  
HATFIELD  
0028  
Fax: 012-3422480  
E-mail: [robert@demarcation.org.za](mailto:robert@demarcation.org.za)

The new designations/municipal codes of the affected municipalities are published for general information.

The determination or re-determination of the boundaries of cross-boundary municipalities is subject to the concurrence of the legislatures of the provinces involved, and authorisation by national legislation.

Notice No. 1178 published in Government Gazette No. 27806 of 18 July 2005, and Notice No. 221 published in the Eastern Cape Provincial Gazette No. 1397 of 18 July 2005 are hereby amended by deleting the following in the Schedules:

DCDMA44 O' Conners Camp      Umzimvubu Local Municipality (EC05b2)      Umzimvubu Local Municipality (EC05b2)      EC05b2 : Ward 23

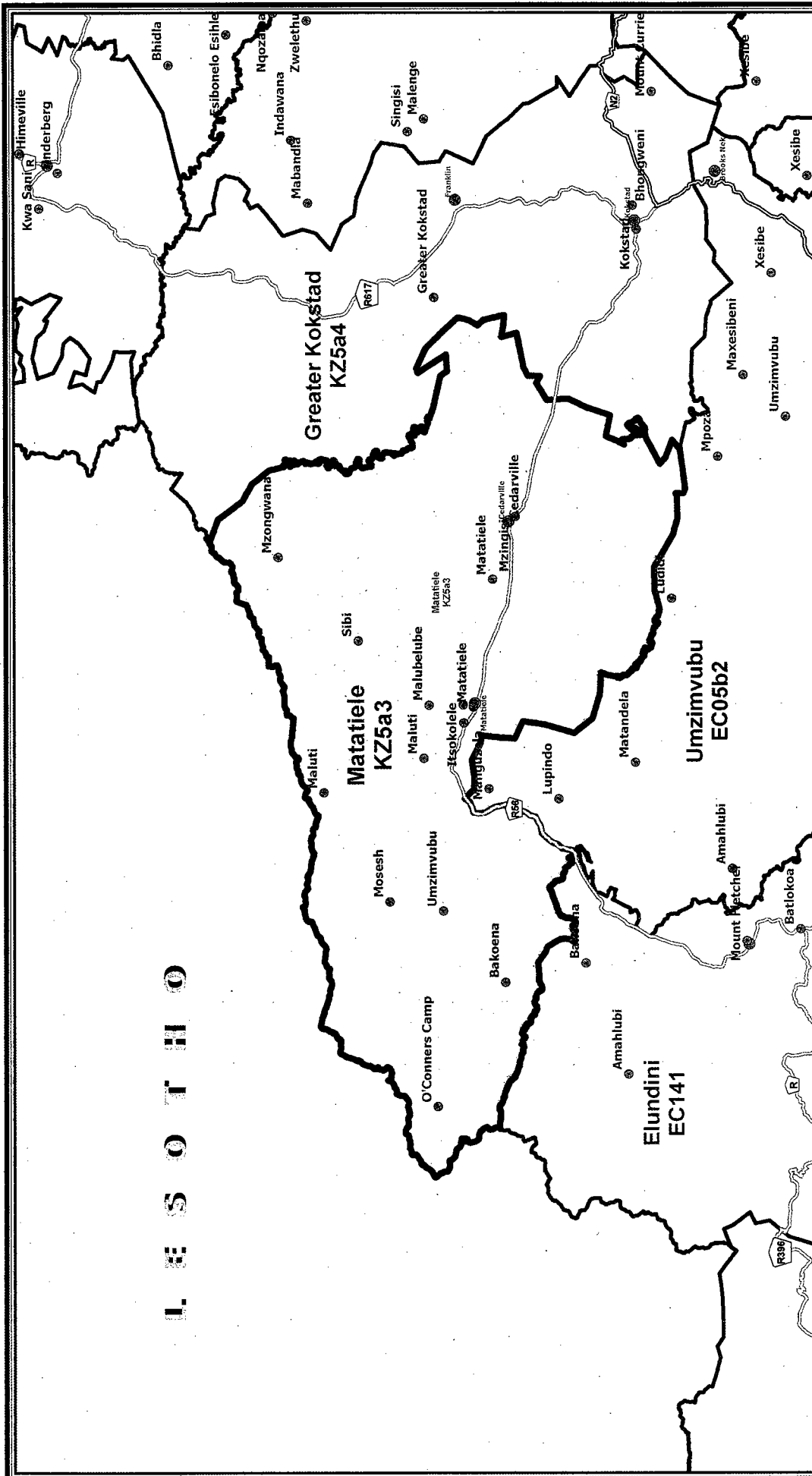
Notice No. 1620 published in Government Gazette No. 27955 of 23 August 2005, and Notice No. 244 published in the Eastern Cape Provincial Gazette No. 1412 of 23 August 2005 are hereby amended by the insertion in line 4 of the words "has decided to withdraw its determination in respect of DCDMA44 O' Conners Camp and Umzimvubu Local Municipality (EC05b2), and" after the words "Municipal Demarcation Board".











VUYO MLOKOTI  
CHAIRPERSON: MDB

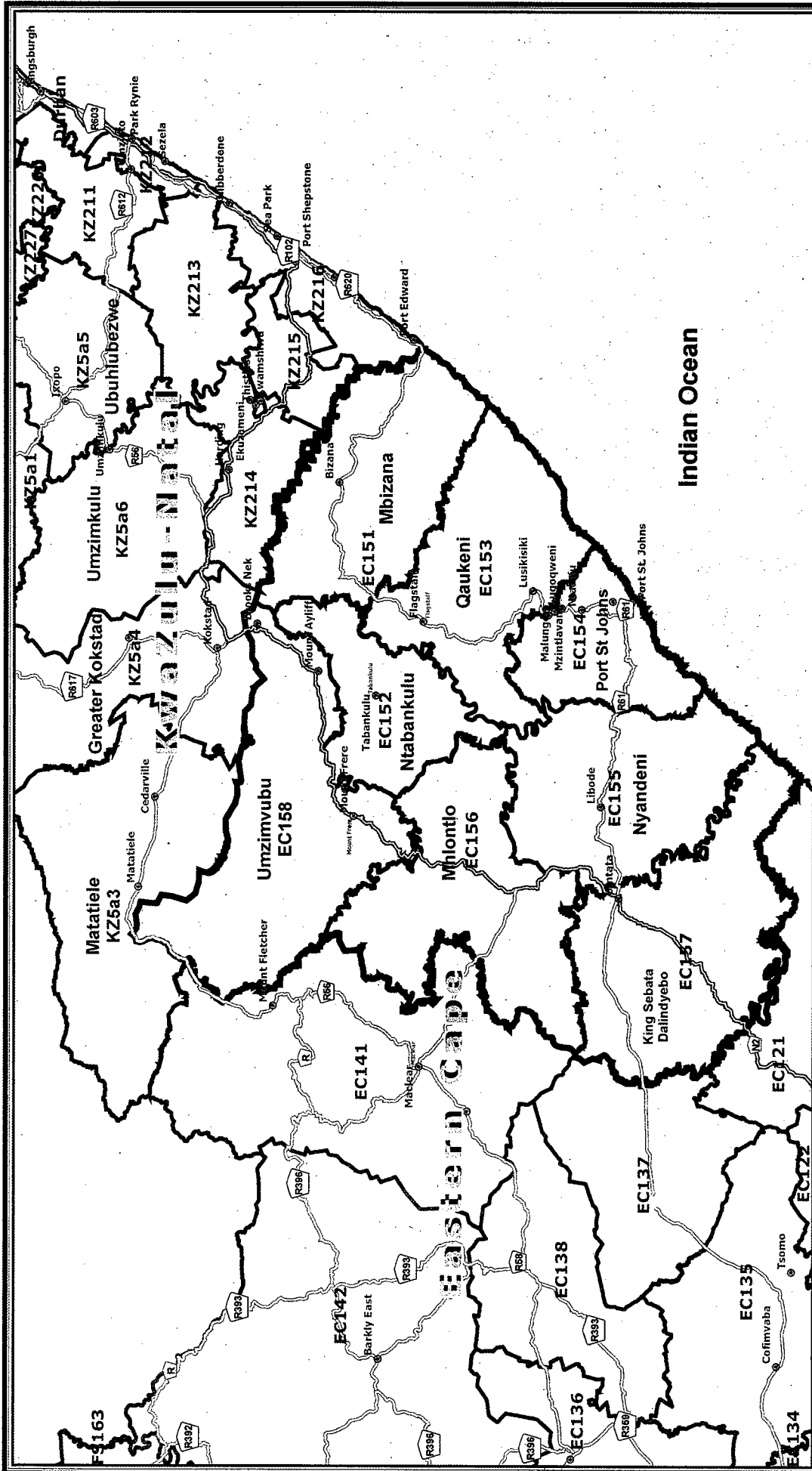
**Schedule**




Map No.	Name of municipality and existing designation/code	New designation/Code	Re-determination/Withdrawal of declaration
1	Sisonke District Municipality DC431. Umzimkulu Local Municipality (EC05b1)	(DC43) KZ5a6	1. The Maluti area, is excluded from the municipal area of Umzimvubu Local Municipality, and included into Matatiele Local Municipality in Sisonke District Municipality. 2. The declaration of the district management area (DCDMA44) is withdrawn, and the DMA is excluded from the municipal area of Alfred Nzo District Municipality and included into the municipal area of Matatiele Local Municipality in Sisonke District Municipality. 3. Umzimkulu Local Municipality is excluded from the municipal area of Alfred Nzo District Municipality (DC44), and included into the municipal area of Sisonke District Municipality (DC43). 4. Umzimvubu, excluding the Maluti area, is excluded from the municipal area of Alfred Nzo District Municipality, and included into the O.R.Tambo District Municipality.
2	Matatiele Local Municipality (KZ5a3)	KZ5a3	
3	Umzimvubu Local Municipality (EC05b2)	EC158	
4	O.R.Tambo District Municipality (DC15) DCDMA44 (O' Conners Camp)	DC15	

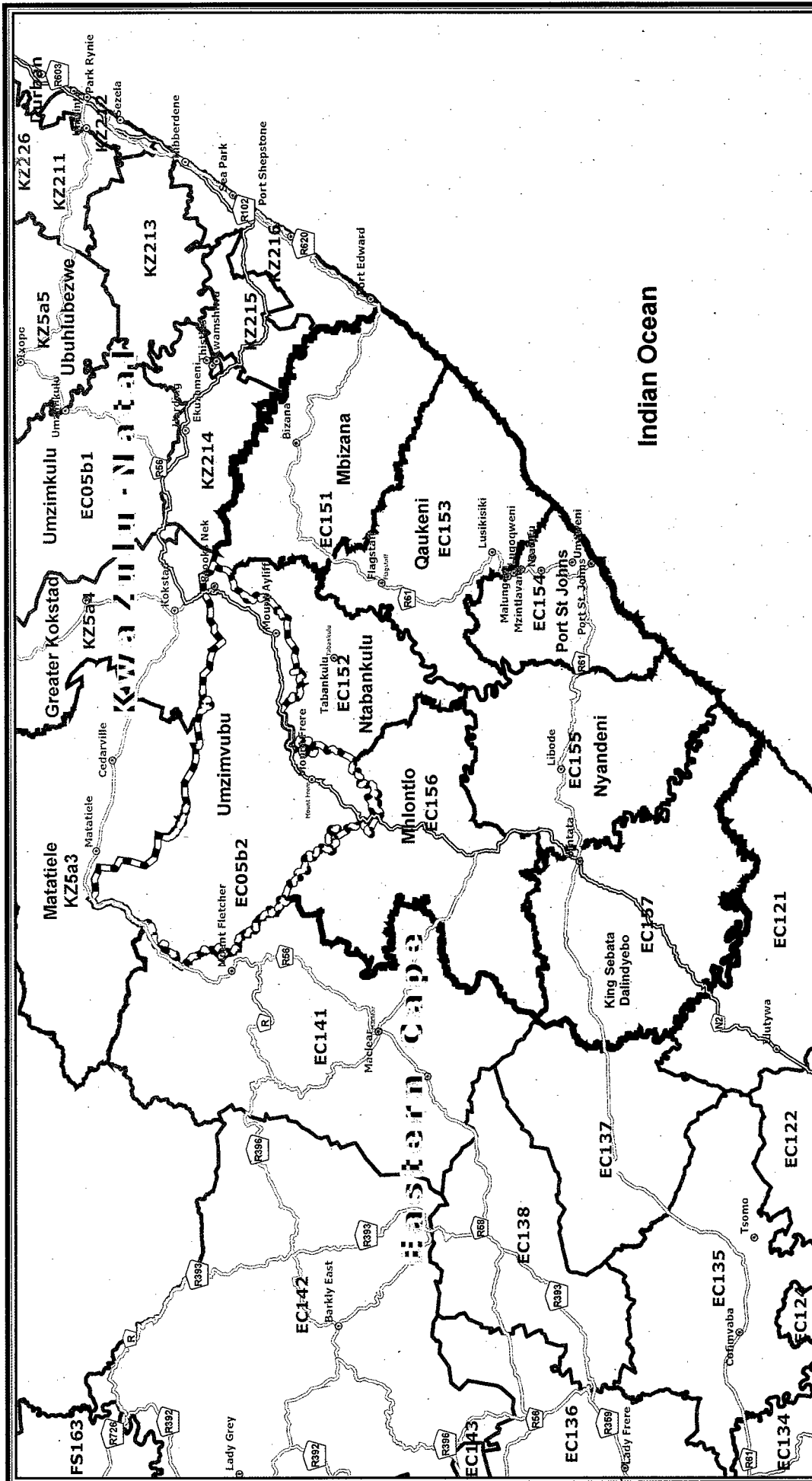




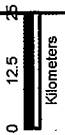


	
<p>Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at:</p> <p>Tel: (012) 342 24 81 Fax: (0120) 342 24 80                  E-mail: <a href="mailto:nic@demarcation.org.za">nic@demarcation.org.za</a>                  Website: <a href="http://www.demarcation.org.za">http://www.demarcation.org.za</a>                  Postal: Private Bag x28, Hatfield, 0028</p>	
DATE	October 2005
MAP NUMBER	2
<p>Map 2</p> <p>Re-determination of the outer boundary of Matatiele Local Municipality (KZ5a3) in terms of section 21(1) of Local Government: Municipal Demarcation Act, 1998, (Act No.27 of 1998)</p>	
	
<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Province</li> <li> District Municipality</li> <li> Local Municipality</li> <li> Area to be included</li> <li> Main Place</li> <li> National Road</li> <li> Mainroad</li> </ul>	



	
Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at: Tel: (012) 342 24 81 Fax: (0120) 342 24 80 E-mail: <a href="mailto:nic@demarcation.org.za">nic@demarcation.org.za</a> Website: <a href="http://www.demarcation.org.za">http://www.demarcation.org.za</a> Postal: Private Bag x28, Hatfield, 0028	
DATE October 2005	MAP NUMBER 3
Map 3 <b>Re-determination of the outer boundary of Umzimvubu Local Municipality (EC158) in terms of section 21(f) of Local Government: Municipal Demarcation Act, 1998, (Act No.27 of 1998)</b>	
	
<b>Legend</b> ○ Province ○ District Municipality ○ Local Municipality ○ Area to be included ● Main Place ~ National Road ~ Mainroad	



	
Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at: Tel: (012) 342 24 81 Fax: (0120) 342 24 80 E-mail: <a href="mailto:nic@demarcation.org.za">nic@demarcation.org.za</a> Website: <a href="http://www.demarcation.org.za">http://www.demarcation.org.za</a> Postal: Private Bag 228, Hatfield, 0028	
DATE	October 2005
MAP NUMBER	4
Map 4 <b>Re-determination of the outer boundary of OR Tambo District Municipality (DC15) in terms of section 21(1) of Local Government: Municipal Demarcation Act, 1998, (Act No.27 of 1998)</b>	
	
<b>Legend</b> ○ Province ○ Main Place ○ District Municipality ○ Local Municipality ○ Area to be included — National Road — Mainroad	

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Navrae moet gerig word aan:

**Provinsiale Koerant van KwaZulu-Natal, Posbus 362,  
PIETERMARITZBURG 3200.**

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**The Provincial Gazette of KwaZulu-Natal, PO Box 362,  
PIETERMARITZBURG 3200.**

**INHOUD****CONTENTS**

Dorpbeplanningskemas: Wysiging .....	3129
Dorpe: Wysiging en Opheffing van Beperkings .....	3131
Diverse .....	3132

Town Planning Schemes: Amendment .....	3129
Townships: Amendment and Removal of Restrictions .....	3131
Miscellaneous .....	3232

**DORPBEPLANNINGSKEMAS: WYSIGING/  
TOWN PLANNING SCHEMES: AMENDMENT****BIG 5 VALSBAAI MUNISIPALITEIT  
HERSONERING VAN ERF 298  
UITBREIDING 5 HLUHLUWE**

Kennisgewing geskied hiermee ingevolge die Bepalings van Aritkel 47 bis (1)(a) van die Dorpsbeplanningsordonnansie No 27 van 1949, soos gewysig, van die voorneme van Big 5 Valsbaai Munisipaliteit om die dorpbeplanningskema te wysig deur die hersonering van erf 298 uitbr. 5 vanaf Spesiale Woongebied na Algemene Woongebied soos aangedui.

Besonderhede van die voorgestelde hersonering met die toepaslike dokumente lê gedurende kantoorure te Big 5 Valsbaai Munisipale Kantore, Zebra St., Hluhluwe, vir die publiek ter insae.

Skriftelike besware teen of vertoë aangaande bogemelde aangeleentheid moet die Munisipale Bestuurder by bogemelde adres of Posbus 89, Hluhluwe, 3690, binne 21 dae vanaf datum van hierdie advertensie bereik.

**A MNGADI  
MUNISIPALE BESTUURDER**

Big 5 Valsbaai Munisipaliteit  
Posbus 89  
HLUHLUWE  
3960

D2—Oktober 20, 2005.

**BIG 5 FALSE BAY MUNICIPALITY  
REZONING OF ERF 298 EXTENSION 5  
HLUHLUWE**

Notice is hereby given in terms of Section 47 bis (1)(a) of the Town Planning Ordinance No 27 of 1949, as amended, of the intention of Big 5 false Bay Municipality to amend the Hluhluwe

Town Planning Scheme by the rezoning of erf 298 extension 5 Hluhluwe from Special Residential to General Residential.

Details of the proposed rezoning together with the relevant documents are open for inspection by the public at Big 5 False Bay Municipal Offices, Zebra St., Hluhluwe, during office hours.

Written objections against or representations concerning the above should reach the Municipal Manager at the above address or P O Box 89, Hluhluwe, 3690, within 21 days of date of this advertisement.

**A MNGADI  
MUNICIPAL MANAGER**

Big 5 False Bay Municipality  
P O Box 89  
Hluhluwe  
3960

D2—October 20, 2005.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGA ENGAPHANDLE  
EHHOVISI LEZOKUPHATHA  
IZIPHAKAMISO NGEZICHIBIYELO:  
KUSOMQULU WOKUHELLEWA  
KWEDOLOBHA OSACUTSHUNGULWAYO**  
Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo, esimayelana: Nokugula ukusetshenziswa (Rezoning) komhlaba ongunombolo 1 of erf 237 Waterfall osemg-

waqeni u 4 – 6 Link Road, Waterfall ukusetshenziswa njengendawo yokuthela upetroli usubandawo ushintshwa yogukhanda izimoto.

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 11 November 2005.

**JA FORBES  
Manager Planning and Development  
Outer West Administrative Area,**

P O Box 36  
KLOOF  
3640  
22 Delamore Road  
HILLCREST  
3610

D3—kuMfumfu 20, 2005.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE CONSOLIDATED  
TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance No. 27 of 1949, as amended that an application has been lodged with the Outer West Administrative Area to amend the consolidated Outer West town planning scheme in course of preparation by rezoning Portion 1 of erf 237 Waterfall and known as 4 – 6 Link Road, Waterfall from Petrol Filling Station to Garage.

The relevant documents are available for inspection during normal office hours at the Civic Office, Hillcrest.

Interested persons may lodge written objection or representations with the undersigned by not later than close of business on 11 November 2005.

JA FORBES  
Manager : Planning and  
Development

Outer West Administrative Area  
P O Box 36  
KLOOF  
3640  
22 Delamore Road  
HILLCREST  
3610

D3—October 20, 2005.

**UMASIPALA KWADUKUZA  
OLUNGUMHLAHLANDLELA  
WEDOLOBHA LAKE – BLYTHEDALE  
BEACH ISICHIBIYELO  
ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 bis okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi.

(i) Proposed rezoning of Erf 135, 2 Shad Place, Blythedale, from "Special Residential" purposes to "General Residential" purposes.

Bonke abafisa ukuphikisana nesicelo sokushintsha ukusetshenziswa kwendawo bangaletsha imibono yabo phambi kuka 11 kuLwezi 2005 kulelikheli elilandelayo with The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Abaphikisayo kumelobasizise umphakathi wakwa Masipala bachaze kabanzi ukuthi ikhophi yesaziso sinikwe kulowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyini-kezela ngesandla. Isikhalazo esifika sekudule ngokuyinikezela ngesandla. Isikhalazo esifika sekudule usuko olubhaliwe/ noma isikhalazo esingafrikanga kulowo osifakile isicelo ngekisibalwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholidi) kusukela ngo 08:00 ekuseni kuyaku 16:00 ntabama.

Igama Nekheli Lalowo Ofaka Isicelo

AF Planning,  
P.O. Box 234,  
Ballito, 4420,  
(Tel: 032-9460151)

D7—kuMfumfu 20, 2005.

**KWADUKUZA MUNICIPALITY  
BLYTHEDALE BEACH  
TOWN PLANNING SCHEME  
(IN COURSE OF PREPARATION):  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following proposed amendment to the Blythedale Beach Town Planning Scheme:

(i) Proposed rezoning of Erf 135, 2 Shad Place, Blythedale, from "Special Residential" purposes to "General Residential" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his/her objection on or before 11 November 2005 with: The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and/or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection from 21 October 2005.

Name and address of applicant:

AF Planning,  
P.O. Box 234,  
Ballito,  
4420,  
(Tel: 032-9460151)

D7—October 20, 2005.

**HIBISCUS COAST MUNICIPALITY  
NOTICE NO. 171 OF 2005  
MARGATE TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION:  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis of the Town Planning Ordinance No 27 of 1949, as amended, that it is the intention of the Hibiscus Coast Municipality to consider an amendment to the and Margate Town Planning Scheme (in course preparation) by:-

1. The rezoning of Erf 0747 Margate form "Special Residential 2" to "Special Zone (Office)."

A copy of the proposed amendment will be available for inspection at the Municipal Offices, Crescent Road, Uvongo, during normal office hours and anyone with sufficient interest therein may lodge written objections or representations to the Municipal Manager, P O Box 5 Port Shepstone, 4240. (Fax 039-31562236) by not later than 11 November 2005 at 16h00.

S W MKHIZE  
Municipal Offices

MUNICIPAL MANAGER  
P O Box 5  
PORT SHEPSTONE  
4240

D8—October 20, 2005.

**HIBISCUS COAST MUNICIPALITY  
NOTICE NO. 174/2005  
PROPOSED AMENDMENTS TO THE  
IMPENJATI/SOUTHBROOM AND  
MARGATE TOWN PLANNING SCHEMES  
(IN COURSE OF PREPARATION)**

Notice is hereby given in terms of Section 47 bis B (1) of the Town Planning Ordinance No 27 of 1949, as amended, that it is the intention of the Hibiscus Coast Municipality to consider amendments to the Impenjati/Southbroom and Margate Town Planning Schemes (in course of preparation) by the introduction of

- (i) a "Special Zone" to include the following uses: Medium Density Housing and a Restaurant into the Impenjati/Southbroom Town Planning Scheme, in course of preparation (Special Zone numbers to be confirmed by the Provincial Planning and Development Commission); and
- (ii) a "Special Zone (Office)" into the Margate Town Planning Scheme, in course of preparation (Special Zone numbers to be confirmed by the Provincial Planning and Development Commission);

and by the rezoning of

1. Erf 69 Trafalgar from Special Residential 1 to a "Special Zone" (Special Zone number to be confirmed by the Provincial Planning and Development Commission)
2. Erf 747 Margate from Special Residential 2 to a "Special Zone" to (Special Zone numbers to be confirmed by the Provincial Planning and Development Commission); and
3. Erf 349 Southbroom from Special Residential 4 to Special Residential 2.

A copy of the proposed amendments will be available for inspection at the Municipal Offices, Crescent Road, Uvongo, during normal office hours and anyone with sufficient interest therein may lodge written objections or representations to the Municipal Manager, P.O. Box 5, Port Shepstone, 4240 (Fax 039-31562236) by not later than 11 November 2005 at 16:00.

SW MKHIZE  
MUNICIPAL MANAGER

10 Connor Street  
P.O. Box 5  
Port Shepstone  
4240

D9—October 20, 2005.

STAD VAN uMHLATHUZE  
Kennissgewing No. 154/2005  
WYSIGING AAN DIE RICHARDSBAAI  
STADSBEPLANNINGSKEMA IN WORDING:  
HERSONERING VAN ERWE 3144, 3145,  
3146, 3147, 3148, EN 3149

(IHLOKOHLOKO STRAAT), ESIKHAWINI  
Kennis geskied hiermee ingevolge die bepalings van Artikel 47 bis (1)(a) van die Dorpsbeplanningsordonnansie No 27 van 1949, soos gewysig, van die voorneme om die aansoek ontvang vir die hersonering van Erwe 3144, 3145, 3146, 3145, 3146, 3147, 3148 en 3149 Esikhawini Blok H volgens die voorskrifte van die Richardsbaai Stadsbeplanningskema in wording, vanaf "Diensnywerheid" na "Godsdienstig".

Besonderhede van die voorgestelde wysigings en toepaslike dokumente lê ter insae by Mnr Wisdom Mpfu en kan besigtig word deur 'n afspraak te maak met Mnr W. Mpfu by 035-907 5411 (direkte lyn) of 035-907 5428 (Departemente Skakelbord) in kantoor No. D329, Munisipale Kantore, Hoek van 5 Mark Strasse en Lira Link, Richardsbaai.

Skriftelike besware teen of verhoë rakende die voorgestelde wysigings moet die Hoof Uitvoerende Beampete voor of op, Donderdag, 10 November 2005, by die volgende adres bereik.

DR A W HEYNEKE,  
Hoof Uitvoerende Beampete.

Munisipale Kantore,  
Privaatsak X1004,  
Richardsbaai 3900.

D10—Oktober 20, 2005.

**CITY OF uMHLATHUZE  
Notice No. 154/2005  
AMENDMENT TO THE RICHARDS BAY  
TOWN PLANNING SCHEME IN COURSE OF  
PREPARATION:**

**PROPOSED REZONING OF ERVEN 3144,  
3145, 3146, 3147, 3148 AND 3149  
(IHLOKOHLOKO STREET), ESIKHAWINI**

Notice is hereby given in terms of Section 47 bis (1)(a) of the Town Planning Ordinance No. 27 of 1949, as amended that the uMhlathuze Municipality is about to consider an application received for the rezoning of Erven 3144, 3145, 3146, 3145, 3146, 3147, 3148 and 3149 all of Esikhawini H section from "Service Industrial" to "Devotional".

Details of the proposed amendment together with all the relevant documents are open for inspection by prior appointment with Mr Wisdom Mpfu at 035-907 5411 (direct line) or 035-907 5428 (Departmental Switchboard) in office No. D329, Civic Centre, Corner of Mark Strasse and Lira Link Richards Bay, during office hours.

Written objections against or representations concerning the proposed amendment should reach the Chief Executive Officer on or before Thursday, 10 November 2005, at the following address:

DR A W HEYNEKE,  
Chief Executive Officer.

Civic Offices,  
Private Bag X1004  
Richards Bay 3900.

D10—October 20, 2005.

**UMKHANDLU OMKHULU WETHEKU  
ENTSHONALANGE ENGAPHANDLE  
IZIPHAKAMISO NGEZICHIBIYELO:  
KUSOMQULU WOKUHLELWA  
KWEDOLOBA ELISE NTSHONALANGA  
ENGAPHANDE**

Isaziso ngokwesigaba 47 bis B somthethowezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), ngokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu oseNtshonalanga Engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha, lase Ntshonalanga Engaphandle esimayelana nokuhlelwa kabusha ukulawula okuhlobene nokusetshenziswa kwezinto ezixubile (LOW IMPACT MIXED USE DISTRICT TWO) kuze kuvunyelwe ukusetshenziswa kwalokhu okubili okubandelayo ngokufaka isicelo esiphuthumayo okubalulwe njenge

1. Izimboni zokusebenza (Service Industry)

2. Ibhodlele sitolo (Bottle Store)  
Imibhalo neminingwano iyatholakala  
ngezikhathi zomsebenzi emahhovisi omkhandlu  
ase Hillcrest.  
Iziphakamiso nemibono ingathunyelwa  
ngaphambi komhlaka 11 November 2005.

J A FORBES  
MANAGER: PLANNING &  
DEVELOPMENT

Outer West Administrative Area  
P O Box 36  
3640 KLOOF  
22 Delamore Road  
HILLCREST

D11—October 20, 2005.

**ETHEKWINI MUNICIPALITY  
OUTER WEST ADMINISTRATIVE AREA  
AMENDMENT TO THE CONSOLIDATED  
OUTER WEST  
TOWN PLANNING SCHEME  
IN COURSE OF PREPARATION**

Notice is hereby given in terms of Section 47  
bis B of the Town Planning Ordinance No. 27 of  
1949, as amended, that an application has been  
lodged with the Outer West Administrative Area  
to amend the Consolidated Outer West Town  
Planning Scheme in course of preparation by the  
amendment of the controls relating to "LOW  
IMPACT MIXED USE DISTRICT TWO" to  
allow for the following two usages under special  
consent only.

1. Service Industry
2. Bottle Store.

The relevant documents are available for  
inspection during normal office hours at the  
Civic Office, Hillcrest.

Interested persons may lodge written objec-  
tions or representations with the undersigned by

no later than close of business on 11 November  
2005.

J A FORBES  
MANAGER: PLANNING &  
DEVELOPMENT

Outer West Administrative Area  
P O Box 36  
3640 KLOOF  
22 Delamore Road  
HILLCREST

D11—October 20, 2005.

**STAD VAN uMHLATHUZE  
HERSONERING VAN  
GEDEELTE 2 VAN ERF 622  
RICHARDSBAAI – GU:**

Kennisgewing geskied hiermee ingevolge die  
Bepalings van Artikel 47 bis (1)(a) van die  
Dorpsbeplanningsordonnansie No 27 van 1949,  
soos gewysig, van die voorneme van die Stad  
van uMhlathuze om Gedeelte 2 van Erf 622  
(± 399 m<sup>2</sup> groot) te hersoneer vanaf "Openbare  
Oop Ruimte" na "Openbare Parkeerarea" soos  
aangedui op Plan No. 6/6/(2)622.

Besonderhede van die voorgestelde hersoneer-  
ing met die toepaslike dokumente lê gedurende  
kantoorure te Kamer D329, Munisipale Kantore,  
Burgersentrum, Mark Strasse 5, Richardsbaai vir  
die publiek ter insae. (Afspraak met mnr W.  
Mpofu (tel 035 907 5000) in hierdie verband in  
noodsaaklik).

Skriftelike besware teen of verhoë aangaande  
bogemelde aangeleentheid moet die Hoof  
Uitvoerende Beamppte by bogemelde adres of  
Privaatsak X1004, Richardsbaai, 3900 binne 21  
dae vanaf datum van hierdie advertensie bereik.

DR A W HEYNEKE,  
Hoof Uitvoerende Beamppte.

Stad van uMhlathuze,  
Privaatsak X1004,  
Richardsbaai 3900.

D12—October 20, 2005.

**CITY OF uMHLATHUZE  
REZONING OF  
PORTION 2 OF ERF 622:  
RICHARDS BAY – GU:**

Notice is hereby given in terms of Section 47  
bis (1)(a) of the Town Planning Ordinance No  
27 of 1949, as amended, of the intension of the  
City of uMhlathuze to amend the provisions of the  
Richards Bay Town Planning Scheme in the  
course of preparation, by the rezoning of Portion  
2 of Erf 622 (± 399 m<sup>2</sup> in extent) from "Public  
Open Space" to "Public Car Park" as indicated  
on Plan No. 6/6/(2) 622.

Details of the proposed rezoning together with  
the relevant documents are open for inspection by  
the public at Room D329, Municipal Offices,  
Civic Centre, 5 Mark Strasse, Richards Bay, dur-  
ing office hours. (Prior appointment with Mr W.  
Mpofu (Tel. 035 907 5000) is essential)

Written objections against or representations  
concerning the above should reach the Chief  
Executive Officer at the above address or Private  
Bag X1004, Richards Bay, 3900 within 21 days  
of date of this advertisement.

DR A W HEYNEKE,  
Chief Executive Officer.

City of uMhlathuze,  
Private Bag X1004  
Richards Bay  
3900.

D12—October 20, 2005.

**DORPE: WYSIGING EN OPHEFFING VAN BEPERKINGS  
TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS**

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS  
NOTICE NO. 133  
INVITATION FOR PUBLIC COMMENT:  
APPLICATIONS FOR REMOVAL OF RESTRICTIONS RELATING TO LAND**

The Department invites the public to comment in writing on the applications for the removal of restrictions relating to land set out in the Schedule.

Comments, which may be submitted by fax or mail, must be submitted to the Department by 24 November 2005. The Department may refuse to accept comments submitted after the closing date.

Kindly include your postal address and a contact telephone number in your correspondence.

**MR G. K. SUZOR,**  
Deputy Manager:  
Development Planning (Coastal Implementation Office)  
Private Bag X54310  
Durban  
4000

**SCHEDULE**

PROPERTY DESCRIPTION, ADDRESS, DEED AND CONDITION	SCOPE OF APPLICATION	FILE REFERENCE AND CONTACT PERSON
Erf 377 Marburg Commercial Drive T11389/1975 A.(f) and B	Removal of conditions of title that requires the consent of the Governor in General if the property is alienated or hypothecated and empowers the Administrator to impose conditions if the land is disposed of to a person other than the Government or a municipality.	<b>MRS R. MBATA,</b> Tel: 031-2041791 Fax: 031-2041980 <a href="mailto:rejoice.mbatha@kznlgt.gov.za">rejoice.mbatha@kznlgt.gov.za</a> 2005/373
Erf 378 Oslo Beach Oslo Rail T28541/2002 2.(b)	Removal of condition of title that restricts the use of the property to a dwelling house	<b>MRS R. MBATA,</b> Tel: 031-2041791 Fax: 031-2041980 <a href="mailto:rejoice.mbatha@kznlgt.gov.za">rejoice.mbatha@kznlgt.gov.za</a> 2005/448
Erf 2455 Ramsgate Perch Road T68735/04 B.(c)	Removal of condition of title that restricts the use of the property to a dwelling house.	<b>MRS B. SIMAMANE,</b> Tel: 031-2041762 Fax: 031-2041980 <a href="mailto:buyisile.simamane@kznlgt.gov.za">buyisile.simamane@kznlgt.gov.za</a> 2005/898
Erf 1235 New Germany 103 Shepstone Road, New Germany T12998/1985 B. (2) and (3)	Removal of conditions of title that restrict the use of the property to a dwelling house and restrict the use of the property for commercial purposes.	<b>MR A BHYRODOYAL,</b> Tel: 031-2041791 Fax: 031-2041980 <a href="mailto:ashok.bhyrodoyal@kznlgt.gov.za">ashok.bhyrodoyal@kznlgt.gov.za</a> 2005/1091



Erf 477 Uvongo Clegg Avenue T54702/2000 C. (b) and (c)	Removal of conditions of title that imposes a minimum value of buildings to be erected on the property, requires buildings to be completed simultaneously, restricts the use of the property to a dwelling house, and restricts the use of certain types of building material.	<b>MRS R. MBATA,</b> Tel: 031-2041791 Fax: 031-2041980 rejoice.mbatha@kznlgta.gov.za 2005/1093
Remainder of Erf 41 Amanzimtoti 57 Bhengu Drive T 1185/96 1.(a) and 1.(b)	Removal of conditions of title that prohibits subdivision of the property, restricts the use of the property to a dwelling house, and prohibits the use of the property for commercial purposes or vocation purposes.	<b>MS M. CHETTY,</b> Tel: 031-2041767 Fax: 031-2041980 marge.chetty@kznlgta.gov.za 2005/1208
Erf 53 Winston Park 46 Jan Smuts Avenue T 17949/2002 I.(b)	Removal of condition of title that restricts the use of the property to a dwelling house.	<b>MR G MATHENTAMO,</b> Tel: 031-2041740 Fax: 031-2041980 godfrey.mathentamo@kznlgta.gov.za 2005/1209
Erf 108 Pumula 9 <sup>th</sup> Avenue T27747/04 3.(b), 3.(c) and 3.(e)	Removal of conditions of title that restricts the use of the property to residential purposes, restricts the use of the property to a dwelling house and imposes building line restrictions.	<b>MRS B. SIMAMANE,</b> Tel: 031-2041762 Fax: 031-2041980 buyisile.simamane@kznlgta.gov.za 2005/1213
Erf 1011 Ramsgate Fascadale Road T62464/03 4. C.(2)	Removal of condition of title that restricts the use of the property to a dwelling house.	<b>MRS R. MBATA,</b> Tel: 031-2041791 Fax: 031-2041980 rejoice.mbatha@kznlgta.gov.za 2005/1214
Rem of Erf 1810 Queensburgh 59 South Road, Escombe T 16239/85 c)1. and c)2.	Removal of conditions of title that prohibits subdivision of the property and restricts the use of the property to a dwelling house.	<b>MR G. MATHENTAMO,</b> Tel: 031-2041791 Fax: 031-2041980 godfrey.mathentamo@kznlgta.gov.za 2005/1313

G6—October 20, 2005.

## DIVERSE/MISCELLANEOUS

**APPLICATION FOR PUBLIC ROAD  
CARRIER PERMITS OR OPERATING  
LICENCES**

Notice is hereby given in terms of section 14(1)(a) of the Road transportation Act, 1977 (Act 74 of 1977) and section 37 of the National Land Transport Transition Act, 2000 (Act 22 of 2000) of the particulars in respect of application for public road carrier permits and/or operating licences received by the KZN Public Transport Licensing Board, indicating: -

- (1) The application number;
- (2) The **name and identity number** of the applicant;
- (3) **The place where the applicant conducts his business** or wishes to conduct his business, as well as his **postal address**;
- (4) The nature of the application, that is whether it is an application for: -
  - (4.1) the grant of a **new permit** or operating licence;
  - (4.2) the grant of **additional authorisation**;
  - (4.3) the **amendment of route**;
  - (4.4) the **amendment of timetables**;
  - (4.5) the **amendment of tariffs**;
  - (4.6) the **renewal** of such permit or operating licence;
  - (4.7) the **transfer** of such permit or operating licence;
  - (4.8) the **change of the name, or particulars** of the holder;
  - (4.9) the **replacement of vehicle**;
  - (4.10) the **amendment of vehicle particulars, including increase in carrying capacity in excess of fifteen percent**;
  - (4.11) an **additional vehicle with existing authorisation**;
  - (4.12) the **refinement of routes** in terms of section 85(4)(f), (g) or (5) of Act 22 of 2000 in respect of legit-

imisation or converted permits issued in terms of sections 52 or 55

- (4.13) Act 4 of 1998, read with section 41 of Act 22 of 2000; or  
the **conversion** of permits to operating licences in terms of Part 16 of Act 22 of 2000.
- (5) The **number and type of vehicles**, including the **carrying capacity** or gross vehicle mass of the vehicles involved in the application;
- (6) The **type** of public transport service envisaged, as contemplated in section 1(1)(Lxiii) of Act 22 of 2000, with regard to the transportation of persons, personal effects, or both;
- (7) The points between, picking-up and setting down points and the **route or routes** along or the area or areas within which the road transportation is conducted or the proposed road transportation is to be conducted; and
- (8) The **timetable and scale of charges** in respect of scheduled services.

In terms of section 14(2) of Act 74 of 1977, read with regulation 4 of the Road Transportation Regulations, 1977 and section 37(1) of Act 22 of 2000, written representations in quadruplicate supporting or opposing these applications must within 21 (twenty-one) days from the date of this publication, be lodged by hand with, or dispatched by registered post to:

*The Secretary, KZN Public Transport Licensing Board, Private Bag X9135, PIETERMARITZBURG. 3200.*

OR

*230 Prince Alfred Street, PIETERMARITZBURG. 3201.*

A copy of such representations must be lodged by hand with, or dispatched by registered post to, the applicant at the advertised address in (3) above.

Full particulars in respect of each application are open to inspection at the Board's office.

**SCHOLAR  
APPLICATION FOR PUBLIC ROAD  
CARRIER PERMITS OR OPERATING  
LICENCES IN RESPECT OF SCHOLAR  
TRANSPORT**

Notice is hereby given in terms of section 14(1)(a) of the Road transportation Act, 1977 (Act 74 of 1977) and section 37 of the National Land Transport Transition Act, 2000 (Act 22 of 2000) of the particulars in respect of application for public road carrier permits and/or operating licences received by the KZN Public Transport Licensing Board, indicating: -

- (1) The application number;
- (2) The **name and identity number** of the applicant;
- (3) **The place where the applicant conducts his business** or wishes to conduct his business, as well as his **postal address**;
- (4) The nature of the application, that is whether it is an application for the grant of a **new permit** or operating licence in respect of **scholar transport**.
- (5) The **number and type of vehicles**, including the **carrying capacity** or gross vehicle mass of the vehicles involved in the application;
- (6) The **type** of public transport service envisaged, as contemplated in section 1(1)(Lxiii) of Act 22 of 2000, with regard to the transportation of persons, personal effects, or both;
- (7) The points between, picking-up and setting down points and the **route or routes** along or the area or areas within which the road transportation is conducted or the proposed road transportation is to be conducted; and
- (8) The **timetable and scale of charges** in respect of scheduled services.

In terms of section 14(2) of Act 74 of 1977, read with regulation 4 of the Road Transportation Regulations, 1977 and section 37(1) of Act 22 of 2000, written representations in quadruplicate supporting or opposing these applications must within 21 (twenty-one) days from the date of this

publication, be lodged by hand with, or dispatched by registered post to:

*The Secretary, KZN Public Transport Licensing Board, Private Bag X9135, PIETERMARTITZBURG. 3200.*

OR

*230 Prince Alfred Street, PIETERMARTITZBURG. 3201.*

A copy of such representations must be lodged by hand with, or dispatched by registered post to, the applicant at the advertised address in (3) above.

(9) **These applications will be heard as from 11 NOVEMBER 2005 and applicants will be notified when to attend.**

Full particulars in respect of each application are open to inspection at the Board's office.

**OP.1272902.**

(2) BHENGU BM ID No 5402235280081. Postal address: P.O. BOX 641, ESHOWE, 3815.

(4) TRANSFER OF PERMIT, Permit No. 1281564/0 from NTULI B (93 x passengers, district: NKANDLA), Permit No. 251075/0 from NTULI B (73 x passengers, district: XALANGA), Permit No. 251074/0 from NTULI B (66 x passengers, district: XALANGA).

(7) Authority as in last mentioned permit(s).

**OP.1294698.**

(2) HADEBE SB ID No 8004085446080. Postal address: P O BOX 55333, LINK AREA, PINETOWN, 3616.

(4) TRANSFER OF PERMIT, Permit No. 1268467/1 from SKEEF GJ (15 x passengers, district: DURBAN).

(7) Authority as in last mentioned permit(s).

**OP.1296948.**

(2) KHANYILE B ID No 3907245277085. Postal address: 5 TED ROAD, FAIRMEADE, PMBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No. 1270154/0 from NDLOVU BF (15 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1299696.**

(2) NGUBANE SE ID No 7011035624089. Postal address: 41 TATHAM ROAD, PRESTBURY, PMBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No. 1259710/0 from NDLANGAMANDLA MJ (15 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1299865.**

(2) BALAKISSON Y ID No 7901115165088. Postal address: 48 TANGERINE STREET, TRENANCE PARK, VERULAM, 4340.

(4) TRANSFER OF PERMIT, Permit No. 1258965/0 from SHAIK AMOD H (15 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1301250.**

(2) BROWN CL ID No 7011050077080. Postal address: 9 ARNOLD ROAD, WINKELSPRUIT, 4126.

(4) TRANSFER OF PERMIT, Permit No. 1270660/1 from NGCOBO BX (13 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1302070.**

(2) PEMA P ID No 7705285123086. Postal address: 134 BERA ROAD, DURBAN, 4001.

(4) TRANSFER OF PERMIT, Permit No. 1261156/2 from JAICHAND D (15 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1302198.**

(2) HYPOLITE GL ID No 7507105209081. Postal address: 47 ALMOND ROAD, WOODLANDS, PIETERMARTITZBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No.

251775/4 from BUNTTING DG (12 x passengers, district: PIETERMARTITZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1302706.**

(2) DLAMINI JE ID No 5402145461086.

(3) District: DURBAN. Postal address: P O BOX 1, KWADABEKA, 3612 c/o CLERMONT & KWADABEKA TAXI OWNERS ASS 112 SHEPSTONE RD, NEW GERMANY, 3620.

(4) INCREASE IN CC FROM 15-23, Permit No. 1266750/0 from DLAMINI JE (23 x passengers, district: DURBAN).

(5) 1 x 23 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 1266750/0

AS PER ANNEXURE 1/2/3

**OP.1303844.**

(2) NHLANGULELA SR ID No 6110230496086.

(3) District: DURBAN. Postal address: BOX 471, HIGHFLATS, 3306 c/o HIGHFLATS LONG DISTANCE TAXI ASSOCIATION P O BOX 3, HIGHFLATS, 4640.

(4) INCREASE IN CC FROM 10-15, Permit No. 1269114/1 from NHLANGULELA SR (15 x passengers, district: DURBAN).

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 1269114/1

AS PER ANNEXURE 1.2.3.

**OP.1304628.**

(2) NENE B ID No 3501180205084.

(3) District: DURBAN. Postal address: P.O BOX 350, HILLCREST, 3650 c/o QADINYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS HILL, 3660.

(4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

AS PER ANNEXURE "A" ATTACHED - QADI-NYUSWA TAXI ASSOCIATION.

**QADI-NYUSWA TAXI ASSOCIATION  
DETAILED ROUTE DESCRIPTION**

**NYUSWA TO PINETOWN**

From Qadi - Nyuswa Rank - Shelele, Mgoqozi, Madedlana, Mlambo, Mkhizwane, Ezitholeni, Mathebethu, Mnamatha, Shayamoya, Sikhelekehleni, valley Trust, Qadi Extension, Botha's Hill, Old Main Road, Botha's Hill Station, Kearsney College, Mkhize Road, Assagay Road, Hillcrest Rank, Police Station, Hildene, Wiston Park, Gillits, Maytime, Kloof Shopping Centre, Field's Hill, Richmond Road, Pinetown, Anderson Taxi Rank. Pick up and drop along the way.

**PINETOWN TO NYUSWA**

From Anderson Taxi Rank - Richmond Road, Fields Hill, Kloof Shopping Centre, Maytime Gillits, Winston Park, Assagay Road, Mkhize Road, Kearsney College, Botha's Hill Station, Botha's Hill Old Main Road, Qadi Extension, Valley Trust, Sikhelekehleni, Shayamoya, Manamatha, Mathebethu, Ezitholeni, Mkhizwane, Madedlana, Mgoqozi, Mlambo, Shelele, Quad-Nyuswa Rank. Pick up and drop along the way.

**DURBAN TO NYUSWA**

From Wills Road, Lancers Road, Warwick Avenue, N3, Pavilion, Westville, Cowies Hill, Pinetown, Field's Hill, Kloof Shopping Centre, Maytime, Gillits, Wiston Park, Hildene, Police Station, Hillcrest Rank, Assagay Road, Mkhize Road, Kearsney College, Botha's Hill Station, Botha's Hill Old Main Road, Valley Trust, Qadi Extension, Sikhelekehleni, Shayamoya, Mnamatha, Mathebethu, Ezitholeni, Mkhizwane, Madedlana, Mgoqozi, Mlambo, Mbedlana, Mgoqozi, Shelele, Qadi-Nyuswa Rank. Pick up and drop along the way.

**WESTMEAD TO NYUSWA**

Alexander Road, Moss Road, Crack Road, Malcolm Road, Westmead circuit Road, Kayalami Road, Suzuka Road, Hillclimb Road,

Traford Road, Richmond Road, Fields Hill, Kloof Shopping Centre, Maytime, Gillits, Wiston Park, Hildene, Police Station, Hillcrest Rank, Assagay Road, Mkhize Road, Kearsney College, Botha's Hill Station, Botha's Hill Old Main Road, Valley Trust, Quad Extension, Sikhelekehleni, Shayamoya, Mnamatha, Mathebethu, Ezitholeni, Mkhizwane, Mbedlana, Mgoqozi, Shelele, Quad-Nyuswa Rank. Pick up and drop along the way.

**HILLCREST TO PINETOWN**

From Hillcrest Taxi Rank - Old Main Road, Police Station, Hildene, Winston Park, Gillits, Everton Road, Peasons Road, Ashley Drive, Jan Smuts Road, Alexandra Drive, Maytime, Kloof Shopping Centre, Field's Hill, Richmond Road, Anderson Road, Pinetown, Anderson Taxi Rank. Pick up and drop along the way.

**PINETOWN TO HILLCREST**

From Anderson Taxi Rank - Richmond Road, Field's Hill, Kloof shopping centre, Maytime Gillits, Winston Park, Old Main Road, Hildene, Police Station, Hillcrest Taxi Rank. Pick up and drop along the way.

**DURBAN TO HILLCREST**

From Wills Road, Lancers Road, Warwick avenue, N3, Pavillion, Westville, Cowies Hill, Pinetown, Field's Hill, Kloof Shopping Centre, Maytime, Gillits, Wiston park, Hildene, Police Station, Hillcrest Rank. Pick up and drop along the way.

**PIETERMARTITZBURG TO HILLCREST**

From Church Street, Mkondeni, Mphushini, Cato Ridge via Umlaas Road, Inchanga, Gramsay, Drummond, Alverstone, Cliffdale, Botha's Hill, Assagay Road, Hillcrest Rank. Pick up and drop along the way.

**HILLCREST TO NYUSWA**

From Hillcrest Taxi Rank - Hillcrest, Assagay, Mkhize Road, Kearsney College, Botha's Hill Station, Botha's Hill Spar, Nyuswa Reserve Road, Valley Trust, Qadi Extension, Scotchville, Shayamoya, Mnamatha, Sikhelekehleni, Mathebethu, Mbedlana, Shelele, Mgoqozi, Ezitholeni, Mlambo, Mkhizwane, Quad-Nyuswa Rank. Pick up and drop along the way.

**NYUSWA TO HILLCREST**

From Qadi- Nyuswa Rank - Mkhizwane, Mlambo, Ezitholeni, Mgoqozi, Shelele, Mbedlana, Mathebethu, Sikhelekehleni, Mnamatha, Shayamoya, Scotchville, Qadi-Extension, Valley Trust, Nyuswa Reserve Road, Botha's Hill Spar, Botha's Hill Station, Kearsney College, Mkhize Road, Assagay, Hillcrest Taxi Rank. Pick up and drop along the way

**OP.1305130.**

(2) HLONGWANA NG ID No 6410285618083. Postal address: PO BOX 11036, UMZINTO, 4200.

(4) TRANSFER OF PERMIT, Permit No. 1268092/0 from HLONGWANE JB (15 x passengers, district: DURBAN).

(7) Authority as in last mentioned permit(s).

**OP.1305559.**

(2) DLAMINI DS ID No 4811165530086. Postal address: PO. BOX 233, BERGVILLE, 3350.

(4) TRANSFER OF PERMIT, Permit No. 253797/2 from HLONGWANE NN (15 x passengers, district: BERGVILLE).

(7) Authority as in last mentioned permit(s).

**OP.1305784.**

(2) MDLETSHI M ID No 4101105484085. Postal address: P O BOX 516, KWAMBONAMBI, 3915.

(4) TRANSFER OF PERMIT, Permit No. 1269151/0 from SHEZI MSS (15 x passengers, district: DURBAN).

(7) Authority as in last mentioned permit(s).

**OP.1306108.**

(2) MAZIBUKO PM ID No 7206215429081. Postal address: P O BOX 616, EZA-KHENI, 3381.

(4) TRANSFER OF PERMIT, Permit No. 255355/6 from KHUMALO DC (15 x passengers, district: KLIP RIVER).

(7) Authority as in last mentioned permit(s).

**OP.1307595.**

(2) SIBISI JD ID No 5510090419089. Postal address: HOUSE NO 1227, WEST RIDGE PARK, NEWLANDS WEST, 4001.

(4) TRANSFER OF PERMIT, Permit No. 1267584/1 from MKHIZE BC (15 x passengers, district: DURBAN).

(7) Authority as in last mentioned permit(s).

**OP.1308960.**

(2) MAZIBUKO SM ID No 6210215482083. Postal address: 42 CORA ROAD, NORTHDALE, PIETERMARTIZBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No. 1254054/3 from SOOKDAHO SC (15 x passengers, district: PIETERMARTIZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1309243.**

(2) MZOLO TT ID No 4902195423085.

(3) District: DURBAN. Postal address: 3151 CLERMONT ROAD, CLERMONT TOWNSHIP, P O CLERNAVILLE, 3602 c/o CLERMONT & KWADABEKA TAXI OWNERS ASS 112 SHEPSTONE RD, NEW GERMANY, 3620.

(4) INCREASE IN CC FROM 15-19, Permit No. 1267835/0 from MZOLO TT (19 x passengers, district: DURBAN).

(5) 1 x 19 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 1267835/0

AS PER ANNEXURE 1/2/3

**OP.1309465.**

(2) MCHUNU MA ID No 4707085315089.

(3) District: PIETERMARTIZBURG. Postal address: P O BOX 783 CLERNAVILLE, 3602 c/o CLERMONT & KWADABEKA TAXI OWNERS ASS 112 SHEPSTONE RD, NEW GERMANY, 3620.

(4) INCREASE IN CC FROM 15-20, Permit No. 1257758/0 from MCHUNU MA (20 x passengers, district: PIETERMARTIZBURG).

(5) 1 x 20 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 1257758/0

AS PER ANNEXURE 1/2/3

**OP.1309538.**

(2) ZONDI SV ID No 4603165547081. Postal address: P O BOX 72002, KWADEDA, TAYLORS HALL, 3200.

(4) TRANSFER OF PERMIT, Permit No. 254964/1 from NGCOBO SJV (15 x passengers, district: PIETERMARTIZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1309581.**

(2) SAMPSON DS ID No 8004155091089. Postal address: 21 MULBERRY ROAD, WOODLANDS, PMBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No. 251427/3 from SAMPSON J (14 x passengers, district: PIETERMARTIZBURG).

(7) Authority as in last mentioned permit(s).

**OP.1309679.**

(2) SITHOLE RM ID No 6112245581084.

(3) District: ESTCOURT. Postal address: BOX 248, LOSKOP, 3330 c/o AMANGWE & BHEKUZULU TAXI ASSOCIATION P O BOX 1357, ESTCOURT, 3310.

(4) INCREASE IN CC FROM 12-15, Permit No. 1252104/1 from SITHOLE RM (15 x passengers, district: ESTCOURT).

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 1252104/1

AS PER ANNEXURE 1,2,3

**OP.1310262.**

(2) NGUBANE FM ID No 7305025344082.

(3) District: DURBAN. Postal address: INTUTHUKO STORE, P O BOX 59, BOTHAS HILL, 3660 c/o QADI/NYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS

HILL, 3660.

(4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

SAME AS ANNEXURE "ON APPLICATION 1304628 - QADI-NYUSWA TAXI OWNERS ASSOCIATION.

**OP.1310263.**

(2) PHEWA D ID No 4409175429082.

(3) District: DURBAN. Postal address: P O BOX 14471, BOTHASHILL, 3660 c/o QADI/NYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS HILL, 3660.

(4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

SAME AS ANNEXURE "A" ON APPLICATION 1304628 - QADI-NYUSWA TAXI OWNERS ASSOCIATION.

**OP.1310506.**

(2) MWELASE JJ ID No 6110265390089.

(3) District: DURBAN. Postal address: PO BOX 390, BOTHAS HILL, 3660 c/o QADI/NYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS HILL, 3660.

(4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

SAME AS ANNEXURE "A" ON APPLICATION 1304628 - QADI-NYUSWA TAXI OWNERS ASSOCIATION.

**OP.1311575.**

(2) NENE A ID No 3905085146082.

(3) District: LOWER UMFOLOZI. Postal address: P.O. BOX 21, KWAD-LANGEZWA, 3886.

(4) INC IN CC FROM 33- 65, Permit No. 1281608/0 from NENE A (65 x passengers, district: LOWER UMFOLOZI).

(5) 1 x 65 passengers.

(6) The conveyance of persons on a particular bus route.

(7) Authority:

Permit No. 1281608/0

SCHOLARS AND THEIR PERSONAL EFFECTS:

FROM THE PARKING AREA ABOVE BHEKUZULU HALL, UNIVERSITY OF ZULULAND CAMPUS, KWADLANGEZWA TO THE ROAD LEADING TO EZIKHAWINI, RIGHT INTO N2, LEFT INTO OFF-RAMP TO UMLAZI, RIGHT INTO OLD SOUTH COAST ROAD INTO MAGOSUTHU HIGHWAY AND INTO THE UNIVERSITY OF ZULULAND AND RETURN ALONG THE SAME ROUTE.

**OP.1311761.**

(2) SITHOLE DR ID No 5702115718088.

(3) District: DURBAN. Postal address: P O BOX 127, ENGOZINI, KWANGWANASE, 3973 c/o KWANGWANASE TAXI ASSOCIATION P.O. BOX 494, KWANGWANASE, 3970.

(4) NEW APPLICATION.

(5) 1 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

AS PER ANNEXURE "A" ATTACHED - KWANGWANASE TAXI OWNERS ASSOCIATION.

**KWANGWANASE TAXI OWNERS ASSOCIATION  
DETAILED ROUTE DESCRIPTION**

**ROUTE 1  
LONG DISTANCE  
FROM KWANGWANASE TO DURBAN  
TAXI RANK:**

Take R22/5 West Road straight to Phelandaba Cycle, turn left into R22 via Ngutshane via Mseleni via Mbazwana via Lower Mkuze, Mduku, via Hluhluwe straight to West Road and turn left to N2 South via Mfekayi, Mtubatuba, via Mbonambi, via Nseleni straight to N2 turn right to R102 via Empangeni, Mtunzini,

Gingindlovu, via Mandeni and drop off via Stanger and return to R102 to Durban to Ballito, take M4 Stanger Road to Durban via Umhlanga to the robot near the casino, take Argyle Street over Train Bridge, turn left to R102 Umgeni Road via Durban Station to YMCA Taxi Rank and return via the same route.

**ROUTE 2**

**FROM KWANGWANASE TO EMPAN-  
GENI "B" TAXI RANK**

Take R22/5 West Road straight to Phelandaba Cycle and continue to R522/5 via Skhemelele and over Pongola River via Makwakwa Boom Gate via Bhambanana and turn left to R522/1 to Jozini via Nkonkoni and turn left to N2 South straight, N2 via Mkuze via Bayala Hotel via Hluhluwe via Mtubatuba via Mbonambi via Nseleni, straight to N2

Y-junction turn right to R102 straight to the second robot turn left and take right to Tanner Road, straight turn left to "B" Rank and return via the same route.

**ROUTE 3**

**LONG DISTANCE  
FROM KWANGWANASE TAXI RANK TO  
MKUZE TAXI RANK**

Take R22/5 West Road straight to Phelandaba Cycle and proceed to R522/5 West via Scabazini via Skhemelele via Makwakwa via Bhambanana, turn left to R522/1 via Jozini via Nkonkoni, turn left to N2 South, drive 12 kilometers and turn left to Mkuze Taxi Rank and return via the same route.

**ROUTE 4**

**FROM KWANGWANASE TAXI RANK TO  
INGWAVUMA TAXI RANK**

Take R225/5 West Road via Phelandaba Cycle, take R522/5 straight to Scabazini via Skhemelele via Makwakwa, Bhambanana and proceed straight to Ingwavuma Road via Ntabayengwe to the Ingwavuma Taxi Rank and return.

**ROUTE 5**

**PICK AND DROP  
FROM SHORT DISTANCE (LOCAL)  
FROM KWANGWANASE TAXI RANK TO  
SKHEMELELE MIN. RANK**

Take R22/5 West Road via Zangomeni via Nonwayiza via Phelandaba Cycle and proceed straight to R522/5 via Scabazini, Sihangwana via Mtikini and Skhemelele and return on the same route.

**ROUTE 6**

**FROM KWANGWANASE TAXI RANK TO  
EMATEKENYENI MIN. RANK**

Take R22/5 West Road via Phelandaba Cycle and proceed straight to R522/5 via Scabazini via Shangwana, Mtikini, turn right to D1861 to Kwandaba, Bhekabantu, Matekenyana direct and return on the same route.

**ROUTE 7**

**FROM KWANGWANASE TAXI RANK TO  
EPHONDWENI MARKET**

Take R22/5 West Road via Phelandaba Cycle and proceed straight to R522/5 via Scabazini via Sihangwana via Mtikini, Skhemelele, turn right to D1894 via Ndaba Clinic, Ophondweni Market direct and return via the same route.

**ROUTE 8**

**FROM KWANGWANASE TAXI RANK TO  
EMBOZA**

Take R22/5 West Road via Phelandaba Cycle and proceed straight to R522/5 via Scabazini, Shangwana, Mtikini, Skhemelele, turn left to D1834 Luwane via Zama Zama and Mboza direct and return via the same route.

**ROUTE 9**

**FROM KWANGWANASE TAXI RANK TO  
MBAZWANA TAXI RANK**

Take R22/5 West Road via Phelandaba Cycle, turn left to R22/0 via Nsalamanga High School via General or Egagasini, Ngutshana via Mlamula via Mseleni Hospital, Mbazwana Taxi Rank direct and return via same route.

**ROUTE 10  
FROM KWANGWANASE TAXI RANK TO  
MANZENGWENYA RURAL**

Take R22/5 West Road via Zangomeni, Kwa-Nondwayiza via Phelandaba Cycle, turn left to R22/0 via Kofi Primary, Vilance Nsalamanga High School, via Egagasini Ngutshana, turn left to D1849 along D1849 via Makatshwini, Maphoyiseni, Emthunzini, via Hlahlamba, straight to Chithumuzi and Manzengwenya Primary School direct and return via the same route.

**ROUTE 11  
FROM KWANGWANASE TAXI RANK TO  
HLABEZIMHLOPHE RURAL**

Take R22/5 West Road for 3 kilometres, turn left to D1543, then proceed to D1843 via Mbhanoyini Mqobela via Bridge via Langelihle High School, Hlabezimhlope Rural direct and return via the same route.

**ROUTE 12  
FROM KWANGWANASE TAXI RANK TO  
EMFHLWENI ROYAL**

Take R22/5 West Road drive for 2 kilometres and turn right to D1881 via Shayina High School, via Zamaleka via Masinga home take straight road to Emfhlweni Royal and return via the same route.

**ROUTE 13  
FROM KWANGWANASE TAXI RANK TO  
FARAZELA BORDER POST**

Take R22/5 Eastern North via Lala Lodge via Star of Sea High School, via Judia Mahlangu Clinic to Farazela/Mozambique Border Post direct and return via the same route.

**ROUTE 14  
FROM KWANGWANASE TAXI RANK TO  
NDUMO SUPERMARKET**

Take R22/5 West Road to Ndumo Supermarket, proceed to R522/5, via Sicabazini Sihangwane, Mtikini, Skhemelele over Phongolo River, and proceed R522/5, turn right to Mkhanisi Drive, turn left to Ndumo Road, then over Ingwavuma Bridge to Ndumo and return via the same route.

**ROUTE 15  
FROM KWANGWANASE TAXI RANK TO  
KWAPHUZAMINI BORDER POST**

Take R22/5 Eastern/North via Lala Lodge via Star of The Sea High School near Bord Write Soka Lezangoma, turn left to Rural Road to Kwapuza Border via Nazereth Church Temp and Mhetwa Old Shop, then straight to Kwaphuza Mini Border Post direct and return via the same route.

**FROM KWANGWANASE TO G.P. TAXI  
RANK (GAUTENG)**

Take R22/5 West Road via Phelandaba Cycle, proceed straight to R522/5 via Skhemelele via Makwakwa Boom Gate straight to Bhambanana, turn left to R522/1, proceed straight to Jozini Dam, proceed to Nkokoni, turn right to N2 North via Pongola via Tshelejoba Hospital, via Mahamba, the end of N2, start R17 via Ermelo, then proceed to R17 Bethal via Trichardt, via Kingrose, via Lesley, via Springs, via Benoni, via Germiston, take Commercial Street, turn right to Wolmarans Street, turn to Wanderers Street to Park City Taxi Rank No.1 and return via the same route.

**OP.1311763.**

- (2) MATHENJWA NB ID No 6806150997082.  
(3) District: DURBAN. Postal address: P O BOX 494, THENGANE RESERVE - KWANGWANASE, 3972 c/o KWANGWANASE TAXI ASSOCIATION P.O. BOX 494, KWANGWANASE, 3970.  
(4) NEW APPLICATION.  
(5) 1 x 15 passengers.  
(6) The conveyance of taxi passengers.  
(7) Authority:  
SAME AS ANNEXURE "A" ON APPLICATION 1311761 - KWANGWANASE TAXI OWNERS ASSOCIATION.

**OP.1312182.**

- (2) CELE V ID No 7702140679089.  
(3) District: PORT SHEPSTONE. Postal address: P O BOX 658, MARGATE, 4275.  
(4) NEW APPLICATION.  
(5) 1 x 65 passengers.  
(6) The conveyance of other.  
(7) Authority:  
CHARTER SERVICE AND THEIR PERSONAL EFFECTS:  
FROM 853 GEORGE MILLER ROAD TO PICK UP POINTS WITHIN MARGATE, PORT SHEPSTONE, HARDING AND FROM SUCH POINT TO POINTS WITHIN THE PROVINCE OF KWAZULU/NATAL AND RETURN.

**OP.1312422.**

- (2) NGWANE M ID No 4702175569083.  
(3) District: DURBAN. Postal address: P O BOX 565, BOTHASHILL, 3610 c/o QADI/NYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS HILL, 3660.  
(4) NEW APPLICATION.  
(5) 1 x 15 passengers.  
(6) The conveyance of taxi passengers.  
(7) Authority:  
SAME AS ANNEXURE "A" ON APPLICATION 1304628 - QADI-NYUSWA TAXI OWNERS ASSOCIATION.

**OP.1312423.**

- (2) MEYIWA A ID No 4305145207089.  
(3) District: DURBAN. Postal address: P O BOX 488, BOTHAS HILL, 3660 c/o QADI/NYUSWA TAXI OWNERS ASSOCIATION P O BOX 14029, BOTHAS HILL, 3660.  
(4) NEW APPLICATION.  
(5) 1 x 15 passengers.  
(6) The conveyance of taxi passengers.  
(7) Authority:  
SAME AS ANNEXURE "A" ON APPLICATION 1304628 - QADI-NYUSWA TAXI OWNERS ASSOCIATION.

**OP.1312435.**

- (2) THINA S'KHONA FREIGHT LINES CC ID No 200409685223.  
(3) District: DURBAN. Postal address: P O BOX 201665, DURBAN NORTH, 4016.  
(4) CHANGE OF PARTICULARS, Permit No. 1277349/0 from THINA S'KHONA FREIGHT LINES CC (15 x passengers, district: DURBAN).  
(5) 1 x 15 passengers.  
(6) The conveyance of other.  
(7) Authority:  
Permit No. 1277349/0  
SCHOLARS AND THEIR PERSONAL EFFECTS:

ROUTE DESCRIPTION: FROM HOUSE 108 PHASE 1 INANDA GLEBE, PICKING UP SCHOOL CHILDREN ON UNNAMED ROADS DELIVERING THEM TO VARIOUS SCHOOLS WITHIN DURBAN NORTH AREA AND BACK.

FROM HOUSE 108 PHASE 1 INANDA GLEBE, PICKING UP CHILDREN FROM POINT 1 TO POINT 10 AS INDICATED ON THE ROUTE MAP WITHIN INANDA GLEBE/INANDA NEWTOWN/INANDA AND PROCEED STRAIGHT ALONG M25 TO DURBAN M25 JOINED BY NORTH COAST ROAD, LEFT INTO BLACKBURN ROAD, RIGHT INTO MORNINGTON ROAD, RIGHT INTO PARK ROAD, LEFT INTO BENBOW ROAD (OFF-LOAD) AT NORTHCREST PRIMARY SCHOOL, THEN RIGHT INTO EASTVIEW ROAD, LEFT INTO NORTH COAST ROAD, RIGHT INTO ISOM ROAD, OFF-LOADING PUPILS AT BRIARDENE PRIMARY SCHOOL, BACK ALONG ISOM ROAD, LEFT INTO NORTH COAST ROAD, THEN LEFT INTO MIMOSA ROAD, INTO PARKSTATION ROAD DROPPING OFF PUPILS AT GREENWOOD PARK PRIMARY SCHOOL, PROCEED ALONG PARK STATION ROAD, TO DROP OFF PUPILS AT COLOMBIA PRIMARY SCHOOL. DRIVE BACK TO INANDA (PARKING).

AFTERNOON TRIP IS THE SAME AS THE MORNING TRIP EXCEPT THAT THE MORNING OFF LOADING POINTS ARE THE PICK UP POINTS.

**ADDITIONAL AUTHORITY:**

**CHARTER SERVICE:**  
FROM LOT 108 PHASE 1, INANDA GLEBE TO PRE ARRANGED PICK UP POINTS WITHIN THE PROVINCE OF KWAZULU/NATAL TO AND FROM SUCH POINTS TO POINTS WITHIN THE PROVINCE OF KWAZULU/NATAL AND RETURN.

**OP.1312630.**

- (2) DLAMINI J.D ID No 5403235290088.  
(3) District: DURBAN. Postal address: C856 KWAMASHU, UMNINI ROAD, KWAMASHU, 4360.  
(4) NEW APPLICATION.  
(5) 1 x 13 passengers.  
(6) The conveyance of other.  
(7) Authority:  
SCHOLARS AND THEIR PERSONAL EFFECTS:

FROM HOUSE NO 856 KWAMASHU, UMNINI ROAD, UNIT C (KWAMASHU), TURN LEFT TO ILLOVO ROAD, TURN RIGHT INTO AMANZIMTOTI ROAD, TURN LEFT INTO UBUBANE ROAD, TURN RIGHT INTO MALANDELA ROAD, TURN LEFT INTO ZULU ROAD, TURN RIGHT INTO NTOMBELA ROAD, TURN RIGHT BACK INTO MALANDELA ROAD, TURN LEFT INTO UBUBANE ROAD, TURN RIGHT INTO SIGWEGWE ROAD, TURN RIGHT INTO NTOMBELA ROAD, BACK TO SIGWEGWE ROAD, DOWN ISIPINGO ROAD, TURN LEFT INTO TUGELA ROAD, BACK TO ISIPINGO ROAD, TURN LEFT INTO AMANZIMTOTI ROAD, TURN LEFT INTO MALANDELA ROAD, INTO INANDA ROAD, INTO INANDA HIGHWAY, RIGHT INTO THE N2, ALONG THE N2, INTO THE WESTERN FREEWAY (N3), INTO BEREA ROAD NORTH, RIGHT INTO BOTANIC GARDENS ROAD, INTO CLEAVER ROAD, INTO BULWER ROAD, INTO NICHOLSON ROAD, RIGHT INTO QUEN MARY AVENUE, TURN LEFT INTO FEILDEN DRIVE, RIGHT INTO JOHN GEEKIE ROAD, LEFT INTO NICOLAI CRESCENT, INTO MOUNTAIN RISE AND PROCEED TO CARINGTON HEIGHTS PRIMARY SCHOOL, RETURN ALONG MOUNTAIN RISE INTO NICOLAI CRESCENT, RIGHT INTO JOHN GEEKIE ROAD, RIGHT INTO FEILDEN DRIVE, LEFT INTO HUTCHINSON ROAD, INTO DIRK UYS STREET, LEFT INTO BARTLE ROAD, RIGHT INTO HILLIER ROAD, LEFT INTO TEIGMIUTH ROAD, RIGHT INTO ALLENBY GARDENS DROPPING OFF PUPILS AT CARE A LOT PRE SCHOOL AND RETURN TO KWAMASHU ALONG THE SAME ROUTE IN REVERSE.

**OP.1312696.**

- (2) SHUNMUGAM D ID No 6805165015088.  
(3) District: TARKA. Postal address: 39 FLAME RD, CHAMSFORD HEIGHT, 4400.  
(4) NEW APPLICATION.  
(5) 1 x 12 passengers.  
(6) The conveyance of other.  
(7) Authority:  
SCHOLARS AND THEIR PERSONAL EFFECTS:  
FROM 39 FLAME ROAD, STOP STREET, LEFT INTO CALENDULA CRESCENT, STOP STREET, LEFT INTO BEVEDERE DRIVE, RIGHT INTO MAHATMA GANDHI CRESCENT, LEFT INTO ARDBERG AVENUE, STOP STREET, RIGHT INTO BELVEDERE DRIVE, STOP STREET, LEFT INTO SAUNDERS CIRCLE STOP AT DOUGLAS PLACE, THEREAFTER RIGHT INTO HERCUS AVENUE, STOP STREET, RIGHT INTO SAUNDERS CIRCLE, LEFT INTO MAHATMA GANDHI CRESCENT, RIGHT INTO NADERI ROAD, RIGHT INTO MAHATMA GANDHI CRESCENT, LEFT INTO BELVEDERE DRIVE, LEFT INTO

CORONATION ROAD, LEFT INTO R102, RIGHT INTO CHURCH STREET LEFT INTO HIGH CRESCENT, LEFT INTO HOSPITAL HILL, RIGHT INTO WATSON HIGHWAY, RIGHT INTO M4 FREEWAY HEADING FOR DURBAN - DANVILLE PARK GIRL'S HIGH SCHOOL. RETURN JOURNEY SAME AS MORNING MORNING JOURNEY ONLY IN REVERSE.

**OP.1312770.**

- (2) PILLAY V ID No 7409095247082. Postal address: 17 SAUNDERS AVE, ISIPHINGO HILLS, P O ISIPHINGO, 4133.  
 (4) TRANSFER OF PERMIT, Permit No. 1267706/1 from SEWNARAIN B (15 x passengers, district: PIETERMARTIZBURG).  
 (7) Authority as in last mentioned permit(s).

**OP.1313059.**

- (2) NAICKER V ID No 4905185091085. Postal address: 15 DHARWAR ROAD, MEREBANK, 4052.  
 (4) TRANSFER OF PERMIT, Permit No. 1277828/0 from NAICKER A (15 x passengers, district: DURBAN).  
 (7) Authority as in last mentioned permit(s).

**OP.1313121.**

- (2) PILLAY A ID No 7807045165082. Postal address: 34 ALLINGHAM ROAD, WESTHAM, PHOENIX, 4068.  
 (4) TRANSFER OF PERMIT, Permit No. 1261545/1 from CHRISTIAN CK (15 x passengers, district: DURBAN).  
 (7) Authority as in last mentioned permit(s).

**OP.1313378.**

- (2) MDADANE N.C ID No 7109125519084.  
 (3) District: PINETOWN. Postal address: P O BOX 672, PINETOWN, PINETOWN, 3600.  
 (4) NEW APPLICATION.  
 (5) 1 x 12 passengers.  
 (6) The conveyance of other.  
 (7) Authority:

**SCHOLARS AND THEIR PERSONAL EFFECTS:**

FROM HOUSE NO 5667 PINETOWN TO HOLZNER ROAD, PICK UP AT HOLZNER ROAD, RIGHT INTO MARIANRIDGE DRIVE, RIGHT INTO JAMES HERBERT ROAD, PICK UP, LEFT INTO GEEL HOULHOUT ROAD, RIGHT INTO WILSON DIVE, PROCEED INTO NAZARETH DRIVE, PICK UP, LEFT INTO HLONGWA STREET, LEFT INTO MKHIZE STREET, BACK INTO NAZARETH DRIVE INTO WILSON DRIVE, LEFT INTO HIBISCUS ROAD, PICK UP GEELHOUT ROAD, JAMES HERBERT ROAD, LEFT INTO FREY ROAD AND RETURN, LEFT INTO FLEISHER STREET AND RETURN, PROCEED RIGHT INTO P FANNER ROAD, RIGHT INTO SAUTER DRIVE, LEFT INTO BRYANT STREET, LEFT BACK INTO HOLZNER, PICK UP, RIGHT INTO MARIANRIDGE DRIVE, LEFT INTO ADAMS ROAD, LEFT INTO SHIRVIC CRESCENT, RIGHT INTO SEVENTH AVENUE, PICK UP, LEFT INTO PINE STREET, LEFT INTO FOURTH AVENUE, RIGHT INTO RETIEF ROAD, DROP OFF AT ASHLEY PRIMARY, BACK INTO RETIEF FOURTH, LEFT INTO MARIANHILL ROAD, DROP OFF AT ST BENEDICT AND TICK-TOCK, RIGHT INTO FOREST ROAD, LEFT INTO CAVERSHAM INTO CROMPTON STREET, LEFT INTO KINGS ROAD, PICK UP, BACK INTO CROMPTON, LEFT INTO OLD MAIN ROAD, RIGHT INTO BEVISS ROAD, DROP OFF AT PINETOWN JUNIOR, RIGHT INTO BAMBOO LANE, DROP OFF AT JOHN WESLEY, LEFT INTO SCHOOL ROAD, INTO (CHANCERY LANE, CAVERSHAM), LEFT INTO UNDERWOOD ROAD, DROP OFF AT SARNIA PRIMARY THEN BACK INTO PINETOWN. AFTERNOON TRIP FROM PINETOWN IS THE SAME AS THE MORNING TRIP EXCEPT THAT THE MORNING DROP OFF POINTS ARE THE OICK UP POINTS.

**OP.1313395.**

- (2) BLUEDALE INVESTMENTS {PTY} ID No 992008307.  
 (3) District: DURBAN. Postal address: P O BOX 28, WINKLESPRUIT, WINKLESPRUIT, 4145.  
 (4) NEW APPLICATION.  
 (5) 7 x 60 passengers.  
 (6) The conveyance of other.  
 (7) Authority:

**SCHOLARS AND THEIR PERSONAL EFFECTS:**

FROM APPROVED TAXI RANK IN ILLOVU TOWNSHIP, ALONG R603, INTO M37, SAGEGROVE ROAD, OLD MAIN ROAD, JEFFELS ROAD, WILCOX ROAD, RIGHT INTO R102, LEFT INTO N2 FREE WAY, INTO INKOSI ALBERT LUTHULI FREEWAY(M4), LEFT INTO HIMALAYA ROAD OFF RAMP, LEFT INTO JAMMU ROAD, RIGHT INTO CHENAB ROAD, RIGHT INTO ALIPORE ROAD AND PROCEED TO ALIPORE PRIMARY SCHOOL, TURN RIGHT INTO BARRACKPOR ROAD, LEFT INTO JAMMU ROAD, INTO HIMALAYA ROAD, RIGHT INTO DURANTA ROAD, RIGHT INTO HIMALAYAS ROAD, LEFT INTO DHARWA ROAD AND PROCEED TO GALEGANGES PRIMARY SCHOOL, LEFT INTO HAMAGRI ROAD, LEFT INTO DOGRAH ROAD, INTO JUGGERNAUT ROAD AND PROCEED TO M.L SULTAN STREET., ST MARY'S PRIMARY SCHOOL, RIGHT INTO RAGMAHAL ROAD, PROCEED INTO DHARWAR ROAD, RIGHT INTO HIMALYA'S ROAD INTO CANSDOWNER ROAD, RIGHT INTO SILVER TREE ROAD, LEFT INTO ESKEEN ROAD, LEFT INTO GOSHEN ROAD DROPPING OFF PUPILS AT INTERFELLOWSHIP SCHOOL, RIGHT INTO AUSTERVILLE DRIVE, INTO GOEDEHOOP, DROPPING PUPILS OFF AT COLLINGWOOD PRIMARY SCHOOL, RIGHT INTO RICHARD WINN ROAD, DROPPING OFF PUPILS AT DURBAN EAST PRIMARY SCHOOL, RETURN ALONG RICHARD WINN, LEFT INTO GOEDE HOOP, RIGHT INTO AUSTERVILLE DRIVE, LEFT INTO PERCY JOHNSTON, RIGHT INTO MAJOR COLVERT STREET, AND PROCEED DROPPING OFF PUPILS AT UMBILO SECONDARY SCHOOL, PROCEED TURNING LEFT INTO ASSEGAI CRESCENT AND DROP OFF PUPILS AT ASSAGAI PRIMARY SCHOOL, PROCEED TURN LEFT INTO QUALITY STREET, RIGHT INTO CHAMBERLAIN ROAD, LEFT INTO BLUF ROOAD, RIGHT INTO SOUTH COAST ROAD, LEFT INTO BLAMEY BROAD, RIGHT INTO ANLENO ROAD AND PROCEED TO DROP OFF PUPILS AT MOWAT PARK GIRLS HIGH SCHOOL, TURN LEFT INTO HARBOUR VIEW AVENUE, RIGHT INTO BANDAX ROAD, INTO DONAVAN ROAD, RIGHT INTO LANGTON ROAD, TURN RIGHT INTO STREATHAM CRESCENT AND PROCEED TO KHULANGOLWAZI SPECIAL SCHOOL TO PELHAM ROAD, RIGHT INTO VERITY AVENUE, LEFT INTO BALE AVENUE, LEFT INTO KENYON HOWDEN ROAD AND PROCEED TO NINGIZIMU SPECIAL SCHOOL ALONG KENYON HOWDEN ROAD, LEFT INTO SOUTH COAST ROAD, RIGHT INTO BLUFF ROAD, RIGHT INTO CHAMBERLAIN ROAD, LEFT INTO QUALITY STREET, RIGHT INTO TARA ROAD, LEFT INTO BADULLA DRIVE, RIGHT INTO WARANGAL ROAD AND PROCEED TO PATHER SECONDARY SCHOOL, RIGHT INTO BIDAR ROAD, RIGHT INTO NIZAM ROAD DROPPING OFF PUPILS AT NIZAM PRIMARY SCHOOL, TURN LEFT INTO MUMBA ROAD AND DROP OFF PUPILS AT SETTLERS PRIMARY SCHOOL AND RETURN TO ILLOVU TOWNSHIP.  
 RETURN JOURNEY SAME AS MORNING JOURNEY ONLY IN REVERSE.

**OP.1314333.**

- (2) CELE V ID No 7702140679089.

- (3) District: PORT SHEPSTONE. Postal address: P O BOX 658, MARGATE, 4275.  
 (4) NEW APPLICATION.  
 (5) 3 x 80 passengers.  
 (6) The conveyance of other.  
 (7) Authority:  
 CHARTER SERVICE AND THEIR PERSONAL EFFECTS:  
 FROM POINTS WITHIN THE MARGATE, PORT SHEPSTONE DISTRICT, HARDING, FROM SUCH POINT TO POINTS WITHIN THE PROVINCE OF KWA ZULU/NATAL AND RETURN.

H1—October 20, 2005.

**UMLALAZI MUNICIPALITY**

ISAZISO: 55/2005.

UKWETHULWA

**KWEMITHETHODOLOBHA YEZIMALI**

Isaziso sikhishwa umkhandlu ngokwesigaba 268 somthetho owaziwa ngokuthi yi Local Authorities Ordinance ka 1974 ngokufundwa kanye nesigaba 12 somthetho owaziwa ngokuthi yi Local Government Municipal Systems Act ka 32 ka 2000, uMasipala wo Mlalazi uhlose ukuthi wethule imithetho dolobha ethinta ezezimali.

Imiqule equkethe iminingwane yalesiphakamiso ingahlolwa emahhovisi kamasipala wo Mlalazi Eshowe, Mtunzini kanye nase Gingindlovu. Noma ngabe ubani ohlose ukuphikisana nalemithethodolobha angakwenza lokhu ngokuthi abhale kungakapheli izinsuku eziyishumi nane kukhishwe lesisaziso. Zonke iziphikiso kumele zithunyelwe kulelikheli: The Municipal Manager, uMlalazi Municipality, P O Box 37, Eshowe 3815

CHRIS GERBER

IMENENJA KA MASIPALA

Zululand Observer  
Ilanga

H4—kuMfumfu 20, 2005.

**uMLALAZI MUNICIPALITY**

NOTICE: 55/2005

**INTRODUCTION OF FINANCIAL BYLAWS**

Notice is hereby given that the Council in terms of Section 268 of the Local Authorities Ordinance 25 of 1974 as read with Section 12 of the Local Government Municipal Systems Act 32 of 2000, intends to introduce Financial Bylaws for the uMlalazi Municipality.

Documents containing details of the proposed bylaw can be inspected at the Municipal Offices of the uMlalazi Municipality in Eshowe, Mtunzini and Gingindlovu. Any person who wishes to object to these Bylaws may do so in writing within 14 days after the date of display of this notice. All such objections must be addressed to the Municipal Manager, uMlalazi Municipality, P O Box 37, Eshowe 3815.

CHRIS GERBER

MUNICIPAL MANAGER

Zululand Observer  
Ilanga

H4—kuMfumfu 20, 2005.

**GREENE LAND**

Umthetho 21(6) wemithetho yokuKhuthaza

iNtuthuko ngokuLandela uMthetho

wokuKhuthaza iNtuthuko ka-1995

MR P.L. BOTHA umelwe uOWEN MURRAY GREEN ufake isicelo sendawo yomhlaba othuthukiswayo ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995.

Isicelo simayelana nokuthuthukisa umhlaba olandelayo: rem of the farm NORTHINGTON No. 8532, ipulazi likhona eMbazane Municipality futhi siyobandakanya lokhu okulandelayo: kuzobe kunendawo yokuwakha-izindlu eziwu 25 (amashumi amahlanu nanhlanu) zokuhlala, neHoteli enamakamela awo 50 (amashumi amahlanu).

Ipulani (amapulani), incwadi (izincwadi) nemi-niningwane edingekayo ukuze ihlolwe itholakala: weThukela Municipality, 76 Merchiston Street, Ladysmith isikhathi esiyizinsuku ezingamashumi amabili nanye kusukela 20 kuMfumfu 2005.



Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala eThukela Municipal Offices, Council Chambers, 76 Merchiston Street, Ladysmith mhla ka 17 kuMasingana 2006 ngo 10:00 kanti umhlangano wokwendulela uyoba mhla ka 17 kuLwezi 2005 ngo 10:00 kanti umhlangano wokwendulela uyoba mhla ka 17 kuLwezi 2005 ngo 10:00 eThugela Municipal Offices, Council Chamber, 76 Merchiston Street, Ladysmith.

Uyaziswa ukuthi ungaba khona lapho kuhlolwa mathupha umhlaba othuthukiswayo okuyokwenziwa yiNkundla yokulalela mhla ka 16 kuMasingana 2006 ngo 14:00.

Qaphela ukuthi ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995.

1. Ezinsukwini ezingu-21 isaziso simenyezewe, siganikezwa isiphasthi-mandla esiqokiwe umbono obhalwe phansi ukusekela isicelo, noma yimuphi omunye umbono ofisa ukuwu-veza okungesona isikhalo, uma kuyisikhalo akudingeki ukuba ube khona enkundleni yokulalela izicelo; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthike mayelana nesicelo sokuthuthukisa umhlaba, wena noma ummeli wakho kufanele abe khona mathupha enkundleni ngosuku olubhalwe ngenhla, noma yiluphi olunye usuku oyokwaziswa lona.

Uma kukhona imibuzo onayo thintana nesiphasthi-mandla esiqokiwe lapha: Mr Disco Kuzwayo, eThukela Municipal Offices, Council Chambers, 76 Merchiston Street, Ladysmith: inombolo yocingo: 036 6385100, inombolo yefeksi: 036 6355501.

H5—kuMfumu 20, 27, 2005.

#### GREENE LAND

Notice in terms of Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

MR P.L. BOTHA represented by Owen Murray Green, has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on the Rem of the farm Northington No. 8532, situate in the Imbabazane Municipality.

The development will consist of the following: 25 new residential subdivisions and one (1) 50 (fifty) roomed Hotel.

The relevant plans, documents and information are available for inspection at the uThukela Municipal Offices, 76 Merchiston Street, Ladysmith for a period of 21 days from 20 October 2005.

The application will be considered at a Tribunal hearing to be held at 10:00 on 17 January 2006 at the uThukela Municipal Offices, Council Chambers, 76 Merchiston Street, Ladysmith, and the pre-hearing conference will be held at 10:00 on 17 November 2005 at the same venue.

You may attend an inspection *in loco* of the land development area, which will be conducted by the Tribunal on 16 January 2006 at 14:00

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the pre-hearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer, Mr Disco Kuzwayo, at the uThukela Municipal Offices, 76 Merchiston Street, Ladysmith, and you may contact the designated officer if you have any queries at the following: Telephone Number: 036 6385100, Fax Number: 036 6355501.

H5—October 20, 27, 2005.

#### ISAZISO SOMPHAKATHI SOMTHETHO 21(10) WEMITHETHO YOKUKHUTHAZA INTUTHUKO NGOKULANDELA UMTHEHO WOKUKHUTHAZA INTUTHUKO KA 1995, UMTHEHO 67 KA 1995 ISAZISO SESICELO SE - DFA SASE-KHAYELISHA (BOSTON ROAD CORRIDOR HOUSING PROJECT), SOKWANDISWA KWESIKHATHI SOKUNIKEZA IMIBONO

Ngenxa yokuthi amanye amalungu omphakathi asetholane nobunzima mayelana nokuthola incwadi yesicelo, niyaziswa ukuthi isikhathi sokufaka imibono sesandiswe ngamasonto amabili kusukela osukwini olwalushiwo esazisweni sokuqala. Ngakho-ke usuku lokuvala ukunikeza imibono seluzokuba mhla ka 7 November 2005.

Ukuze senze kube lula ukuthola incwadi yesicelo, amalungu omphakathi ayaziswa ukuba amakhophi encwadi yesicela anghatholakala emahhovisi omkhandlu waseMngeni, ekhoni lika Dick no Somme Street e-Howick, inombolo yabo yocingo ithi: 033 239 9211 kanti futhi ingatholakala nasemahhovisi akwa-BCP Engineers (Pty) Ltd kwa 217 Burger Street, eMgungundlovu, inombolo yabo yocingo ithi: 033 345 3211 ngezikhathi ezijwayelekile zasemahhovisi.

Noma yisiphi isikhalo esibhaliwe noma isiboniso kumele sithunyelwe kwisiphathimandla esiqokiwe u-Ms S. Mlotshwa, eMkhandlwini wase-Mgungundlovu, P.O. Box 3235, Pietermaritzburg, 3200 futhi ungathintana nesiphathimandla uma unemibuzo kulombolo yocingo: 033-897 6758, inombolo yesikhahla-mazi: 033-394 556.

H6—kuMfumu 13, 20, 2005.

#### PUBLIC NOTICE IN TERMS OF REGULATION 21(10) OF THE DEVELOPMENT FACILITATION REGULATIONS IN TERMS OF THE DEVELOPMENT FACILITATION ACT, 1995, ACT NO. 67 OF 1995 KHAYELISHA (BOSTON ROAD CORRIDOR HOUSING PROJECT) DFA APPLICATION NOTIFICATION OF EXTENSION OF PERIOD TO PROVIDE COMMENT

Due to the fact that some members of the public have experienced difficulty in accessing the application documentation, please be advised that the period for comment has been extended by a further two weeks from that stipulated in the original public notice. The closing date will therefore be on 7 November 2005.

In order to facilitate access to the application documents, members of the public are advised that copies are also available at the offices of the uMngeni Municipality, Corner of Dick and Somme Streets, Howick, 3290, tel.: 033 239 9211 and at the offices of BCP Engineers, 217 Burger Street, Pietermaritzburg, 3200, tel.: 033 345 3211 during normal office hours.

Any written objection or representation must be delivered to the Designated Officer Ms S. Mlotshwa, Umgungundlovu Municipality, P.O. Box 3235, Pietermaritzburg, 3200 and you may contact the Designated Officer if you have any queries on telephone 033 897 6758 or fax 033 394 5561.

H6—October 13, 20, 2005.

Niyaziswa ukuthi ukulalelwa kwesicelo sokuthuthukiswa nokwakhiwa kwezindlu eziyikhulu (100) nokuhlolwa kwesiza e Willowford Farm elise gameni lika James Howard Pascoe sekusondeziwe yisigungu.

Izinsuku zomhlangano nokuhlolwa kwesiza epulazini e Willowford manje usungomhlaka 31st kuMfumu 2005 ngo 2 ntambama, bese umhlangano wesigungu ube ngakusasa mhla ka 1st kuLwezi 2005 ngo 10 ekuseni, e Estcourt Golf Club.

Izinsuku ezazihlewe ekuquleni kwakungu mhla ka 29 no 30 ku kuMandulo 2005 ngokulandelayo.

Noma wubani ofisa ukuphikisana nalokhu kuthuthukiswa kwalendawo angazifikela yena kulezindawo, a tshele uMphathiswa ogunyaziwe, uMnu. D. Khuzwayo, ngefax inamba 036 6375608 ngalohisuku abeke - ke nezizathu zalokho.

H7—kuMfumu 13, 20, 2005.

Notice is hereby given that the application to develop 100 housing units on the Farm Willowford, in the name of James Howard Pascoe; has had the dates for the *in loco* site inspection and tribunal meeting brought forward.

The dates for the *in-loco* site inspection at the farm Willowford is now on the 31st October 2005 at 2pm, and the tribunal meeting is at 10am on the 1st November 2005 at the Estcourt Golf Club.

The previous dates were the 29th and 30th September 2005 respectively.

Any person wishing to raise an objection to the development must make personal representations at these venues, and inform the Designated Officer, Mr D. Khuswayo per written fax at 036 6375608, prior to these dates, stating reasons.

H7—October 13, 20, 2005.

