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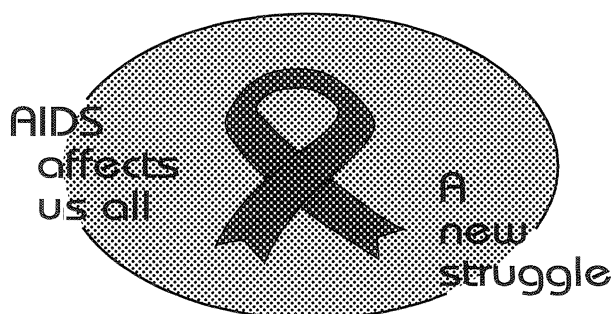
**Vol. 6**

**PIETERMARITZBURG,**

22 MAY 2012  
22 MEI 2012  
22 KUNHLABA 2012

**No. 750**

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



**AIDS  
HELPLINE**

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DEPARTMENT OF HEALTH

**Prevention is the cure**

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**MUNICIPAL NOTICES**

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**No. 32****22 May 2012****CITY OF uMHLATHUZE****PUBLIC NOTICE****AMENDMENT TO THE CREDIT CONTROL AND DEBT COLLECTION BYLAWS**

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Credit Control and Debt Collection Bylaws. The following are the applicable amendments to the Credit Control and Debt Collection Bylaws as promulgated in the Provincial Gazette Number 6114 under Notice Number 22 dated 11 July 2012, which shall come into operation on the date of publication hereof:

- “1. Delete the word **“Chief Financial Officer”** from the Definition section as well as throughout the Credit Control and Debt Collection Bylaws and replace it with **“Deputy Municipal Manager: Financial Services”**.”

The new definition will read as follows:

**“Deputy Municipal Manager: Financial Services”** - means a person appointed as the **Deputy Municipal Manager: Financial Services** of the Municipality, or his nominee.

The purpose of the replacement will provide for the correct designation to be in line with the Organisational Designations as approved by Council.

2. Delete Sections 7(3), (4) and (5) of the bylaw and replace it with the following:

*“7(3) Accounts must be paid on the due date as indicated on the account. In the absence of a due date on the account, the account will be payable within 7 days from date thereof. Interest will be charged on the arrear rates component of the account and will accrue after the due date if the account remains unpaid, irrespective of the reason for non-payment.*

*7(4) No interest be charged on services accounts. Interest be charged on outstanding rates at a percentage equal to the interest rate amount determined by the Minister by regulation as provided for in section 55 of the Property Rates Act; and*

*7(5) the rate be determined as a simple interest rate per annum and charged on a monthly basis, late payment for a part of a month being deemed to be a full month.”*

The purpose of the amendments is to ensure that the onus is placed on customers to ensure that their accounts are paid timeously and to indicate the interest rate the event on non-compliance.

3. Delete Section 9(1) and (2) and replace them to read as follows”:

*“9(1) A customer may not selectively nominate payment of any of his accounts or portions of any of his accounts.*

*9(2) The Deputy Municipal Manager Financial Services may at his discretion consolidate any separate accounts of persons liable for payments to the municipality and/or credit a payment by such a person against any of the accounts or portion of any of the accounts of that person.”*

The purpose of the amendment is to allow Council to consolidate accounts and allocate payments made against any of such accounts or portion of any of the accounts of such a person at its discretion.

4. Insert clause 9.3.to read as follows:

**“9(3) Should a debtor dispute any of his accounts, the following will apply:**

*9.3.1 For a dispute to exist, there must be more than just an expression of dissatisfaction regarding any service;*

*9.3.2 The dispute must be in writing and specific to an individual account;*

*9.3.3 The dispute must specify the reasons why the specific account or part thereof is in dispute;*

*9.3.4 The customer is not entitled to withhold payment of any of his accounts or portions of his accounts while the account is in dispute;*

*9.3.5 The dispute must specify the proposed remedy to rectify the dispute;*

*9.3.6 Once all the specific matters listed as per 9.3.5 have been addressed by Council in writing to debtor, the dispute is deemed to be resolved;*

*9.3.7 If the debtor still feels that the dispute is unresolved, he must follow the appeal procedures listed in section 62 of the Municipal Systems Act, Act 32 of 2000;*

*9.3.8 Any dispute raised by a debtor against any of his accounts or portions of his accounts does not preclude Council from instituting proceedings in a Court of Law for the recovery of the amount(s) claimed by Council.*

The purpose of the insertion of Section 9.3 is to determine when a dispute exists and to provide a mechanism for debtors of Council to query the accuracy of accounts and to raise a dispute concerning such an account.

5. Add the following at the end of Section 12(1)(a) “.... **to any premises of a debtor for any overdue account of that debtor**”;

Section 12(1)(a) will read as follows:

**“12(1)(a) The disconnection / restriction of electricity and/or water to any premises of a debtor for any overdue accounts of that debtor;”**

No. 33

22 May 2012

**CITY OF uMHLATHUZE****PUBLIC NOTICE****AMENDMENT TO THE FUNERAL UNDERTAKERS BYLAWS**

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Funeral Undertakers Bylaws. The following are the applicable amendments to the Funeral Undertakers Bylaws as promulgated in the Provincial Gazette Number 6096 under Notice Number 7 dated 11 April 2002, which shall come into operation on the date of publication hereof:

- “1. Delete the word **“medical officer of health”** throughout the Funeral Undertakers Bylaws.

The purpose of the deletion is to provide for the correct designation to be in line with the Organisational Designations as approved by Council.

2. Delete Section 6 of the bylaw and replace it with Sections 6(1) and 6(2), to read as follows:

**“6.1 A certificate of competence shall be valid for a period of one year, annually renewable, from the date on which it was issued until it is revoked or suspended or expires in terms of these bylaws.**

**6.2 A provisional certificate of competence shall, on endorsement by Council, be transferable from one holder to a new holder and such certificate shall if so endorsed be valid for a period of one year, annually renewable from the date of which it was issued until it is revoked or suspended or expires in terms of these bylaws.”**

3. Delete the words **“the South African National Standard, SANS 10248:2004”** where it appears in Section 11(1) of the Bylaw and replace it with **“Council’s Environmental Health Bylaws”**

Section 11(1) will read as follows:

**“11(1) All health care waste generated must be stored, removed, transported and disposed of in accordance with “Council’s Environmental Health Bylaws”**

The purpose of the amendment is to ensure that the disposal of waste generated in terms of Council’s Funeral Undertakers Bylaws is in compliance with Council’s Environmental Health Bylaws.

4. Insert Section 10A after Section 10(8) to read as follows:

**“10A CONVEYANCE OF MORTAL REMAINS**

**No person shall convey any mortal remains :**

- (1) unless, the mortal remains have been sealed in an airtight container and placed in a non-transparent, sturdy, sealed coffin; or**
- (2) No coffin or container in which the mortal remains have been placed may be conveyed unless –**
  - (a) the outer surface of such coffin or container is free from any leakages or any other secretion matter emanating from such mortal remains; and**
  - (b) offensive odours are absent.”**

**MN25/2012**

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**No. 34**

**22 May 2012**

**CITY OF uMHLATHUZE**

**PUBLIC NOTICE**

**AMENDMENT TO THE STREET TRADING BYLAWS**

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Street Trading Bylaws. The following are the applicable amendments to the Street Trading Bylaws as promulgated in the Provincial Gazette Number 6147 under Notice Number 51 dated 12 December 2002, which shall come into operation on the date of publication hereof:

- “1. Insert Section 3(n) after 3(m) under Chapter 2, General Supervision and Control, to read as follows:

**“3(n) at all times be in possession of a Street Trading Permit, issued by the uMhlathuze Traffic Department for the purposes of Street Trading.”**

**MN26/2012**

No. 35

22 May 2012

## CITY OF uMHLATHUZE

## PUBLIC NOTICE

## AMENDMENT TO THE ADVERTISING SIGNS BYLAWS

The uMhlathuze Municipality has, in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996) read in conjunction with section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), passed a resolution for the amendment of the Advertising Signs Bylaws. The following are the applicable amendments to the Advertising Signs Bylaws as promulgated in the Provincial Gazette Number 6112 under Notice Number 17 dated 27 June 2002, which shall come into operation on the date of publication hereof:

- “1. A Preamble is to be added above the Index to read as follows:

*“The Council and the uMhlathuze Municipality has in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996), read in conjunction with Section 11 of the Municipal Systems Act, 2000 (Act No 32 of 2000), made the following bylaws:”*

The purpose of the insertion is to provide the legal framework which authorises Council to promulgate bylaws.

2. The definition of **“Advertising vehicle”** is to be deleted and replaced with the following:

*“Advertising vehicle” means a vehicle constructed or adapted for the display of advertisements, which includes a vehicle adapted with any structural appendage or fixture to accommodate the display of third party advertising, and includes a trailer towed by a vehicle and adapted to accommodate the display of third party advertising”*

The purpose of the above replacement is to provide more clarity on the definition of an advertising vehicle.

3. The period of 14 days referred to in Section 9(4) is to be removed and replaced with 7 days.

Section 9(4) will read as follows:

*“The Council may serve notice on the person/s who is displaying the advertisement or who has erected the sign or caused 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 7 days from the date of receipt of the notice, so as to bring the advertisement or sign into conformity or compliance.”*

The purpose of the amendment is to encourage the person/s referred to in Section 9(4) to ensure compliance as set forth in the notice as soon as reasonably possible.

4. By inserting the following words after “non-profit”, in Section 13(i), namely:

**“and charitable”**

Section 13(i) will read as follows:

*“Any remote or third party advertising signs, sponsored signs and signs for non-profit **“and charitable”** organisations and institutions; and”*

The purpose of the insertion will provide Council with discretionary powers to permit or not permit advertising signs in terms of the provisions of these bylaws with regard to charitable organisations and institutions

5. To insert a new Section 13(j) to read as follows:

***“Any advertisement on a structure by a media house (for example newspapers) announcing media headlines, at a fee to escalate annually.”***

The purpose of the amendment is to provide discretionary powers to Council in the instances as provided for in Section 13(j) and to determine the payment levied in such instances.

6. To change Section 13(j) to 13(k) and Section 13(k) to 13(l), retaining the contents of the paragraphs.

The purpose of the changes of the alphabetical sequence of the above Sections is to provide for the correct sequence after the insertion of Section 13(j) referred to in clause 5 above.

7. By deleting Section 15(6)(c)(vii) and replacing it with the following:

*“Any advertisement relating to an election, including the advertising sign charges applicable to such election advertisements shall be subject to a fixed refundable deposit as determined by the Council from time to time.”*

The purpose of the amendment is to provide more clarity on the contents of the Section.

8. The contents of Schedule A, after **“A. APPLICATION FEES AND DEPOSITS FOR A LICENCE/PERMIT FOR OUTDOOR ADVERTISING** is to be deleted in its entirety, and replaced with the following:

*“Every person who applies to Council for its approval or permission shall on making application pay to Council the charge determined from time to time as per Councils Tariff of Charges, therefore and no application shall be considered until such charge has been paid.”*

**MN24/2012**