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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 218

RATLOU LOCAL

MUNICIPALITY

RATES BY- LAW

**FORMULATED IN TERMS OF SECTION 3 OF
THE MUNICIPAL PROPERTY RATES ACT,
NO. 6 OF 2004**

RATES POLICY

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RATES POLICY

1. LEGISLATIVE CONTEXT

- 1.1 This By-Law is mandated by Section 6 of the Municipal Property Rates Act, 2004 (No. 6 of 2004), which specifically provides that a municipality must adopt a Rates By-Law to give effect to the implementation of the Property Rates Policy.
- 1.2 In terms of Section 229 of the Constitution of the Republic of South Africa, 1996 (No.108 of 1996), a municipality may impose rates on property.
- 1.3 In terms of the Municipal Property Rates Act, 2004 (No. 6 of 2004) a municipality in accordance with-
 - a. Section 2(1), may levy a rate on property in its area; and
 - b. Section 2(3), must exercise its power to levy a rate on property subject to-
 - i. Section 229 and any other applicable provisions of the Constitution;
 - ii. the provisions of the Property Rates Act; and
 - iii. the rates policy.
- 1.4 In terms of Section 4 (1) (c) of the Municipal Systems Act, 2000 (No. 32 of 2000), the municipality has the right to finance the affairs of the municipality by imposing, *inter alia*, rates on property.
- 1.5 In terms of Section 62(1)(f)(ii) of the Municipal Finance Management Act, 2003 (No. 56 of 2003) the municipal manager must ensure that the municipality has and implements a rates policy.

2. DEFINITIONS

- 2.1 **Act** means the Municipal Property Rates Act, 2004 (No. 6 of 2004).
- 2.2 **Municipality** means the municipal council for the municipal area of Ratlou Local Municipality.
- 2.3 **All other terms** are used within the context of the definitions contained in the Municipal Property Rates Act, 2004 (No. 6 of 2004).

3. POLICY PRINCIPLES

- 3.1 Rates are levied in accordance with the Act as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll and supplementary valuation roll.
- 3.2 As allowed for in the Act, the municipality has chosen to differentiate between various categories of property and categories of owners of property. Some categories of property and categories of owners are granted relief from rates. The municipality however does not grant relief in respect of payments for rates to any category of owners or properties, or to owners of properties on an individual basis, other than by way of an exemption, rebate or reduction provided for in this policy.
- 3.3 Phasing in of rates will be based on the new valuation roll and in terms of Section 21 of the Municipal Property Rates Act (Act No. 6 of 2004)
- 3.4 The rates policy for the municipality is based on the following principles:
- 3.4.1 Equity

The municipality will treat all ratepayers with similar properties the same.

3.4.2 Affordability

The ability of a person to pay rates will be taken into account by the municipality. In dealing with the poor/indigent ratepayers the municipality will provide relief measures through exemptions, reductions or rebates.

3.4.3 Sustainability

Rating of property will be implemented in a way that:

- i. it supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality; and
- ii. supports local and social economic development with consideration and compliance with the LED strategy of the municipality.

3.4.4 Cost efficiency

Rates will be based on the value of all rateable properties and the amount required by the municipality to balance the operating budget after taking into account profits generated on trading services (water, electricity) and economic services (refuse removal, sewerage removal) and the amounts required to finance exemptions, rebates, reductions and phasing-in of rates as approved by the municipality from time to time.

4. SCOPE OF THE POLICY

This policy guides the annual setting (or revision) of property rates. Details pertaining to the applications of the various property rates are published in the Provincial Gazette and the municipality's schedule of tariffs, which must be read in conjunction with this policy.

5. APPLICATION OF THE BY-LAW

In imposing the rate in the rand for each annual operating budget component, the municipality shall grant exemptions, rebates and reductions to the respective categories of properties and owners as allowed for in this policy.

6. CLASSIFICATION OF SERVICES AND EXPENDITURE

6.1 The municipal manager or his/her nominee must, subject to the guidelines provided by the National Treasury and relevant Committee of the municipality, make provision for the following classification of services:-

6.1.1 Trading services

- i. Water
- ii. Electricity

6.1.2 Economic services

- i. Refuse removal.
- ii. Sewerage disposal.

6.1.3 Community services

- i. Air pollution
- ii. Fire fighting services
- iii. Local tourism

- iv. Municipal planning
- v. Municipal public works, only in respect of the needs of municipalities in the discharge of their responsibilities and to administer functions specially assigned or authorised to them under the Constitution or any other law.
- vi. Stormwater management system in built-up areas.
- vii. Trading regulations
- viii. Fixed billboards and the display of advertisements in public places
- ix. Cemeteries
- x. Control of public nuisances
- xi. Control of undertakings that sell liquor to the public
- xii. Township development
- xiii. Facilities for accommodation, care and burial of animals
- xiv. Fencing and fences
- xv. Licensing of dogs
- xvi. Licensing and control of undertakings that sell food to the public
- xvii. Local amenities
- xviii. Local sport facilities
- xix. Municipal parks and recreation
- xx. Municipal roads
- xxi. Noise pollution
- xxii. Pounds
- xxiii. Public places
- xxiv. Street trading/street lighting
- xxv. Traffic and parking
- xxvi. Building control
- xxvii. Licensing of motor vehicles and transport permits
- xxviii. Nature reserves
- xxix. Forestry

6.1.4 Subsidised services

- i. Health and ambulance.
- ii. Libraries and museums.
- iii. Proclaimed roads.

6.2 Trading and economic services must be ring fenced and financed from service charges while community and subsidised services will be financed from profits on trading and economic services, regulatory fees, rates and rates related income.

6.3 **Expenditure** will be classified in the following **categories**:

- (a) Salaries, wages and allowances
- (b) Bulk purchases
- (c) General expenditure
- (d) Repairs and maintenance
- (e) Capital charges (interest, redemption and depreciation)
- (f) Contribution to fixed assets
- (g) Contribution to funds-
 - i. bad debts.
 - ii. working capital; and
 - iii. statutory funds.
- (h) Contribution to reserves.
- (i) Gross expenditure. (a to h)
- (j) Less charge-out. (Inter departmental charge-outs)
- (k) Net expenditure. (i – j)
- (l) Income.
- (m) Surplus/Deficit – (Difference between (k) and (l))

6.4 **Cost centres** will be created to which the costs associated with providing the service can be allocated-

- (a) by Department;
- (b) by Section/services; and
- (c) by Division/services.

6.5 The subjective classification of expenditure each with a unique vote must be applied to all cost centres.

7. CATEGORIES OF PROPERTY

7.1 Criteria for determining categories of properties for the purpose of levying different rates and for the purpose of granting exemptions will be according to the-

- (a) use of the property;
- (b) permitted use of the property
- or
- (c) geographical area in which the property is situated

Where property is utilised for a purpose not approved or permitted, the municipality, in imposing a rate as contemplated in paragraph 7.1 (a), shall not be regarded as having waived any of its rights to enforce the correct or approved use of the property in future.

7.2 Categories of property for the municipality include-

- (a) residential properties;
- (b) business and commercial properties;
- (c) industrial properties;
- (d) mining properties;
- (e) public service infrastructure;

- (f) public benefit organisations;
- (g) agricultural properties used for agricultural purposes;
- (h) agricultural properties used for eco-tourism or conservation;
- (i) agricultural properties used for the trading in or hunting of game;
- (j) state-owned properties;
 - State properties that provide local services,
 - State properties that provide regional/municipal district-wide service,
 - State properties that provide provincial/national service.
- (k) municipal owned properties;
- (l) protected areas,
- (m) multiple use properties;
- (n) vacant land.

8. CATEGORIES OF OWNERS

Criteria for determining categories of owners of properties, for the purpose of granting exemptions, rebates and reductions will be according to the-

- (a) indigent status of the owner of a property
- (b) sources of income of the owner of a property
- (c) owners of property situated within an area affected by-
 - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - ii. any other serious adverse social or economic conditions;
- (d) owners of residential properties with a market value below a determined threshold **[R 17 000]; or**
- (e) owners of agricultural properties who are *bona fide* farmers

9. PROPERTIES USED FOR MULTIPLE PURPOSES

Rates on properties used for multiple purposes will be levied on properties used for-

- (a) a purpose corresponding with the permitted use of the property, if the permitted use of the property is regulated;
 - (b) a purpose corresponding with the dominant use of the property;
- or
- (c) by apportioning the market value of a property to the different purposes for which the property is used; and
 - (d) applying the relevant cent amount in the rand to the corresponding apportioned market value.

10. DIFFERENTIAL RATING

10.1 Criteria for differential rating on different categories of properties will be according to-

- (a) The nature of the property including its sensitivity to rating e.g. agricultural properties used for agricultural purposes.
- (b) The promotion of social and economic development of the municipality.

10.2 Differential rating among the various property categories will be done by way of the set rate for each property category

and/or

10.3 by way of reductions and rebates.

11. EXEMPTIONS

11.1 The following categories of property are exempted from rates:

11.1.1 Municipal properties

Subject to a majority decision, a municipality may exempt the following municipal properties from paying rates as it will increase the rates burden or service charges to property owners or consumers.

- (a) rateable properties registered in the name of the municipality and is let to the employees of the municipality for residential purposes,
- (b) rateable property registered in the name of another municipality if such property is used in connection with the supply of electricity, water, gas or sewerage services, or
- (c) rateable property registered in the name of the municipality and which is let by the municipality for not more than a nominal rent as determined by the municipality.

except

- (d) If any property belonging to a municipality is disposed off to any person, he shall be considered to be the owner liable for the payment of rates from the date he takes possession.

11.1.2 Residential properties

- **Low cost residential properties use for residential purposes only is fully exempted from rates where the owner qualifies as an indigent person in terms of the Indigent Policy of the municipality.**

- **On the first R 17 000 of the market value of all other properties also used for residential purposes. [This include the R 15 000 impermissible rates contemplated in section 17(1)(h) of the Act.**

11.1.3 Cemeteries and crematoria

Registered in the names of private persons and operated not for gain.

11.1.4 Public Benefit Organisations

The following Public Benefit Organisations may apply for the exemption of property rates subject to submitting a tax exemption certificate issued by the South African Revenue Services (SARS) as contemplated in Part 1 of the Ninth Schedule of the Income Tax Act, 1962 (No 58 of 1962):

ii. Health care institutions

Properties used exclusively as a hospital, clinic and mental hospital, including workshops used by the inmates, laundry or cafeteria facilities, provided that any profits from the use of the property are used entirely for the benefit of the institution and/or to charitable purposes within the municipality.

iii. Welfare institutions

Properties used exclusively as an orphanage, non-profit retirement villages, old age home or benevolent institution,

including workshops used by the residents, laundry or cafeteria facilities, provided that any profits from the use of the property are used entirely for the benefit of the institution and/or to charitable purposes within the municipality.

iv. Educational institutions

Property belonging to educational institutions declared or registered by law.

v. Independent schools

Property used by registered independent schools for educational purposes only.

vi. Charitable institutions

Property belonging to not-for-gain institutions or organisations that perform charitable work.

vii. Sporting bodies

Property used by an organisation whose main purpose is to use the property for sporting purposes on a non-professional and non-profitable basis.

viii. Cultural institutions

Properties declared in terms of the Cultural Institutions Act, Act 29 of 1969 or the Cultural Institutions Act, Act 66 of 1989.

viii. Museums, libraries, art galleries and botanical gardens

Registered in the name of private persons, open to the public and not operated for gain.

ix. Youth development organisations

Property owned and/or used by organisations for the provision of youth leadership or development programmes.

x. Animal welfare

Property owned or used by institutions/organisations whose exclusive aim is to protect birds, reptiles and animals on a not-for-gain basis.

11.1.5 Communal and Trust Land

Communal and Trust land are exempted from rates in line with Section 17(1)(g).

11.2 Exemptions will be subject to the following conditions:

- 11.2.1 all applications must be addressed in writing to the municipality in the prescribed manner or application form;
- 11.2.2 a SARS tax exemption certificate must be attached to all applications;

- 11.2.3 the municipal manager or his/her nominee must approve all applications;
- 11.2.4 applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought; and
- 11.2.5 the municipality reserves the right to refuse exemptions if the details supplied in the application form are incomplete, incorrect or false.

12. REDUCTIONS

- 12.1 A reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act will be granted where the value of a property is affected by-
 - 12.1.1 a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - 12.1.2 any other serious adverse social or economic conditions
- 12.2 The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.
- 12.3 All categories of owners can apply for a reduction in the valuation of the property as described above.
- 12.4 Criteria for granting reductions
 - 12.4.1 A reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act may be granted where the value of a property is affected by fire damage, floods or is demolished.
 - 12.4.2 The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.

13. REBATES

13.1. Categories of property

13.1.1 Business, commercial and industrial properties

13.1.1.1 The municipality may grant rebates to rateable enterprises that promote local, social and economic development in its area of jurisdiction, based on its Local, Social and Economic Development Policy. The following criteria will apply:

- a. job creation in the municipal area;
- b. social upliftment of the local community; and
- c. creation of infrastructure for the benefit of the local community.

13.1.1.2 Rebates may be granted on application as prescribed to:

- a. a business plan submitted in respect of the company indicating how the local, social and economic development objectives of the municipality are going to be met;
- b. an implementation plan submitted and certified by auditors of the company stating that the objectives have been met in the first year after establishment and how the business entity plans to continue to meet the objectives;
- c. an assessment by the municipal manager or his/her nominee indicating that the company qualifies; and
- d. approval of the application by a municipal council resolution.

13.1.2 State properties

Receive a rebate as determined in schedule A.

13.1.3 Residential properties

The municipality may grant a rebate as determined in schedule A, which applies to improved residential property that is:

- 13.1.3.1 used predominantly for residential purposes, with not more than two dwelling units per property,
- 13.1.3.2 registered in terms of the Sectional Title Act,
- 13.1.3.3 owned by a share-block company, or
- 13.1.3.4 a rateable residence on property used for or related to educational purposes

13.1.4 Agricultural property rebate

- 13.1.4.1 Agricultural properties may be granted a rebate subject to the owner providing the municipality with required information in an affidavit received not later than 30 September each year.
- 13.1.4.2 Qualifying requirements are that the owner should provide proof that he is registered as a *bona fide* farmer with SARS,
or
- 13.1.4.3 where the owner is not taxed as a farmer, proof is required that income from farming activities exceeds 40% of the household income.
- 13.1.4.4 Rebates may be granted on the following as outline in Schedule A:

- a. The extent of municipal services provided to agricultural properties
 - i. if there are no municipal roads next to the property.
 - ii. if there is no municipal sewerage to the property.
 - iii. if there is no municipal electricity to the property.
 - iv. if water is not supplied by the municipality
 - v. if there is no refuse removal that is provided by the municipality.
- b. The contribution of agriculture to the local economy

A rebate may be granted as determined in Schedule A to agricultural property that contributes substantially to job creation, and the salaries/wages of farm workers are reasonable, e.g. if they meet minimum standards set by government or if they are in line with the sector's average.
- c. Rebates may be granted as determined in Schedule A after submission of proof by the owner, to the extent to which agriculture assists in meeting service delivery and development obligations of the municipality and contribution to the social and economic welfare of farm workers:
 - i. if the owner is providing permanent residential property to the farm workers and such property is registered in the name of these farm workers,
 - ii. if such residential properties are provided with potable water.

- iii. if the farmer has electrifies such residential properties of his farm workers.
- iv. if the farmer is availing his land/buildings to be used for cemetery, education and recreational purposes of the farm workers and their dependants and the nearby community in general, etc.

13.1.5 Conservation Land

No rebates are granted to privately owned properties whether designated or used for conservation purposes subject to the provision of Section 17(1)(e) of the Act.

13.1.6 Historical or heritage properties

No rebates are granted other than residential rebates if appropriate.

13.1.7 Public Service Infrastructure

A rebate of 30% as mandated by the Act [Section 17(1)(a)] will be granted for Public Service Infrastructure as they provide essential services to the community

13.2 Categories of owners

13.2.1 Retired and Disabled Persons Rate Rebate

13.2.1.1 Retired and Disabled Persons qualify for special rebates according to monthly household income. To qualify for the rebate a property owner must:

- a. occupies the property as his/her normal residence;
- b. be at least 60 years of age or in receipt of a disability pension from the Department of Social Development or other approved pension funds;
- c. be in receipt of a total monthly income from all sources (including income of spouses of owner) as per schedule A;
- d. not be the owner of more than one property.

13.2.1.2 Property owners must apply on a prescribed application form for a rebate as determined by the municipality.

13.2.1.3 Applications must be accompanied by-

- a. a certified copy of the bar coded identity document, passport, driver's license, birth certificate or any other proof of the owner's age which is acceptable to the municipality;
- b. sufficient proof of income of the owner and his/her spouse;
- c. an affidavit from the owner;
- d. if the owner is a disabled person proof of a disability pension payable by the state must be supplied; and
- e. if the owner has retired at an earlier stage for medical reasons proof thereof must be submitted.

- f. be in receipt of a total monthly income from all sources (including income of spouses of owner) as determined in schedule A;

13.2.1.4 These applications must reach the municipality before the end of September preceding the start of the new municipal financial year for which relief is sought.

13.2.1.5 The municipality reserves the right to refuse rebates if the details supplied in the application form are incomplete, incorrect or false. **Applicants will have 30 days from notification of rejection of the application to resubmit the application with the outstanding information.**

13.3 Properties with a market value below a prescribed valuation level

These properties may be levied at a flat rate instead of a rate determined on the market value.

14. COMPULSORY PHASING IN OF RATES

Newly Rateable Properties

Rates levy on newly rateable property will be phased in over a period of three financial years,

The phasing-in discount will be determined as follow:

- (a) In the first year, 75% discount on the rates for the year applicable on the property,
- (b) in the second year, 50% discount on the rates for the year applicable on the property,

- (c) in the third year, 25% discount on the rates for the year applicable on the property,

Newly Rateable property owned and used by Public Benefit Organisations

Rates levied on newly rateable property owned and used by organisations conducting specified public benefit activities and registered in terms of the Income Tax Act for those activities will be phased in over a period of four financial years,

The phasing-in discount will be determined as follow:

- (a) In the first year no rates will be levied on the property concerned,
- (b) In the second year, 75% discount on the rates for the year applicable on the property,
- (c) in the third year, 50% discount on the rates for the year applicable on the property,
- (d) in the fourth year, 25% discount on the rates for the year applicable on the property,

Rates on Property belonging to a land reform beneficiary or his/her heirs

The exclusion on property belonging to a land reform beneficiary or his/her heirs from levying of rates will lapse ten years from the date on which such beneficiary's title was registered in the office of the Registrar of Deeds,

After the exclusion period has lapsed, rates payable on the properties concerned will be phased-in over a period of three financial years,

The phasing-in discount will be determined as follow:

- (a) In the first year, 75% discount on the rates for the year applicable on the property,
- (b) in the second year, 50% discount on the rates for the year applicable on the property,

- (e) in the third year, 25% discount on the rates for the year applicable on the property,

15. COST TO THE MUNICIPALITY DUE TO EXEMPTIONS, REDUCTIONS, REBATES, EXCLUSIONS, PHASING IN AND THE BENEFIT THEREOF TO THE LOCAL COMMUNITY

15.1 The Municipal Manager shall ensure that the revenue foregone in respect of the foregoing rebates, exemptions, reductions and phasing-in are appropriately disclosed in each annual operating budget, annual financial statements and annual report and that such rebates, exemptions, reductions and phasing-in are clearly indicated on the rates account submitted to each property owner.

15.2 The costs associated with exemptions, reductions, rebates, exclusions and phasing in of rates as reflected in schedule B

15.3 The benefit to the community of granting relief measures may be-

- i. the promotion of local economic development including attracting business investment, for example small business establishment;
- ii. creation of employment for municipal residents;
- iii. promotion of service delivery, for example by farmers;
- iv. poverty alleviation to the indigents;
- v. social development and moral development, for example, by religious institutions, sports institutions, schools and other non governmental organisations which promote health and other benefit to the community; and
- vi. Improved local economic growth.

16. RATES INCREASES

- 16.1 The municipality may consider increasing rates annually during the budget process in terms of the guidelines issued by National Treasury from time to time.
- 16.2 Rate increases will be used to finance the increase in operating costs of community and subsidised services.
- 16.3 Relating to community and subsidised services the following annual adjustments will be made:
- i. All salary and wage increases as agreed at the South African Local Government Bargaining Council as well as increases of Section 56 and 57 managers
 - ii. An inflation adjustment for general expenditure, repairs and maintenance and contributions to statutory funds, and
 - iii. Additional depreciation costs or interest and redemption on loans associated with the assets created during the previous financial year.
- 16.4 Extraordinary expenditure related to community services not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an increase in property rates.
- 16.5 Affordability of rates to ratepayers.
- 16.6 All increases in property rates will be communicated to the local community in terms of the municipality's policy on community participation.

17. NOTIFICATION OF RATES

- 17.1 The municipality will give notice of all rates approved at the annual budget meeting at least 30 days prior to the date that the rates

become effective. Accounts delivered after the 30 days notice will be based on the new rates.

- 17.2 A notice stating the extent of the municipality's resolution and the date on which the new rates become operational will be displayed by the municipality for a period of at least 30 days at places provided for that purpose as well as in the Provincial gazette as required in terms of Section 14(2) of the Act.

18. PAYMENT OF RATES

- 18.1 Ratepayers may choose between paying rates annually in one instalment on or before 30 September or in twelve equal instalments on or before the seventh day of the month following on the month in which it becomes payable.
- 18.2 If the owner of property that is rateable, notifies the municipal manager or his/her nominee not later than 31 May in any financial year, or such later date in such financial year as may be determined by the municipal manager or his/her nominee that he/she wishes to pay all rates in respect of such property in instalments, such owner shall be entitled to pay all rates in the subsequent financial year and each subsequent financial year in twelve instalments until such notice is withdrawn by him/her in a similar manner.
- 18.3 Interest on arrears of rates, whether payable on or before 30 September or in equal monthly instalments, shall be calculated in accordance with the interest rate as determined by the Minister for Provincial and Local Government.

- 18.4 If a property owner, who is responsible for the payment of property rates in terms of this policy, fails to pay such rates in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control, Debt Collection and indigent policy of the Municipality.
- 18.5 Arrears of rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act.
- 18.5.1 (a) If an amount due for rates levied in respect of a property is unpaid by the owner of the property after the date determined , the municipality will recover the amount in whole or in part from the tenant or occupier of the property, despite any contractual obligation between the tenant and the owner. The municipality will only recover the outstanding rates from the tenant or occupier after a written notice has been served to the tenant or occupier.
- (b) The amount that the municipality will recover from the tenant or occupier will be limited to the amount of the rent or other money due and payable, but not yet paid by the tenant or occupier to the owner of the property. The tenant or occupier must set off any amount recovered from them by the municipality against any money owed to the owner.
- (c) The tenant or occupier of a property will on request of the municipality, furnish the municipality with a written statement specifying all payments to be made by the tenant or occupier to the owner of the property for rent or other money payable on the property during a period as may be determined by the municipality.
- 18.5.2 (a) If an amount due for rates levied in respect of a property is unpaid by the owner of the property after the date

determined , the municipality will recover the amount in whole or in part from the agent of the owner. The municipality will only recover the outstanding rates from the agent after a written notice has been served to the agent.

- (b) The amount that the municipality will recover from the agent will be limited to the amount of any rent or other money received by the agent on behalf of the owner, less any commission due to the agent.
- (c) The agent, will on request of the municipality, furnish the municipality with a written statement specifying all payments for rent on the property and any money received by the agent on behalf of the owner during a period as may be determined by the municipality.

19 ACCOUNTS TO BE FURNISHED

The municipality will furnish each person liable for the payment of rates with a written account, which will specify:

- (i) the amount due for rates payable,
- (ii) the date on or before which the amount is payable,
- (iii) how the amount was calculated,
- (iv) the market value of the property, and
- (v) rebates, exemptions, reductions or phasing-in, if applicable.

A person liable for payment of rates remains liable for such payment, whether or not such has received a written account from the municipality. If the person concerned has not received a written account, he/she must make the necessary enquiries with the municipality.

20 CORRECTION OF ERRORS AND OMISSIONS

20.1 Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.

20.2 In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.

21 FREQUENCY OF VALUATION

The municipality shall prepare a new valuation roll every 4 (four) years, with the option to extend the validity of the valuation roll to 5 (five) years with the approval of the MEC for Local Government and Housing in the province.

Supplementary valuations will be done on a continues basis to ensure that the valuation roll is properly maintained.

22 COMMUNITY PARTICIPATION

Before the municipality adopts the rates policy, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:

The municipal manager will:

- 22.1 Conspicuously display the draft rates policy for a period of at least 30 days at the municipality's head and satellite offices, libraries, community halls.
- 22.2 Advertise in the media a notice stating that the draft rates policy has been prepared for submission to Council and that such policy is available at the various municipal offices for public inspection. Property owners and interest persons are invited to submit written comments or representations to the municipality within the specified period in the notice.
- 22.3 Council will consider all comments and/or representations received when considering the finalisation of the rates policy.

23 REGISTER OF PROPERTIES

The municipality will compile and maintain a register in respect of all properties situated within the jurisdiction of the municipality. The register will be divided into Part A and Part B.

Part A of the register will consist of the current valuation roll of the municipality and will include all supplementary valuations done from time to time.

Part B of the register will specifies which properties on the valuation roll or any supplementary valuation roll are subject to:

- i. Exemption from rates in terms of section 15 of the Property Rates Act,
- ii. Rebate or reduction in terms of section 15,
- iii. Phasing-in of rates in terms of section 21, and
- iv. Exclusions as referred to in section 17.

The register will be open for inspection by the public at the municipal main offices during office hours.

The municipality will update Part A of the register every six (6) months during the supplementary valuation process.

Part B of the register will be updated

24 BY-LAWS TO GIVE EFFECT TO THE RATES POLICY

The municipality will adopt By-laws to give effect to the implementation of the Rates Policy and such By-laws may differentiate between different categories of properties and different categories of owners of properties liable for the payment of rates.

25 REGULAR REVIEW PROCESSES

The rates policy must be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives as contained in the IDP and with legislation.

26 SHORT TITLE

This By-Law is the Property Rates By-Law of the **Ratlou Local Municipality**.

27 ENFORCEMENT/IMPLEMENTATION

This Rates By-Law has been adopted by the Municipality in terms of Resolution 15/2009 dated 29 May 2009, and comes into effect from 1 July 2009. .

SCHEDULE A
SCHEDULE OF REBATES

Category/Description	Proposed rebate	Council's adopted rebate
State Properties	20%	20%
Residential Properties	20%	20%
Public Service Infrastructure	30%	30%
Rebate on payment of Rates before 30 September	10%	10%
<u>Rebates on Agricultural Land</u>		
➤ No municipal roads next to property	10,0%	10,0%
➤ No municipal sewerage to the property	10,0%	10,0%
➤ No municipal electricity to the property	10,0%	10,0%
➤ No water supply to the property by the municipality	15,0%	15,0%
➤ No refuse removal provided by the municipality	8,0%	8,0%
➤ Contribution to job creation: 0 to 10 workers	5%	5%
11 to 50 workers	8%	8%
51 workers and more	10%	10%
<u>Contribution to social and economic welfare of farm workers:</u>		
➤ Permanent residential property provided to the farm workers	5%	5%
➤ Residential property provide with potable water	10%	10%
➤ Residential property provide with electricity	5%	5%
Availing land/buildings for farm workers for: education purposes	10%	10%
recreational purposes	15%	15%
<u>Retired and disabled person on residential properties only :</u>		
➤ Total annual income: R 0.00 to R 20 000	100%	100%
➤ Total annual income: R20 001 to R 40 000	80%	80%
➤ Total annual income: R 40 001 to R 60 000	60%	60%
➤ Total annual income: R 60 001 to R 80 000	40%	40%
➤ Total annual income: R 80 001 to R 100 000	20%	20%
➤ Total annual income: R100 001 and more	0%	0%