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(*Herdrukke is verkrygbaar by Kamer 9-06, Provinsiale-gebou, Dorpstraat 4, Kaapstad 8001.)

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PROCLAMATION
PROVINCE OF THE WESTERN CAPE
ROADS ORDINANCE, 1976 (ORDINANCE NO. 19 OF 1976)
NO. 12/2008

OVERBERG DISTRICT MUNICIPALITY: CLOSURE OF MINOR ROAD 4227 AND PUBLIC PATH 28, BLAAUWKLIP, RIVIERSONDEREND

Under section 3 of the Roads Ordinance, 1976 (Ordinance No. 19 of 1976), I hereby declare that the existing public road and public path described in the Schedule and situated in the Overberg District Municipality area, the locations and routes of which are indicated by means of unbroken blue lines marked A–B–C and D–B on plan RL.54/12, which is filed in the offices of the Executive Manager: Roads Infrastructure, 9 Dorp Street, Cape Town and the Municipal Manager, Overberg District Municipality, 26 Long Street, Bredasdorp, shall be closed on condition that pedestrian access across the affected properties is provided and maintained by the relevant property owners.

Dated at Cape Town this 27th day of July 2008.

ML FRANSMAN
WESTERN CAPE PROVINCIAL
MINISTER OF TRANSPORT AND PUBLIC WORKS

SCHEDULE

1. Minor Road 4227, from Divisional Road 1262 on the property 5/4 to Divisional Road 1290 on the property 425/6: a distance of about 7,2 km.
2. Public Path 28, from Divisional Road 1262 on the property 5/8 to Minor Road 4227 on the property 5/5: a distance of about 1,3 km.

PROKLAMASIE
PROVINSIE WES-KAAP
ORDONNANSIE OP PAAIE, 1976 (ORDONNANSIE NR. 19 VAN 1976)
NR. 12/2008

OVERBERG DISTRIKSMUNISIPALITEIT: SLUITING VAN ONDERGESKIKTE PAD 4227 EN PUBLIEKE PAD 28 BLAAUWKLIP, RIVIERSONDEREND

Kragtens artikel 3 van die Ordonnansie op Paaie, 1976 (Ordonnansie Nr. 19 van 1976), verklaar ek hierby dat die openbare pad en publieke pad in die bylae beskrywe en binne die gebied van die Overberg Distriksmunisipaliteit, geleë, waarvan die ligging en roetes is soos aangedui deur middel van ongebroke blou lyne gemerk A–B–C en D–B op plan RL.54/12 wat geliasseer is in die kantore van die Uitvoerende Bestuurder: Padinfrastruktuur, Dorpstraat 9, Kaapstad en die Munisipale Bestuurder, Overberg Distriksmunisipaliteit, Langstraat 26, Bredasdorp, gesluit is op voorwaarde dat voetgangerstoegang oor die geaffekteerde eiendomme voorsien en gehandhaaf word deur die betrokke grondeienaars.

Gedateer te Kaapstad op hede die 27ste dag van Julie 2008.

ML FRANSMAN
WES-KAAPSE PROVINSIALE
MINISTER VAN VERVOER EN OPENBARE WERKE

BYLAE

1. Ondergeskikte Pad 4227, vanaf Afdelingspad 1262 op die eiendom 5/4 na Afdelingspad 1290 op die eiendom 425/6: 'n afstand van ongeveer 7,2 km.
2. Publieke Pad 28, vanaf Afdelingspad 1262 op die eiendom 5/8 na Ondergeskikte Pad 4227 op die eiendom 5/5: 'n afstand van ongeveer 1,3 km.

ISAZISO
IPHONDO LENTSHONA KOLONI
UMMISELO WEENDLELA, 1976 (UMMISELO 19 WE 1976)
NOMB. 12/2008

UMASIPALA WASITHILI SASE-OVERBERG: UKUVALWA KWENDLEDLANA 4227 NENDLELA YEENYAWO 28, BLAAUWKLIP, RIVIERSONDEREND

Phantsi kwesiqendu 3 soMmiselo weeNdlela, 1976 (uMmiselo Nomb. 19 we-1976), ndichaza ukuba indlela ekhoyo yoluntu nendlela yeenyawo echazwe kwiShedyuli nekummandla kaMasipala weSithili saseOverberg, ekuhamba kwayo nendawo ekuyo ibonakaliswe ngemigca eluhlaza enganqumkanga ephawulwe A–B–C no D–B Kwiplani RL.54/12, egcinwe kwii-ofisi zoMlawuli weSigqeba: Iziseko zeeNdlela, 9 Dorp Street, Cape Town nezoMlawuli kaMasipala, uMasipala weSithili sase-Overberg, 26 Long Street, Bredasdorp, iza kuvalwa ukuba kwenziwe isibonelelo yaye kwagcinwe indlelana yabahamba ngeenyawo abakwizakhiwo ezichaphazelekayo nokunxulumene nobqwkqi ndawo.

Ekapa ngalo mhla 27th kaJuly 2008.

ML FRANSMAN
IPHONDO LENTSHONA KOLONI
UMPHATHISWA WEZOTHUTHO NEMISEBENZI YOLUNTU

SCHEDULE

1. Minor Road 4227, from Divisional Road 1262 on the property 5/4 to Divisional Road 1290 on the property 425/6: a distance of about 7,2 km.
2. Public Path 28, from Divisional Road 1262 on the property 5/8 to Minor Road 4227 on the property 5/5: a distance of about 1,3 km.

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

V. L. PETERSEN (Ms),
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

P.N. 270/2008

8 August 2008

CITY OF CAPE TOWN
(BLAAUWBERG REGION)

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is given that the Minister of Environment, Planning and Economic Development, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), hereby remove conditions (ii)A.(a) and (ii)A.(b) contained in the Schedule of Conditions in so far as it pertains to the Sectional Title Scheme Tayview No. SS 315 of 1984 (Annexure "A" to Sheet No 1 of 8 sheets) regarding Erf 5167, Milnerton.

REMOVAL OF RESTRICTIONS IN TOWNS

CITY OF CAPE TOWN (CAPE TOWN REGION)
REMOVAL OF RESTRICTIONS AND SUBDIVISION

- Remainder Erf 56935, Cape Town at Claremont (*second placement*)

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and section 24 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, 1st Floor, 3 Victoria Road, Plumstead, and any enquiries may be directed to Ms D Samaai, from 08:30 to 12:30 Monday to Friday. The application is also open for inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30.

Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to dhilshaad.samaai@capetown.gov.za and (2) the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town on or before the closing date, quoting the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact D Samaai on (021) 710-8249.

The closing date for objections and comments is 8 September 2008.

File Ref: LM4358 (153857)

Applicant: David Hellig & Abrahamse Professional Land Surveyors

Address: 10 Struben Road, Claremont

Nature of Application: Removal of restrictive title conditions applicable to Erf 56395, 10 Struben Road, Claremont to enable the owner to subdivide the property into two portions (Portion 1 being $\pm 788 \text{ m}^2$ in extent and the Remainder being $\pm 1 772 \text{ m}^2$ in extent) for single residential purposes.

Achmat Ebrahim, City Manager

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

V. L. PETERSEN (Me),
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

P.K. 270/2008

8 Augustus 2008

STAD KAAPSTAD
(BLAAUWBERG STREEK)

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied dat die Minister van Omgewing, Beplanning en Ekonomiese Ontwikkeling, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), hef hiermee voorwaardes (ii)A.(a) en (ii)A.(b) soos vervat in die Skedule van Voorwaardes in soverre dit betrekking het op die Deeltitelskema Tayview Nr. SS 315 van 1984 (Aanhangsel "A" van Bladsy Nr. 1 van 8 bladsye) met betrekking tot Erf 5167, Milnerton, op.

OPHEFFING VAN BEPERKINGS IN DORPE

STAD KAAPSTAD (KAAPSTAD-STREEK)
OPHEFFING VAN BEPERKINGS EN ONDERVERDELING

- Restant van Erf 56935, Kaapstad te Claremont (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 24 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, 1ste Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan me. D Samaai van 8:30 tot 12:30, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbestuur, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae).

Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, faksno. (021) 710-8283, dhilshaad.samaai@capetown.gov.za, as (2) die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na die adresse of faksno. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief in verbinding met D Samaai, tel (021) 710-8249.

Die sluitingsdatum vir besware is 8 September 2008.

Lêerverw.: LM4358 (153857)

Aansoeker: David Hellig & Abrahamse Professionele Landmeters

Adres: Strubenweg 10, Claremont

Aard van Aansoek: Die opheffing van beperkende voorwaardes wat op Erf 56395, Strubenweg 10, Claremont, van toepassing is, ten einde die eienaar in staat te stel om die eiendom vir enkelresidensiële doeleindes in twee gedeeltes (Gedeelte 1 $\pm 788 \text{ m}^2$ groot en die Restant $\pm 1 772 \text{ m}^2$ groot) te onderverdeel.

Achmat Ebrahim, Stadsbestuurder

CITY OF CAPE TOWN (OOSTENBERG REGION)

REMOVAL OF RESTRICTIONS AND REZONING

- Erven 868 and 869, Durbanville (5 and 7 Oxford Street) (second placement)

1. Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the Development Co-ordinator at the Municipal Offices, Brighton Road, Kraaifontein and that any enquiries may be directed to Ms E Marais, Box 25, Kraaifontein, 7569, Elmarie.Marais@capetown.gov.za, (021) 980-6183 and facsimile (021) 980-6179 weekdays during the hours of 08:00 to 14:30.

The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Room 201, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30.

Telephonic enquiries in this regard may be made at (021) 483-5830 and the Directorate's fax is (021) 483-3633.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Development Co-ordinator, on or before Monday, 8 September 2008, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Nature of application: Removal of restrictive title conditions, applicable to Erven 868 and 869, Oxford Street, Durbanville to enable the rezoning of the subject properties from Single Residential to General Business (offices and medical consulting rooms only).

2. Notice is hereby given in terms section 17 of the Land Use Planning Ordinance that the undermentioned application has been received and is open to inspection at the office of the Development Co-ordinator at the Municipal Offices Brighton Road, Kraaifontein and that any enquiries may be directed to Ms E Marais, Box 25, Kraaifontein, 7569, Elmarie.Marais@capetown.gov.za, (021) 980-6183 and facsimile (021) 980-6179 weekdays during the hours of 08:00 to 14:30.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Development Co-ordinator on or before Monday, 8 September 2008, quoting the above relevant Legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Nature of application: The rezoning of Erven 868 and 869, Durbanville from single residential to general business (offices and medical consulting rooms only).

Applicants:

Erf 869 — Dr J Malan on behalf of Ms L C Venter

Erf 868 — P Fourie on behalf of QCK Lezmin 4425 CC

Address: 5 & 7 Oxford Street, Durbanville

Application No: 157735

Achmat Ebrahim, City Manager

STAD KAAPSTAD (OOSTENBERG-STREEK)

OPHEFFING VAN BEPERKINGS EN HERSONERING

- Erwe 868 an 869, Durbanville (Oxfordstraat 5 en 7) (*tweede plasing*)

1. Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Ontwikkelingskoördineerder, Munisipale Kantore, Brightonweg, Kraaifontein, en enige navrae kan gerig word aan me. E Marais, Posbus 25, Kraaifontein 7569, Elmarie.Marais@capetown.gov.za, (021) 980-6183 en faksno. (021) 980-6179, weksdae van 08:00 tot 14:30.

Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Streek A1, Departement van Omgewingsake & Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Kamer 204, Utilitas-gebou, Dorpstraat 1, Kaapstad, weksdae van 08:00 tot 12:30 en 13:00 tot 15:30.

Telefoniese navrae in die verband kan gerig word aan (021) 483-5830 en die Direkoraat se faksnummer is (021) 483-3633.

Enige besware, met volledige redes daarvoor, kan voor of op Maandag, 8 September 2008, skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000, ingedien word, met 'n afskrif aan bogenoemde Ontwikkelingskoördineerder, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erwe 868 en 869, Oxfordstraat, Durbanville, van toepassing is, ten einde die hersonering van die onderhawige eiendomme van enkelresidensieel na algemeen sakesone (slegs kantore en mediese spreekkamers) moontlik te maak.

2. Kennisgewing geskied hiermee ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, dat die Raad onderstaande aansoek ontvang het wat weksdae van 08:00 tot 14:30 by die kantoor van die Ontwikkelingskoördineerder by die Munisipale Kantore, Brightonweg, Kraaifontein, ter insae beskikbaar is. Navrae kan gerig word aan me. E. Marais, Posbus 25, Kraaifontein 7569, e-posadres Elmarie.Marais@capetown.gov.za, tel (021) 980-6183 en faksno. (021) 980-6179 gedurende kantoorure (08:00-14:30).

Enige besware, met volledige redes, moet voor of op Maandag, 8 September 2008, skriftelik aan die kantoor van bogenoemde Ontwikkelingskoördineerder gerig word, met vermelding van bogenoemde toepaslike Wetgewing, die aansoeknummer en die beswaarmaker se erf en telefoonnummer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aard van aansoek: Die hersonering van Erwe 868 en 869, Durbanville, van enkelresidensieel na algemeensakesone (slegs kantore en mediese spreekkamers).

Aansoekers:

Erf 869 — dr. J Malan namens me. L C Venter

Erf 868 — P Fourie namens QCK Lezmin 4425 BK

Adres: Oxfordstraat 5 & 7, Durbanville

Aansoekno.: 157735

Achmat Ebrahim, Stadsbestuurder

CITY OF CAPE TOWN (BLAAUWBERG REGION)

REMOVAL OF RESTRICTIONS

- Erf 12044, 50 Milner Road (*second placement*)

1. Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the District Manager: District B at Milpark Centre, and that any enquiries may be directed to Jack Gelb, Milpark Centre, cnr Koeberg Road & Ixia Street, Milnerton (PO Box 35, Milnerton, 7435), jack.gelb@capetown.gov.za, tel (021) 550-1093 and fax (021) 550-7517 weekdays during the hours 8:00 to 14:30.

The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs and Development Planning, Provincial Government of the Western Cape, Room 604, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30.

Telephonic enquiries in this regard may be made at (021) 483-4588 and the Directorate's fax is (021) 483-3098.

Any objections, with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Private Bag X9086, Cape Town 8000, on or before 9 September 2008 quoting the above Act and the objector's erf number. Any comments received after aforementioned closing date may be disregarded.

2. Notice is hereby given in terms of sections 15 and 17 of the Land Use Planning Ordinance (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager: District B, at Milpark Centre. Enquiries may be directed to Jack Gelb, Milpark Centre, cnr Koeberg Road & Ixia Street, Milnerton (PO Box 35, Milnerton, 7435), jack.gelb@capetown.gov.za, tel (021) 550-1093 and fax (021) 550-7517 weekdays during the hours 08:00 to 14:30.

Any objections, with full reasons therefor may be lodged in writing at the office of the abovementioned District Manager on or before 9 September 2008 quoting the above Legislation, the application number and the objector's erf number and address. Any objections received after aforementioned closing date may be considered invalid.

Reference: LC12044MET

Applicant: MLH Architects & Planners on behalf of I Esa Development CC

Nature of Application:

1. Removal of restrictive title conditions applicable to Erf 12044, 50 Milner Road, Metro Industrial Township.
2. Rezoning of the said Erf from industry general to industry general business to construct a 12-storey business and apartment building on the property;
3. Departures from the Metro & Montague Gardens Industrial Township Zoning Scheme:
 - the coverage will be 94,1% in lieu of 75% for a public garage in accordance with section 25(2)(a) of the aforementioned scheme;
 - a street building line will be 0,0 m in lieu of 7,5 m from Milner Street;
 - the height will be 12 storeys and a basement in lieu of 3 storeys permitted for an industrial general business use zone.

Achmat Ebrahim, City Manager

STAD KAAPSTAD (BLAAUWBERG-STREEK)

OPHEFFING VAN BEPERKINGS

- Erf 12044, Milnerweg 50 (*tweede plasing*)

1. Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Distrik B, Milpark-gebou, en dat enige navrae gerig kan word aan Jack Gelb, Milpark-gebou, h/v Koebergweg en Ixiastraat, Milnerton (Posbus 35, Milnerton 7435), jack.gelb@capetown.gov.za, tel (021) 550-1093 en faksno. (021) 550-7517 weksdae gedurende 08:00 tot 14:30.

Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Kamer 604, Dorpstraat 1, Kaapstad, weksdae van 08:00 tot 12:30 en 13:00 tot 15:30.

Telefoniese navrae in die verband kan gerig word aan (021) 483-4588 en die Direkoraat se faksnommer is (021) 483-3098.

Enige besware, met volledige redes daarvoor, kan voor of op 9 September 2008 skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige besware na voormelde sluitingsdatum ontvang word, kan dalk nie in ag geneem word nie.

2. Kennisgewing geskied ook hiermee ingevolge artikels 15 & 17 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Distrik B, Milpark-gebou, en dat enige navrae gerig kan word aan Jack Gelb, Milpark-gebou, h/v Koebergweg en Ixiastraat, Milnerton, of Posbus 35, Milnerton 7435, jack.gelb@capetown.gov.za, tel (021) 550-1093 en faksno. (021) 550-7517 weksdae tussen 8:00 en 14:30.

Enige besware, met redes daarvoor, moet voor of op 9 September 2008 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, met vermelding van bogenoemde Ordonnansie, die aansoeknommer en die beswaarmaker se ernommer en adres. Besware wat na voormelde sluitingsdatum ontvang word, kan dalk nie in ag geneem word nie.

Verwysingsno.: LC12044MET

Aansoeker: MLH Architects & Planners namens I Esa Development BK

Aard van Aansoek:

1. Die opheffing van beperkende titelvoorwaardes wat op Erf 12044, Milnerweg 50, Metro Industrial Township, van toepassing is.
2. Die hersonering van genoemde Erf van algemeen industrieel na algemeen industriële sakesone ten einde 'n sake- en woonstelgebou van 12 verdiepings op die eiendom op te rig.
3. Afwykings van die Metro- en Montague Gardens- Industriële Dorpsoneringskema:
 - Die dekking sal 94,1% in plaas van 75% wees vir 'n openbare motorhawe in ooreenstemming met artikel 25(2)(a) van bogenoemde skema;
 - 'n straatboulyn sal 0,0 m in plaas van 7,5 m van Milnerweg wees;
 - Die hoogte sal 12 verdiepings en 'n kelderverdieping wees in plaas van die toegelate 3 verdiepings vir 'n algemeenindustriële sakesone.

Achmat Ebrahim, Stadsbestuurder

CITY OF CAPE TOWN (OOSTENBERG REGION)

REMOVAL OF RESTRICTIONS, REZONING AND PERMANENT DEPARTURE

- Erf 695, No 2 Heather Lane, Kenridge, Durbanville
(second placement)

1. Notice is hereby given in terms of section 3(6) of the Removal of Restrictions (Act No 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Room 204, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30.

Telephonic enquiries in this regard may be made at (021) 483-8788 and the Directorate's fax is (021) 483-3633.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town, 8000, on or before Monday, 8 September 2008, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Nature of application: Removal of restrictive title conditions applicable to Erf 695, Kenridge, to enable the owner to utilise the property for a guest house.

2. Notice is hereby also given in terms of sections 17(2)(a) and 15(2)(a) of the Land Use Planning Ordinance, No. 15 of 1985, that the undermentioned application has been received and is open to inspection at the office of the District Manager, District C. Any enquiries may be directed to Hannes van Zyl, Planning & Building Development Management, Municipal Offices, Brighton Road, Kraaifontein (Postal Address: PO Box 25, Kraaifontein 7569), e-mail address: johannesgideon.vanzyl@capetown.gov.za, tel (021) 980-6003 and fax (021) 980-6179, weekdays during office hours (08:00-14:30). Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager: District C on or before 8 September 2008 quoting the above relevant Legislation, the application number and the objector's erf and phone numbers and address. Any objections received after the aforementioned closing date may be considered invalid.

Nature of application:

- Rezoning from single residential to general residential (residential building), in order to operate a guest house from the property.
- Permanent departure to permit the relaxation of the 8 m street building line to 2,135 m and 0,5 m respectively.

Applicant Property: Erf 695, Kenridge, Durbanville

Owner: Mr DI de Bruin

Applicant: Christine Havenga Town Planning

Application No: 162622

Should your response not reach the above offices on or before the closing date, it may be considered invalid. Kindly clearly indicate in terms of which Legislation your comments/objections are made. Should you be unable to provide written objection or representation, you may by appointment during office hours request a staff member to assist you with transcribing your objection or representation. Kindly note, any comment and/or objection submitted would be public record and be made available to the application for response as a matter of course.

Achmat Ebrahim, City Manager

STAD KAAPSTAD (OOSTENBERG-STREEK)

OPHEFFING VAN BEPERKINGS, HERSONERING EN PERMANENTE AFWYKING

- Erf 695, Heatherlaan 2, Kenridge, Durbanville
(tweede plasing)

1. Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Kamer 204, Dorpstraat 1, Kaapstad, woensdae van 08:00 tot 12:30 en 13:00 tot 15:30.

Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-8788 en die Direktooraat se faksnommer is (021) 483-3633.

Enige besware, met die volledige redes daarvoor, kan voor of op Maandag, 8 September 2008, skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige besware wat na die voormelde sluitingsdatum ontvang word, kan dalk nie in ag geneem word nie.

Aard van aansoek: Opheffing van beperkende titelvoorwaardes wat op Erf 695, Kenridge, van toepassing is, ten einde die eienaar in staat te stel om die eiendom as gastehuis te gebruik.

2. Kennisgewing geskied hiermee ingevolge artikels 17(2)(a) en 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985, dat die Raad onderstaande aansoek ontvang het wat woensdae van 08:00 tot 14:30 by die kantoor van die Distriksbestuurder, Distrik C, Stad Kaapstad, ter insae beskikbaar is, en navrae kan gerig word aan mnr. Hannes van Zyl, Beplanning en Bou-ontwikkelingsbestuur, Munisipale Kantore, Brightonweg, Kraaifontein, of Posbus 25, Kraaifontein 7569, e-posadres johannesgideon.vanzyl@capetown.gov.za, tel (021) 980-6003 en faksno. (021) 980-6179 gedurende kantoorure (08:00-14:30). Enige besware, met volledige redes, moet voor of op 8 September 2008 skriftelik aan die kantoor van bogenoemde Distriksbestuurder, Distrik C, gerig word, met vermelding van bogenoemde toepaslike Wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aard van aansoek:

- Die hersonering van enkelresidensieel na algemeenresidensieel (residensieël gebou), ten einde 'n gastehuis op die eiendom te bedryf.
- Permanente afwyking ten einde die verslapping van die 8 m straatboulyn tot onderskeidelik 2,135 m en 0,5 m toe te laat.

Aansoek eiendom: Erf 695, Kenridge, Durbanville

Eienaar: Mnr DI de Bruin

Aansoeker: Christine Havenga Town Planning

Aansoekno.: 162622

Indien u terugvoering bogenoemde kantore nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Toon asseblief duidelik ingevolge welke Wetgewing u kommentaar/beswaar voorgelê word. Indien u nie skriftelik kommentaar of besware kan indien nie, kan u volgens afspraak gedurende kantoorure 'n personeëllid versoek om u te help om u beswaar of voorlegging neer te skryf. Let asseblief daarop dat enige kommentaar en/of beswaar wat voorgelê word, 'n openbare rekord sal wees wat uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

Achmat Ebrahim, Stadsbestuurder

CITY OF CAPE TOWN (TYGERBERG REGION)

REMOVAL OF RESTRICTIVE TITLE CONDITIONS,
REZONING AND PERMANENT DEPARTURES FROM THE
KUILS RIVER ZONING SCHEME

- Erf 1941, c/o Van der Stel and Mikro Streets, De Kuilen, Kuils River
(second placement)

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the District Manager: Tygerberg District (District D), Planning and Building Development Management. Any enquiries may be directed to Mr J Loots, Planning and Building Development Management, First Floor, Omni-Forum Building, 94 Van Riebeeck Road, Kuils River (Postal address: Private Bag X16, Kuils River, 7579), e-mail: jacques.loots@capetown.gov.za, tel (021) 900-1752 and fax (021) 900-1786 weekdays during office hours (08:00-14:30). The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at Room 204, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30.

Telephonic enquiries in this regard may be directed to A Mabie, tel (021) 483-8354 and the Directorate's fax is (021) 483-3633.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town, 8000, with a copy served on the Local Authority to the abovementioned District Manager, District D on or before 8 September 2008, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Applicant: Bedeker and Smith Consultants on behalf of Snymi Property 019CC.

Application No: 144469

Address: c/o Van der Stel and Mikro Streets, De Kuilen, Kuils River

Nature of application: Removal of restrictive title conditions applicable to Erf 1941, Kuils River, to enable the owner to rezone the property from single residential purposes to special zone 3: local offices.

Notice is also hereby given of the following application, submitted simultaneous to the above:

- In terms of section 17 of Ordinance 15 of 1985 for the rezoning of erf 1941, 982 m² in extent, from single residential purposes to special zone 3: local offices to allow the conversion of the existing structure to offices. The proposed floor area of the structures on the site will be 200 m²; (i.e. a bulk factor of 0,4). eight (8) on-site parking bays will be provided.
- In terms of section 15 of Ordinance 15 of 1985, for permanent departures from the following building lines prescribed for the proposed new zoning in the Kuils River Zoning Scheme:

Street Building Lines: 2,133 m in lieu of 3 m on Van der Stel Street.

Side Building Lines: 0 m in lieu of 1,5 m for both lateral building lines (existing outbuilding and garage respectively).

Should your response not reach the above offices on or before the closing date, it may be considered invalid. Kindly clearly indicate in terms of which Legislation your comments/objections are made. Should you be unable to provide written objection or representation, you may by appointment during office hours request a staff member to assist you with transcribing your objection or representation. Kindly note, any comment and/or objection submitted would be public record and be made available to the applicant for response as a matter of course.

Achmat Ebrahim, City Manager

STAD KAAPSTAD (TYGERBERG-STREEK)

OPHEFFING VAN BEKERKENDE TITELVOORWAARDES,
HERSONERING EN PERMANENTE AFWYKINGS VAN DIE
KUILSRIVIERSE SONERINGSKEMA

- Erf 1941, h/v Van der Stel- en Mikrostraat, De Kuilen, Kuilsrivier
(tweede plasing)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Tygerbergdistrik D, Beplanning en Bou-ontwikkelingsbestuur. Enige navrae kan gerig word aan mnr. J Loots, Belanning en Bou-ontwikkelingsbestuur, Eerste Verdieping, Omni Forum-gebou, Van Riebeeckweg 94, Kuilsrivier (Posadres: Privaatsak X16, Kuilsrivier 7579), e-posadres: jacques.loots@capetown.gov.za, tel (021) 900-1752 en faksno. (021) 900-1786, weksdae gedurende kantoorure (08:00-14:30). Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Kamer 204, Dorpstraat 1, Kaapstad, weksdae van 08:00-12:30 en 13:00-15:30.

Telefoniese navrae in dié verband kan gerig word aan A Mabie, tel (021) 483-8354, en die Direktoraat se faksno. is (021) 483-3633.

Enige besware, met volledige redes, moet voor of op 8 September 2008 skriftelik aan die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000, gerig word, met 'n afskrif aan die Plaaslike Owerheid aan bogenoemde Distriksbestuurder, Distrik D, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Bedeker and Smith Consultants namens Snymi Property 019 BK

Aansoekno.: 144469

Adres: h/v Van der Stel- en Mikrostraat, De Kuilen, Kuilsrivier

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erf 1941, Kuilsrivier, van toepassing is, ten einde die eienaar in staat te stel om die eiendom van enkelresidensieel na spesiale sone 3: plaaslike kantore te hersoneer.

Kennisgewing geskied ook hiermee van die volgende aansoek wat gelyktydig met die bogenoemde ingedien is.

- Ingevolge van artikel 17 van Ordonnansie 15 van 1985 vir die hersonering van Erf 1941, 982 m² groot, van enkelresidensieel na spesiale sone 3: plaaslike kantore, om toe te laat dat die bestaande struktuur in kantore omskep word. Die voorgestelde vloeroppervlakte van die strukture op die perseel sal 200 m² wees (d.w.s. 'n massafaktor van 0,4). Daar sal 8 parkeerplekke op die perseel voorsien word.
- Ingevolge artikel 15 van Ordonnansie 15 van 1985, vir permanente afwykings van die volgende boulyne wat in die Kuilsrivierse Soneringskema vir die voorgestelde nuwe sonering voorgeskryf word:

Straatboulyne: 2,133 m in plaas van 3 m aan Van der Stelstraat.

Syboulyne: 0 m in plaas van 1,5 m vir albei syboulyne (onderskeidelik vir die buitegebou en motorhuis).

Indien u terugvoering bogenoemde kantore nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Toon asseblief duidelik ingevolge welke Wetgewing u kommentaar/beswaar voorgelê word. Indien u nie skriftelik kommentaar of besware kan indien nie, kan u volgens afspraak gedurende kantoorure 'n personeelid versoek om u te help om u beswaar of voorlegging neer te skryf. Let asseblief daarop dat enige kommentaar en/of beswaar wat voorgelê word, 'n openbare rekord sal wees wat uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

Achmat Ebrahim, Stadsbestuurder

CITY OF CAPE TOWN (HELDERBERG REGION)

REMOVAL OF RESTRICTIONS AND TEMPORARY DEPARTURE

- Erf 1932, 7 Prospect Avenue, Somerset West (*second placement*)

Notice is hereby given in terms of section 3(6) of the Act 84 of 1967 and section 15(2)(a) of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, c/o Victoria & Andries Pretorius Street, Somerset West and any enquiries may be directed to Gabby Wagner, PO Box 19, Somerset West, 7129, e-mailed to ciska.smit@capetown.gov.za, tel (021) 850-4553 or fax (021) 850-4354 during office hours (08:00-13:00).

The application is also open to inspection at the office of the Director: Integrated Environmental Management: Region B1, Provincial Government of the Western Cape, Room 601, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4634 and the Directorate's fax (021) 483-3098.

Any objections, with full reasons therefor, should be lodged in writing at the office the Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000 and simultaneously at the office of the District Manager at PO Box 19, Somerset West, 7129 on or before 8 September 2008, quoting the above Act and the objector's erf number. Any objections received after the aforementioned closing date may be disregarded. Any objection which is only submitted to one of the above addresses may be disregarded.

Applicant: N Delande

Owners: N Delande & C Keppers

Application No: 159042

Notice No: 30/2008

Address: 7 Prospect Avenue, Somerset West

Nature of Application:

- The removal of restrictive title conditions to permit Erf 1932, 7 Prospect Avenue, Somerset West to be used for business purposes (bed-&-breakfast facility);
- The temporary departure from the Zoning Scheme Regulation to permit a bed-&-breakfast facility (maximum of 6 guests) to operate from Erf 1932, 7 Prospect Avenue, Somerset West.

Achmat Ebrahim, City Manager

TENDERS

N.B. Tenders for commodities/services, the estimated value of which exceeds R20 000, are published in the Government Tender Bulletin, which is obtainable from the Government Printer, Private Bag X85, Pretoria, on payment of a subscription.

NOTICES BY LOCAL AUTHORITIES

GEORGE MUNICIPALITY

NOTICE NO: 185/2008

PROPOSED REZONING: ERF 5342, PACALTS DORP

Notice is hereby given that Council has received an application for the rezoning in terms of Section 17(2)(a) of Ordinance 15/1985 of the abovementioned property from RESIDENTIAL ZONE I to BUSINESS II.

Details of the proposal are available for inspection at the Council's office 5th Floor, York Street, George, 6530, during normal office hours, Mondays to Fridays. Enquiries: Keith Meyer, Reference: Erf 5342, Pacaltsdorp.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than Monday, 8 September 2008.

Please note that no objections by e-mail will be accepted.

Any person, who is unable to write, can submit their objection verbally to the Council's offices where they will be assisted by a staff member to put their comments in writing.

CM Africa, Municipal Manager, Civic Centre, York Street, George 6530.

Tel: 044-801 9435 Fax: 086 529 9985

E-mail: keith@george.org.za

8 August 2008

46639

STAD KAAPSTAD (HELDERBERG-STREEK)

OPHEFFING VAN BEPERKINGS EN TYDELIKE AFWYKING

- Erf 1932, Prospectlaan 7, Somerset-Wes (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van Wet 84 van 1967 en artikel 15(2)(a) van Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Distriksbestuurder, Eerste Verdieping, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes, en enige navrae kan gerig word aan Gabby Wagner, Posbus 19, Somerset-Wes 7129, of per e-pos aan ciska.smit@capetown.gov.za, gestuur word, telefoonnommer (021) 850-4553 of faksnommer (021) 850-4354 gedurende 08:00-13:00.

Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Streek B1, Provinsiale Regering van die Wes-Kaap, Kamer 601, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in die verband kan aan (021) 483-4634 gerig word, en die Direkoraat se faksno. is (021) 483-3098.

Besware, met volledige redes daarvoor, moet skriftelik ingedien word by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad 8000, en tegelykertyd by die kantoor van die Distriksbestuurder, Posbus 19, Somerset-Wes 7129, voor of op 8 September 2008, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word. Enige besware wat slegs by een van bogenoemde adresse ingedien word, kan dalk buite rekening gelaat word.

Aansoeker: N Delande

Eienaars: N Delande & C Keppers

Aansoekno.: 159042

Kennisgewingno.: 30/2008

Adres: Prospectlaan 7, Somerset-Wes

Aard van Aansoek:

- Die opheffing van beperkende titelvoorwaardes ten einde toe te laat dat Erf 1932, Prospectlaan 7, Somerset-Wes, vir sakedoeleindes (bed-en-ontbytgerief) gebruik word.
- Tydlike afwyking van die Soneringskema regulasies ten einde toe te laat dat 'n bed-en-ontbytgerief (hoogstens 6 gaste) op Erf 1932, Prospectlaan 7, Somerset-Wes, bedryf word.

Achmat Ebrahim, Stadsbestuurder

TENDERS

L.W. Tenders vir kommoditeite/dienste waarvan die beraamde waarde meer as R20 000 beloop, word in die Staatstenderbulletin gepubliseer wat by die Staatsdrukker, Privaatsak X85, Pretoria, teen betaling van 'n intekengeld verkrygbaar is.

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 185/2008

VOORGESTELDE HERSONERING: ERF 5342, PACALTS DORP

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir die hersonering van bogenoemde eiendom in terme van Artikel 17(2)(a) van Ordonnansie 15/1985 vanaf RESIDENSIELE SONE I na SAKESONE II.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se kantoor te 5de Vloer, Yorkstraat, George, 6530. Navrae: Keith Meyer, Verwysing: Erf 5342, Pacaltsdorp.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-Direkteur: Beplanning ingedien word nie later nie as Maandag, 8 September 2008.

Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se kantoor aflê, waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

CM Africa, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

Tel: 044-801 9435 Faks: 086 529 9985

E-pos: keith@george.org.za

8 Augustus 2008

46639

CITY OF CAPE TOWN (HELDERBERG REGION)
REZONING AND APPROVAL OF THE
SITE DEVELOPMENT PLAN

- Erf 968, 78 Andries Pretorius Street, Somerset West (*second placement*)

Notice is hereby given in terms of section 17(2)(a) of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Ms Gabby Wagner, PO Box 19, Somerset West, 7129, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4553 or fax (021) 850-4354 during the hours 08:00-13:00.

Any objections, with full reasons therefor, must be lodged in writing at the office of the District Manager at the First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West on or before 1 September 2008, quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after the abovementioned closing date may be considered to be invalid.

Applicant: Messrs A1 Properties

Owner: Messrs A1 Properties

Application No: 160252

Notice No: 29/2008

Address: 78 Andries Pretorius Street, Somerset West

Nature of Application:

- The rezoning of Erf 968, 78 Andries Pretorius Street, Somerset West from single residential to special business for professional/office purposes.
- The approval of site development Plan.

Achmat Ebrahim, City Manager

8 August 2008

46634

CITY OF CAPE TOWN (SOUTH PENINSULA REGION)
REZONING AND ASSOCIATED DEPARTURES

- Erf 10947, Fish Hoek, 6 Protea Road

Notice is hereby given in terms of the provisions of sections 17(2) and 15(2) of the Land Use Planning Ordinance, No. 15 of 1985, and in terms of the Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, 3 Victoria Road, Plumstead, 7800, from 08:30-13:00, Mondays to Fridays. Enquiries may be directed to Mr R. Brice, at the abovementioned office, or by postal address to, The District Manager, Department: Planning & Building Development Management, Private Bag X5, Plumstead, 7801.

For enquiries contact details for Mr Brice are tel (021) 710-9308, Fax (021) 710-8283, or by e-mail to Roger.Brice@capetown.gov.za. Any objections, with full reasons therefor, must be lodged in writing to the abovementioned office on or before 8 September 2008. The objector's erf and phone number/s and address must be stated. Any objections received after the aforementioned closing date may be considered invalid.

In terms of section 21(4) of the Municipal Systems Act, Act 32 of 2000, any person who cannot write may come in during office hours to the above office and will be assisted to transcribe his/her comment or representations.

Applicant: Colin John Shrosbree

Application No: 162166

Address: 6 Protea Road, Fish Hoek, c/o Protea and Dunster Roads

Nature of Application: Proposed rezoning from Single Residential to General Residential in order to develop 8 apartment units, consisting of 4 ground floor 80 m² units, and 4 first floor 130 m² (including mezzanine area) units. Application is also made for the following departures:

- Departure, general residential site, 918 square metres in lieu of 990 square metres.
- Departure for the relaxation of the 8 m street building line to 7 m.
- Departures for the relaxation of the lateral building line from 4,5 m to 3 m, to accommodate the building including external stairs, and 4,5 m to 0 m for a refuse room.

Achmat Ebrahim, City Manager

8 August 2008

46635

STAD KAAPSTAD (HELDERBERG-STREEK)
HERSONERING EN GOEDKEURING VAN DIE
TERREINONTWIKKELINGSPLAN

- Erf 968, Andries Pretoriusstraat 78, Somerset-Wes (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge die betrokke Soneringskema-regulasies en artikels 15(2)(a) en 17(2)(a) van Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan me. Gabby Wagner, Posbus 19, Somerset-Wes, of per e-pos aan ciska.smit@capetown.gov.za, gestuur word, tel (021) 850-4553 of faksno. (021) 850-4354 weksdae gedurende 08:00 tot 13:00.

Besware, met volledige redes daarvoor, kan voor of op 1 September 2008 skriftelik by die kantoor van die bogenoemde Distriksbestuurder ingedien word, met vermelding van die relevante wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Mnre A1 Properties

Eienaar: Mnre A1 Properties

Aansoekno.: 160252

Kennisgewingno: 29/2008

Adres: Andries Pretoriusstraat 78, Somerset-Wes

Aard van Aansoek:

- Die hersonering van Erf 968, Andries Pretoriusstraat 78, Somerset-Wes, van enkelresidensieel na spesiale sakesone vir kantoor-/ professionele doeleindes.
- Die goedkeuring van die terreinontwikkelingsplan.

Achmat Ebrahim, Stadsbestuurder

8 Augustus 2008

46634

STAD KAAPSTAD (SUIDSKIEREILAND-STREEK)
HERSONERING EN GEPAARDGAANDE AFWYKINGS

- Erf 10947, Vishoek, Proteaweg 6

Kennisgewing geskied hiermee ingevolge die bepalinge van artikels 17(2) en 15(2) van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985, en ingevolge die Soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, 1ste Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr. R Brice by bogenoemde adres of posadres: Die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Privaatsak X5, Plumstead 7801.

Vir navrae is mnr. Brice se kontakbesonderhede tel (021) 710-9308, faksno. (021) 710-8283, of e-posadres Roger.Brice@capetown.gov.za. Enige besware, met volledige redes daarvoor, moet voor of op 8 September 2008 skriftelik by bogenoemde kantoor ingedien word. Die beswaarmaker se erf- en telefoonnommer en adres moet gemeld word. Enige besware wat na bogenoemde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Ingevolge artikel 21(4) van die Wet op Munisipale Stelsels, Wet 32 van 2000, kan enige persoon wat nie kan skryf nie, gedurende kantoore na bogenoemde kantore kom, waar hulle gehelp sal word om hul kommentaar of voorlegging neer te skryf.

Aansoeker: Colin John Shrosbree

Aansoekno.: 162166

Adres: Proteaweg 6, Vishoek, h/v Protea- en Dunsterweg

Aard van Aansoek: Voorgestelde hersonering van enkelresidensieel na algemeenresidensieel ten einde 8 woonsteenhede te ontwikkel wat bestaan uit 4 grondverdiepingeenhede van 80 m² elk, en 4 eersterdiepingeenhede van 130 m² elk (met inbegrip van tussenverdieping). Daar is ook om die volgende afwykings aansoek gedoen:

- Afwyking, algemeen residensieel perseel, 918 vierkante meter in plaas van 990 vierkante meter.
- Afwyking vir die verslapping van die 8 m-straatboulyn tot 7 m.
- Afwyking vir die verslapping van die syboulyn van 4,5 m tot 3 m, om die gebou, met inbegrip van die buitetrapp, te akkommodeer, en van 4,5 m tot 0 m vir 'n vulliskamer.

Achmat Ebrahim, Stadsbestuurder

8 Augustus 2008

46635

CITY OF CAPE TOWN (SOUTH PENINSULA REGION)
REZONING, DEPARTURES AND CONDITIONAL USE

• Erf 14447, Constantia

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance 15 of 1985 and Part II, Section 7(2) of the CMC Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, 1st Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to D Samaai, from 08:30 to 12:30 Monday to Friday. Any objections and/or comments, with full reasons therefor, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to dhilshaad.samaai@capetown.gov.za on or before the closing date, quoting the above Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to this address and/or fax number, and if, as a consequence arrives late; it will be deemed to be invalid. For any further information, contact D Samaai, tel (021) 710-8249.

The closing date for objections and comments is 8 September 2008.

File Ref: LUM/16/4447 (Vol 2)

Applicant: S C Wyley

Address: 9 Sunwood Drive, Tokai

Nature of Application:

To Rezone the property from single dwelling residential to general residential and for the consent of Council in terms of Part II, section 7(b) of the CMC Zoning Scheme Regulations, for a residential building not permitted as a predominant use and for the expansion of the Bed and Breakfast operating from the site.

The following departures from the Zoning Scheme Regulations have been applied for:

1. Part III section 1(a): To permit a street setback of 6,8 m in lieu of 8,0 m.
2. Part IV section 5(2)(ii): To permit a side space of 2,5 m in lieu of 9,5 m from the south boundary.

Achmat Ebrahim, City Manager

8 August 2008

46636

GEORGE MUNICIPALITY

NOTICE NO: 186/2008

PROPOSED SUBDIVISION AND DEPARTURE:
ERF 384, SECOND AVENUE, GEORGE

Notice is hereby given that Council has received the following application on the abovementioned properties:

1. Subdivision in terms of Section 24(2) of Ordinance 15 of 1985 into 2 portions (Portion A = 403 m² and Remainder = 403 m²);
2. Departure in terms of Section 15 of Ordinance 15 of 1985 to relax the building lines from 3,0 m to 0,0 m.

Details of the proposal are available for inspection at the Council's office 5th Floor, York Street, George, 6530, during normal office hours, Mondays to Fridays. Enquiries: Keith Meyer, Reference: Erf 2869, Blanco.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than 8 September 2008.

Please note that no objections by e-mail will be accepted.

Any person, who is unable to write, can submit their objection verbally to the Council's offices where they will be assisted by a staff member to put their comments in writing.

CM Africa, Municipal Manager, Civic Centre, York Street, George 6530.

Tel: 044-801 9435 Fax: 044-801 9214

E-mail: stadsbeplanning@george.org.za

8 August 2008

46640

STAD KAAPSTAD (SUIDSKIEREILAND-STREEK)

HERSONERING, AFWYKINGS EN VOORWAARDELIKE GEBRUIK

• Erf 14447, Constantia

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, en deel II, artikel 7(2) van die Kaapse metropolitaanse raad se Soneringskemaregulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, 1ste Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan me. D Samaai van 8:30 tot 12:30, Maandag tot Vrydag. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, faksno. (021) 710-8283, dhilshaad.samaai@capetown.gov.za, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en dié beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na dié adres en/of faksno. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief in verbinding met D Samaai, tel (021) 710-8249.

Die sluitingsdatum vir besware en kommentaar is 8 September 2008.

Lêerverw.: LUM/16/4447 (Vol 2)

Aansoeker: S C Wyley

Adres: Sunwoodrylaan 9, Tokai

Aard van Aansoek:

Die hersonering van die eiendom van enkelresidensieel na algemeen-residensieel en Raadstoestemming ingevolge deel II, artikel 7(b) van die Kaapse Metropolitaanse Raad se Soneringskemaregulasies vir 'n residensieël gebou waar dit nie as hoofgebruik toegelaat is nie, en vir die uitbreiding van die bed-en-ontbytonderneming wat op die perseel bedryf word.

Daar is om die volgende afwykings van die Soneringskemaregulasies aansoek gedoen:

1. Deel II, artikel 1(a): Om 'n straatinspringing van 6,8 m in plaas van 8,0 m toe te laat.
2. Deel IV, artikel 5(2)(ii): Om 'n syruimte van 2,5 m in plaas van 9,5 m van die suidelike grens toe te laat.

Achmat Ebrahim, Stadsbestuurder

8 Augustus 2008

46636

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 186/2008

VOORGESTELDE ONDERVERDELING EN AFWYKING:
ERF 384, TWEDELAAN, GEORGE

Kennis geskied hiermee dat die Raad die volgende aansoek op bogenoemde eiendomme ontvang het:

1. Onderverdeling in terme van artikel 24(2) van Ordonnansie 15 van 1985 in twee gedeeltes (Ged. A = 403 m² en Restant = 403 m²);
2. Afwyking in terme van Artikel 15 van Ordonnansie 15 van 1985 vir die boulynerslappig vanaf 3,0 m na 0,0 m.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se kantoor te 5de Vloer, Yorkstraat, George, 6530. Navrae: Keith Meyer, Verwysing: Erf 2869, Blanco.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-Direkteur: Beplanning ingedien word nie later nie as 8 September 2008.

Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se kantoor aflê, waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

CM Africa, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

Tel: 044-801 9435 Faks: 044-801 9214

E-pos: stadsbeplanning@george.org.za

8 Augustus 2008

46640

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND PERMANENT DEPARTURES FROM THE
KUILS RIVER ZONING SCHEME

- Erven 1588 and 1589, situated c/o Langverwacht Road and Marais Street, Kuils River

Notice is hereby given in terms sections 15(2)(a) and 17(2)(a) of the Land Use Planning Ordinance, 15 of 1985, that the undermentioned application has been received and is open to inspection at the office of the District Manager, Tygerberg District. Any enquiries may be directed to Mr J Loots, Planning and Building Development Management, First Floor, Omni-Forum Building, 94 Van Riebeeck Road, Kuils River (Postal address: Private Bag X16, Kuils River 7579), e-mail: jacques.loots@capetown.gov.za, tel (021) 900-1752 and fax (021) 900-1786 weekdays during office hours (08:00-14:30). Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager, District D on or before 8 September 2008 quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Messrs Atlas Planning on behalf of H.S. Value Projects (Pty) Limited

Application No.: 161276

Address: Corner of Langverwacht Road and Marais Street, Kuils River

Nature of application:

- In terms of section 17 of Ordinance 15 of 1985 for the rezoning of erven 1588 and 1589, approximately 2 293 m² in extent, from Single Residential Zone to General Residential Zone to permit the construction of a four-storey block of apartments consisting of 30 apartments, each with floor areas of ± 60 m². 42 parking bays are proposed.
- In terms of section 15 of Ordinance 15 of 1985 for departures from the zoning parameters prescribed for General Residential erven in the Kuils River Zoning Scheme to accommodate the proposed buildings. Departures required are as follows:
 - Relaxation of the ± 7 m² side building line adjacent to Erf 8901 to 3 m.
 - Relaxation of the 8 m street building line along Langverwacht Road to 4,5 m.
 - Relaxation of the 8 m street building line on Marais Street to 0,0 m to accommodate the refuse room.
 - The permissible bulk factor of 0,75 will be exceeded to 0,91.

Achmat Ebrahim, City Manager

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN PERMANENTE AFWYKINGS VAN DIE
KUILSRIVIERSE SONERINGSKEMA

- Erwe 1588 en 1589, geleë h/v Langverwachtweg en Maraisstraat, Kuilsrivier

Kennisgewing geskied hiermee ingevolge artikels 15(2)(a) en 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Tygerbergdistrik. Enige navrae kan gerig word aan mnr. J Loots, Beplanning en Bou-ontwikkelingsbestuur, Eerste Verdieping, Omni Forum-gebou, Van Riebeeckweg 94, Kuilsrivier (posadres: Privaatsak X16, Kuilsrivier 7579), e-posadres: jacques.loots@capetown.gov.za, tel (021) 900-1752 en faksno. (021) 900-1786, weksdae gedurende kantoorure (08:00-14.30). Enige besware, met volledige redes, moet voor of op 8 September 2008 skriftelik aan die kantoor van bogenoemde Distriksbestuurder, Distrik D, gerig word, met vermelding van die toepaslike wetgewing, die aansoeknummer en die beswaarmaker se erf- en telefoonnummer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Mnre Atlas Planning namens H. S. Value Projects (Edms.) Beperk

Aansoekno.: 161276

Adres: Hoek van Langverwachtweg en Maraisstraat, Kuilsrivier

Aard van aansoek:

- Ingevolge artikel 17 van Ordonnansie 15 van 1985 om die hersonering van Erwe 1588 en 1589, wat sowat 2 293 m² groot is, van enkelresidensieel na algemeenresidensieel om die bou van 'n vierverdiepingwoonstelblok met 30 woonstelle van ± 60 m² elk toe te laat. Daar word 42 parkeerplekke in die vooruitsig gestel.
- Ingevolge artikel 15 van Ordonnansie 15 van 1985 vir afwykings van die soneringsparameters wat vir algemeenresidensieel erwe in die Kuilsrivierse soneringskema voorgeskryf word om die voorgestelde geboue te akkommodeer. Die afwykings wat nodig is, is soos volg:
 - Verslapping van die ± 17 m²-syboullyn langs Erf 8901 tot 3 m.
 - Verslapping van die 8 m-straatboullyn aan Langverwachtweg tot 4,5 m.
 - Verslapping van die 8 m-straatboullyn aan Maraisstraat tot 0,0 m om vir die vulliskamer voorsiening te maak.
 - Die toelaatbare massafaktor van 0,75 sal tot 0,91 oorskry word.

Achmat Ebrahim, Stadsbestuurder

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING, SUBDIVISION,
CLOSURE, ALIENATION OF A PORTION OF KLEIN
BOS-EN-DAL STREET (UNREGISTERED ERF 28667,
PAARL) AND CONSOLIDATION WITH UNREGISTERED
ERF 28642, PAARL

Notice is hereby given in terms of Sections 17(2)(a) and 24(2)(a) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and Section 137(2)(a) of the Municipal Ordinance, 1974 (Ord 20 of 1974) that an application as set out below has been received and can be viewed during normal office hours at the office of the Directorate: Infrastructure and Planning, Acting Head: Planning, Drakenstein Municipality, Administrative Offices, Berg River Boulevard, Paarl (Tel: 021 807 4834):

Property: Portion of Klein Bos-en-Dal Street (unregistered Erf 28667, Paarl) abutting unregistered Erf 28642, Paarl

Applicant: Albert Geiger Geomatics

Owner: Drakenstein Municipality (awarded to Joubert Family Trust 820/2002 by Council)

Locality: Located in Klein Bos-en-Dal Street, Paarl

Extent: Erf 28667: $\pm 262 \text{ m}^2$

Erf 28642: $\pm 3\,324 \text{ m}^2$

Current Zoning: Land Reserved for Public Road purposes and Single Dwelling Residential Zone

Current Use: Vacant

Proposal: Rezoning of unregistered Erf 28667 (a $\pm 262 \text{ m}^2$ portion of Klein Bos-en-Dal Street), Paarl From Land Reserved for Public Road purposes to Single Dwelling Residential Zone;

Subdivision of Klein Bos-en-Dal Street as follows: Erf 28667, Paarl ($\pm 262 \text{ m}^2$) and the Remainder of Klein Bos-en-Dal Street; and

Closure, Alienation and Consolidation of unregistered Erf 28667, Paarl ($\pm 262 \text{ m}^2$) with unregistered Erf 28642, Paarl ($\pm 3\,324 \text{ m}^2$) to create a site of $\pm 3\,586 \text{ m}^2$.

Motivated objections to the above can be lodged in writing, to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622, by not later than Monday 8 September 2008.

No late objections will be considered.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comment in writing. 15/4/1 (28642)P

Dr ST Kabanyane, Municipal Manager

8 August 2008

46638

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING, ONDERVERDELING,
SLUITING, VERVREEMDING VAN 'N GEDEELTE VAN KLEIN
BOS-EN-DALSTRAAT (ONGEREGISTREERDE ERF 28667,
PAARL), EN KONSOLIDASIE MET ONGEREGISTREERDE
ERF 28642, PAARL

Kennis geskied hiermee ingevolge Artikels 17(2)(a) en 24(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985) en Artikel 137(2)(a) van die Munisipale Ordonnansie, 1974 (Ord 20 van 1974) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die Direkoraat: Infrastruktuur en Beplanning, Waarnemende Hoof: Beplanning, Drakenstein Munisipaliteit, Administratiewe Kantore, Bergrivier Boulevard, Paarl (Tel: 021 807 4834):

Eiendom: Gedeelte van Klein Bos-en-Dalstraat (ongeregistreerde Erf 28667, Paarl) aanliggend tot ongeregisteerde Erf 28642, Paarl

Aansoeker: Albert Geiger Geomatika

Eienaar: Drakenstein Munisipaliteit (toegeken aan Joubert Familie Trust 820/2002 deur die Raad)

Ligging: Geleë in Klein Bos-en-Dalstraat, Paarl

Grootte: Erf 28667: $\pm 262 \text{ m}^2$

Erf 28642: $\pm 3\,324 \text{ m}^2$

Huidige Sonering: Grond Gereserveer vir Publieke Paddoeleindes en Enkelwoningone

Huidige Gebruik: Vakant

Voorstel: Hersonering van ongeregisteerde Erf 28667, Paarl ('n $\pm 262 \text{ m}^2$ gedeelte van Klein Bos-en-Dalstraat), Paarl vanaf Grond gereserveer vir Publieke Paddoeleindes na Enkelwoningone;

Onderverdeling van Klein Bos-en-Dalstraat soos volg: Erf 28667, Paarl ($\pm 262 \text{ m}^2$) en die Restant van Klein Bos-en-Dalstraat; en

Sluiting, Vervreemding en Konsolidasie van ongeregisteerde Erf 28667, Paarl ($\pm 262 \text{ m}^2$) met ongeregisteerde Erf 28642, Paarl ($\pm 3\,324 \text{ m}^2$) om 'n perseel van $\pm 3\,586 \text{ m}^2$ te vorm.

Gemotiveerde besware teen bogenoemde kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622 teen nie later nie as Maandag, 8 September 2008.

Geen laat besware sal oorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Munisipale Kantore, Bergrivier Boulevard, Paarl, aflê, waar 'n personeelid sal help om sy kommentaar/vertoë op skrif te stel. 15/4/1 (28642)P

Dr ST Kabanyane, Munisipale Bestuurder

8 Augustus 2008

46638

GEORGE MUNICIPALITY

NOTICE NO: 58/2008

PROPOSED SUBDIVISION: ERF 455, PACALTS DORP

Notice is hereby given that Council has received an application for the subdivision of the abovementioned property into 2 portions (Portion A = 512,5 m², Remainder = 615 m²) in terms of Section 24(2) of Ordinance 15/1985:

Details of the proposal are available for inspection at the Council's office, Civic Centre, 5th Floor, York Street, George, during normal office hours, Monday to Friday. Enquiries: Keith Meyer, Reference: Erf 455, Pacaltsdorp.

Motivated objections, if any, must be lodged in writing with the Deputy Senior Manager: Planning, by not later than Monday, 8 September 2008.

Please take note that no objections by e-mail will be accepted.

Any person, who is unable to write, can submit their objection verbally to the Council's office where they will be assisted by a staff member to put their comments in writing.

CM Africa, Municipal Manager, Civic Centre, York Street, George 6530.

Tel: 044-801 9435 Fax: 086 645 6296

E-mail: keith@george.org.za

8 August 2008

46641

MUNISIPALITEIT GEORGE

KENNISGEWING NR: 58/2008

VOORGESTELDE ONDERVERDELING: ERF 455, PACALTS DORP

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir die onderverdeling van bogenoemde eiendom in 2 gedeeltes (Gedeelte A = 512,5 m², Restant = 615 m²) in terme van Artikel 24(2) van die Ordonnansie 15/1985:

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae beskikbaar wees by die Raad se kantoor, Burgersentrum, 5de Vloer, Yorkstraat, George. Navrae: Keith Meyer, Verwysing: Erf 455, Pacaltsdorp.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-Senior Bestuurder: Beplanning ingedien word nie later nie as Maandag, 8 September 2008.

Let asseblief daarop dat geen e-pos besware aanvaar word nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se kantoor aflê waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

CM Africa, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

Tel: 044-801 9435 Faks: 086 645 6296

E-pos: keith@george.org.za

8 Augustus 2008

46641

GEORGE MUNICIPALITY

NOTICE NO: 59/2008

PROPOSED AMENDMENT OF THE
CONDITIONS OF APPROVAL: KRAAIBOSCH 195/241,
DIVISION GEORGE

Notice is hereby given that Council has received an application in terms of Section 42(3)(a) for the Amendment of Conditions to increase the coverage on the property to 10%.

Details of the proposal are available for inspection at the Council's office 5th Floor, York Street, George, 6530, during normal office hours, Mondays to Fridays. Enquiries: Marisa Arries. Reference: Kraaibosch 195/241, division George.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than Monday, 8 September 2008.

Please note that no objections by e-mail will be accepted.

Any person, who is unable to write, can submit their objections verbally to the Council's offices where they will be assisted by a staff member to put their comments in writing.

CM Africa, Municipal Manager, Civic Centre, York Street, George 6530.

Tel: 044-801 9473 Fax: 086 645 6296

E-mail: marisa@george.org.za

8 August 2008

46642

MUNISIPALITEIT GEORGE

KENNISGEWING NR: 59/2008

VOORGESTELDE WYSIGING VAN
GOEDKEURINGVOORWAARDES: KRAAIBOSCH 195/241,
AFDELING GEORGE

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het in terme van Artikel 42(3)(a) vir die Wysiging van Voorwaardes om die dekking op bogenoemde eiendom met 10% te verhoog.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se kantoor te 5de Vloer, Yorkstraat, George, 6530. Navrae: Marisa Arries. Verwysing: Kraaibosch 195/241, afdeling George.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-Direkteur: Beplanning ingedien word nie later nie as Maandag, 8 September 2008.

Let asseblief daarop dat geen e-pos besware aanvaar word nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se kantoor aflê, waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

CM Africa, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

Tel: 044-801 9473 Faks: 086 645 6296

E-pos: marisa@george.org.za

8 Augustus 2008

46642

GEORGE MUNICIPALITY

NOTICE NO: 60/2008

PROPOSED SUBDIVISION AND DEPARTURE:
ERF 2869, SONSIG STREET, BLANCO

Notice is hereby given that Council has received the following application on the abovementioned properties:

1. Subdivision in terms of Section 24(2) of Ordinance 15 of 1985 into 2 portions (Portion A = 403 m² and Remainder = 403 m²);
2. Departure in terms of Section 15 of Ordinance 15 of 1985 to relax the building lines from 3,0 m to 0,0 m.

Details of the proposal are available for inspection at the Council's office 5th Floor, York Street, George, 6530, during normal office hours, Mondays to Fridays. Enquiries: Keith Meyer, Reference: Erf 2869, Blanco.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than 8 September 2008.

Please note that no objections by e-mail will be accepted.

Any person, who is unable to write, can submit their objection verbally to the Council's offices where they will be assisted by a staff member to put their comments in writing.

CM Africa, Municipal Manager, Civic Centre, York Street, George 6530.

Tel: 044-801 9435 Fax: 044-801 9214

E-mail: stadsbeplanning@george.org.za

8 August 2008

46643

HESSEQUA MUNICIPALITY

PROPOSED REZONING OF ERF 487,
STILL BAY WEST

Notice is hereby given in terms of Section 17 of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:

Property: Erf 487 — 793 m² (Residential I)

Proposal: Rezoning of Erf 487 from Residential I to Business I

Applicant: Alphaplan (on behalf of T Bekker)

Details concerning the application are available at the office of the undersigned during office hours as well as the Still Bay Municipal Office. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 8 September 2008.

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

Municipal Manager, Hessequa Municipality, P.O. Box 29, Riversdale 6670.

8 August 2008

46644

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 60/2008

VOORGESTELDE ONDERVERDELING EN AFWYKING:
ERF 2869, SONSIGSTRAAT, BLANCO

Kennis geskied hiermee dat die Raad die volgende aansoek op bogenoemde eiendom ontvang het:

1. Onderverdeling in terme van Artikel 24(2) van Ordonnansie 15 van 1985 in twee gedeeltes (Ged. A = 403 m² en Restant = 403 m²);
2. Afwyking in terme van Artikel 15 van Ordonnansie 15 van 1985 vir die boulynverslapping vanaf 3,0 m na 0,0 m.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se kantoor te 5de Vloer, Yorkstraat, George, 6530. Navrae: Keith Meyer, Verwysing: Erf 2869, Blanco.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-Direkteur: Beplanning ingedien word nie later nie as 8 September 2008.

Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se kantoor aflê, waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

CM Africa, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

Tel: 044-801 9435 Faks: 044-801 9214

E-pos: stadsbeplanning@george.org.za

8 Augustus 2008

46643

HESSEQUA MUNISIPALITEIT

VOORGESTELDE HERSONERING VAN ERF 487,
STILBAAI-WES

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Erf 487 — 793 m² (Residensieel I)

Aansoek: Hersonerings van Erf 487 van Residensieel I na Sake I

Applikant: Alphaplan (namens T Bekker)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as die Stilbaai Munisipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later nie as 8 September 2008.

Persone wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

Munisipale Bestuurder, Hessequa Munisipaliteit, Posbus 29, Riversdal 6670.

8 Augustus 2008

46644

MOSSEL BAY MUNICIPALITY

PROPOSED REZONING AND DEPARTURE: ERF 12031,
MOSSEL BAY (VOORBAAI) FOR THE PURPOSE OF A
PLACE OF GATHERING/ENTERTAINMENT

Attached herewith please find a copy of the notices as published in the Mossel Bay Advertiser and Government Gazette of Friday, 8 August 2008 as well as a locality plan of the abovementioned proposal.

Please provide the Municipality with any comments/objections that you may have on the proposal.

Your attention is directed to the regulations of the "Administrative Justice Act, 2000 (No. 3 of 2000) Regulations on fair administrative procedures" by which, amongst others, a maximum period of 30 days were determined for the supply of comments when applications are referred to interested parties. In cases where comments are not received in time, the application will be processed and late comments be ignored.

Any comments or objections should be directed to the Municipal Manager, Mossel Bay Municipality, PO Box 25, Mossel Bay, 6500 on or before Monday, 8 September 2008.

Any detail information could be obtained at the department: Town planning, Mossel Bay Municipality, 4th Floor, Montagu Place, Montagu Street, Mossel Bay.

Municipal Manager

8 August 2008

46645

OVERSTRAND MUNICIPALITY

(Gansbaai Administration)

MN 36/2008

PORTION 1 OF THE FARM WIT KRANS NO. 697,
CALEDON DIVISION: APPLICATION FOR REZONING

Notice is hereby given in terms of the provisions of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the council received an application for rezoning in order to enable "The Fauna & Flora Preservation Society" the owners of Portion 1 of the Farm Wit Krans No. 697, Caledon Division to rezone a portion of the property for conservation purposes.

Background and Application

The property is 35,114 ha in extent and zoned for agricultural purposes. It is situated approximately 20 km north east of Gansbaai. The owners regard the property as sensitive against agricultural activities due to the high presence of indigenous plant and animal species. The application under discussion therefore entails the proposed rezoning of approximately 32,114 ha of the land unit from Agricultural Zone I to Open Space Zone III (private nature reserve). No subdivision of the property is envisaged.

Further details of the proposal are open for inspection at the Municipal Office, Main Street, Gansbaai, during normal office hours. The contact person is Mr H Boshoff at telephone number (028) 384 0111.

Written, motivated objections/comments, if any, with the objector's contact details, must be lodged at the following address on or before Monday 8 September 2008.

Municipal Manager, c/o P.O. Box 26, Gansbaai 7220.

Attention: H Boshoff.

Comments/objections may also be faxed to fax no. 028-384 0241. E-mail: hboshoff@overstrand.gov.za

Late comments/objections will be disregarded.

Persons who cannot write, can approach the town planning division of the Overstrand Municipality (Gansbaai Administration) during normal office hours where Mr H Boshoff will assist such persons to transcribe their comments or objections.

Municipal Manager

8 August 2008

46646

MOSSELBAAI MUNISIPALITEIT

VOORGESTELDE HERSONERING EN AFWYKING: ERF 12031,
MOSSELBAAI (VOORBAAI) VIR DIE DOEL VAN 'N
VERGADERPLEK/VERMAAKLIKHEIDPLEK

Hierby aangeheg vir u inligting 'n afskrif van die advertensies soos geplaas in die Mosselbaai Advertiser en Offisiële koerant van Vrydag, 8 Augustus 2008 asook 'n liggingplan ten opsigte van die bogenoemde voorstel.

Geliewe die Munisipaliteit van enige kommentaar wat u op die voorstel te opper het, te voorsien.

U aandag word gevestig op die regulasies van die "Administrative Justice Act, 2000 (No. 3 van 2000): Regulations on fair administrative procedures" waarvolgens, o.a., 'n maksimum tydperk van 30 dae bepaal is vir die lewering van kommentaar wanneer aansoeke na belangstellende instansies verwys word. In gevalle waar kommentaar nie betyds ontvang word nie, sal daar voortgegaan word met die prosessering van die aansoek en laat kommentaar geïgnoreer word.

Enige kommentaar, besware of voorstelle moet gerig word aan die Munisipale Bestuurder, Munisipaliteit Mosselbaai, Posbus 25, Mosselbaai, 6500 op of voor Maandag, 8 September 2008.

Enige detail inligting kan verkry word by die afdeling: Stadsbeplanning, Mosselbaai Munisipaliteit, 4de Vloer, Montagu Plek, Montagustraat.

Munisipale Bestuurder

8 Augustus 2008

46645

MUNISIPALITEIT OVERSTRAND

(Gansbaai Administrasie)

MK 36/2008

GEDEELTE 1 VAN DIE PLAAS WIT KRANS NR. 697,
AFDELING CALEDON: AANSOEK OM HERSONERING

Kennis geskied hiermee ingevolge die bepaling van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die raad 'n aansoek om hersonering ontvang het, ten einde "The Fauna & Flora Preservation Society", die eienaars van Gedeelte 1 van die Plaas Wit Krans Nr. 697, Afdeling Caledon in staat te stel om 'n gedeelte van die eiendom te hersoneer vir bewaringsdoeleindes. Die detail van die aansoek word hieronder uiteengesit.

Agtergrond en aansoek

Die eiendom is 35,114 ha groot en vir landboudoeleindes gesoneer. Dit is ongeveer 20 km noord-oos vanaf Gansbaai geleë. Die eienaars beskou die eiendom as sensitief teenoor boerderyaktiwiteite as gevolg van die hoë aanwesigheid van inheemse plant- en dierspesies. Die aansoek onder bespreking behels dus die voorgestelde hersonering van ongeveer 32,114 ha van die grondeenheid vanaf Landbousone I na Oopruimtesone III (privaat natuureservaat). Geen onderverdeling van die eiendom word voorgestel nie.

Nadere besonderhede van die voorstel lê ter insae by die Munisipale Kantoor, Hoofstraat, Gansbaai, gedurende normale kantoorure. Die kontakpersoon is mnr H Boshoff by telefoonnommer (028) 384 0111.

Skriflik gemotiveerde besware/kommentaar, indien enige, met die beswaarmaker se kontakbesonderhede, moet by die volgende adres ingedien word voor of op Maandag 8 September 2008.

Munisipale Bestuurder, p/a Posbus 26, Gansbaai 7220.

Aandag: H Boshoff.

Kommentaar/besware mag ook na faksnr. 028-384 0241 gefaks word. E-pos: hboshoff@overstrand.gov.za

Laat kommentare/besware sal nie oorweeg word nie.

Persones wat nie kan skryf nie, kan die stadsbeplanningsafdeling van die Munisipaliteit Overstrand (Gansbaai Administrasie) tydens normale kantoorure nader waar mnr H Boshoff daardie persone behulpsaam sal wees deur hul kommentaar of besware op skrif te stel.

Munisipale Bestuurder

8 Augustus 2008

46646

OVERSTRAND LOCAL MUNICIPALITY

PORTION 1 OF THE FARM KARWYDERSKRAAL NO 584,
CALEDON DISTRICT, OVERSTRAND MUNICIPAL AREA:
PROPOSED SUBDIVISION

Notice is hereby given in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for the subdivision of Portion 1 of the Farm Karwyderskraal Nr 584 into two portions of 121 hectare and 583,5 hectare respectively.

Detail regarding the proposal is available for inspection at the office of the Director: Infrastructure and Planning, during normal office hours. Enquiries regarding the matter should be directed to the Town Planner, Mr H Olivier (Tel: 028-313 8900/Fax: 028-312 1894).

Any comments on the proposal should be submitted in writing to reach the undersigned by not later than Friday, 12 September 2008.

A person who cannot read or write but wishes to comment on the proposal may visit the Directorate: Infrastructure and Planning where a member of staff would assist them to formalize their comment.

Municipal Manager, Overstrand Local Municipality, P.O. Box 20, Hermanus 7200.

Municipal Notice No. 92/2008

8 August 2008

46647

STELLENBOSCH MUNICIPALITY

REZONING AND CONSENT USES OF ERF 62,
MASITHANDANE STREET, KAYAMANDI

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance, 1985 (No 15 of 1985), that the undermentioned application has been received and is open to inspection at the office of the Director: Planning & Environment at the Planning Advice Centre, Plein Street, Stellenbosch (Tel. 021 808 8606). Enquiries may be directed to Mr Craig Alexander, P O Box 17, Stellenbosch, 7599, Tel. 021 808 8656 and fax number 021 808 8651 weekdays during the hours of 08:00 to 16:00.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 30 August 2008 quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Department: Planning & Environment (Ms Z. Duze and Mr C Alexander)

Erf/Erven number(s): Erf 62, Kayamandi.

Locality/Address: c/o R304 Klawervlei Road & Masithandane Street, Kayamandi.

Nature of application: The rezoning of the property from Institutional III to Business with consent uses for place of instruction and community facilities to permit offices, shops, restaurants, conference facilities and a public library.

Municipal Manager

(Notice No. 62)

8 August 2008

46648

OVERSTRAND PLAASLIKE MUNISIPALITEIT

GEDEELTE 1 VAN DIE PLAAS KARWYDERSKRAAL NO 584,
DISTRIK CALEDON, OVERSTRAND MUNISIPALE AREA:
VOORGESTELDE ONDERVERDELING

Kennis geskied hiermee ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is vir die onderverdeling van Gedeelte 1 van die Plaas Karwyderskraal No 584 in twee gedeeltes van onderskeidelik 121 hektaar en 583,5 hektaar.

Besonderhede aangaande die voorstel lê ter insae by die kantoor van die Direkteur: Infrastruktuur en Beplanning gedurende normale kantoorure. Navrae kan gerig word aan die Stadsbeplanner, mnr H Olivier (Tel: 028-313 8900/Faks: 028-312 1894).

Enige kommentaar aangaande die voorstel moet op skrif gestel word ten einde die ondergetekende te bereik teen nie later nie as Vrydag, 12 September 2008.

Persone wat wil kommentaar lewer maar nie kan lees of skryf nie mag die Direkteoraat: Infrastruktuur en Beplanning besoek waar hulle deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

Munisipale Bestuurder, Overstrand Plaaslike Munisipaliteit, Posbus 20, Hermanus 7200.

Munisipale Kennisgewing Nr. 92/2008

8 Augustus 2008

46647

MUNISIPALITEIT STELLENBOSCH

HERSONERING EN VERGUNNINGSGEBRUIKE VAN ERF 62,
MASITHANDANESTRAAT, KAYAMANDI

Kennis geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Nr. 15 van 1985), dat onderstaande aansoek ontvang is en by die kantoor van die Direkteur: Beplanning & Omgewing by die Advieskantoor (Tel nr. 021 808 8606) in Pleinstraat, Stellenbosch ter insae lê. Navrae kan aan mnr Craig Alexander by Posbus 17, Stellenbosch, 7599, Tel. nr. 021 808 8656 en Faks nr. 021 808 8651 weksdae gedurende 08:00 tot 16:00 gerig word.

Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van die bogenoemde Direkteur, op of voor 30 Augustus 2008 ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer sowel as adres. Enige besware ontvang na voormelde sluitingsdatum, mag as ongeldig geag word.

Applikant: Departement: Beplanning & Omgewing (me Z Duze en mr C Alexander)

Erf/Erwe nommer(s): Erf 62, Kayamandi.

Ligging/Adres: Geleë op die hoek van R304 Klawervleipad en Maisthandanestraat, Kayamandi.

Aard van aansoek: Hersonerings vanaf Institusioneel III na Besigheid en vergunningsgebruike vir onderrigplek en gemeenskapsfasiliteit ten einde voorsiening te maak vir kantore, winkels, konferensiefasiliteite, restaurante en 'n publieke biblioteek.

Munisipale Bestuurder

(Kennisgewing Nr. 62)

8 Augustus 2008

46648

STELLENBOSCH MUNICIPALITY

REZONING AND CONSENT USE: FARM 402/12,
REYNEKE WINES STELLENBOSCH DIVISION

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance, 1985 (No 15 of 1985) and Regulation 4.7 of the Scheme Regulations promulgated by PN 1048/1988 that the undermentioned application has been received and is open to inspection at the office of the Director: Planning & Environment at the Planning Advice Centre, Plein Street, Stellenbosch (Tel 021 808 8606). Enquiries may be directed to Mr P April, P O Box 17, Stellenbosch, 7599, Tel. 021 808 8683 and fax number 021 808 8651 weekdays during the hours of 08:00 to 16:00.

Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 1 September 2008 quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Alwi Theart Urban Rural Planning Practitioners

Erf/Erven number(s): Farm 402/12, Reyneke Wines, Stellenbosch Division

Locality/Address: Polkadraai Main Road, ±10 km west of Stellenbosch Central Business Development

Nature of application:

1. Application for rezoning of a portion of Farm 402/12, Stellenbosch from Agricultural Zone I to Agricultural Zone II to construct a new wine cellar of ±495 m².
2. Application for a consent use for tourist facilities in order to utilize a portion (±20 m²) of the wine cellar building as a wine tasting facility.

Municipal Manager

(Notice No. 61/08: 15/14 — Farm 8)

8 August 2008

46649

MUNISIPALITEIT STELLENBOSCH

HERSONERING EN VERGUNNINGSGEBRUIK: PLAAS 402/12,
REYNEKE WINES AFDELING STELLENBOSCH

Kennis geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Nr. 15 van 1985) en Regulasie 4.7 van die Skemaregulasies afgekondig by PK 1048/1988, dat onderstaande aansoek ontvang is en by die kantoor van die Direkteur: Beplanning & Omgewing by die Advieskantoor in Pleinstraat, Stellenbosch (021-808 8606) ter insae lê. Navrae kan aan mnr. P April by Posbus 17, Stellenbosch, 7599, Tel. nr. 021 808 8683 en Faks nr. 021 808 8651 weksdae gedurende 08:00 tot 16:00 gerig word.

Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van die bogenoemde Direkteur, op of voor 1 September 2008 ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer sowel as adres. Enige besware ontvang na voormelde sluitingsdatum, mag as ongeldig geag word.

Applikant: Alwi Theart Urban Rural Planning Practitioners

Erf/Erwe nommer(s): Plaas 402/12, Reyneke Wines, Afdeling Stellenbosch

Ligging/Adres: Polkadraai Hoofpad, ±10 km wes van Stellenbosch Sentrale Sakekern

Aard van aansoek:

1. Aansoek om hersonering van 'n gedeelte van Plaas 402/12, Stellenbosch vanaf Landbousone I na Landbousone II vir die oprigting van 'n nuwe wynkelder van ±495 m².
2. Aansoek om vergunningsgebruik vir toeristefasiliteite om 'n gedeelte van die wynkelder gebou (±20 m²) as 'n wynproe fasiliteit aan te wend.

Munisipale Bestuurder

(Kennisgewing Nr. 61/08: 15/14 — Plaas 8)

8 Augustus 2008

46649

SWARTLAND MUNICIPALITY

NOTICE 17/08/09

PROPOSED REZONING AND SUBDIVISION OF
ERF 301, ABBOTSDALE

Notice is hereby given in terms of Section 24(1) of Ordinance 15 of 1985 that it is the intention of Council to subdivide Erf 301, Abbotsdale in extent 155,3005 ha into a remainder (±154,4819 ha), 9 portions which varies between ±621 m² and 750 m² and portion road (±2 244 m²).

It is further the intention in terms of Section 17(1) of Ordinance 15 of 1985 to rezone the portion road from residential zone I to transport zone II.

Further particulars are available during office hours (weekdays) at the Department Development Services, office of the Chief: Planning, Building Control and Valuations, Municipal Office, Church Street, Malmesbury.

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 8 September 2008.

JJ Scholtz, Municipal Manager, Municipal Office, Private Bag X52, Malmesbury 7299.

8 August 2008

46650

SWARTLAND MUNISIPALITEIT

KENNISGEWING 17/08/09

VOORGESTELDE HERSONERING EN ONDERVERDELING VAN
ERF 301, ABBOTSDALE

Kennis geskied hiermee ingevolge Artikel 24(1) van Ordonnansie 15 van 1985 dat die Raad van voorneme is om Erf 301, (groot 155,3005 ha), Abbotsdale te onderverdeel in 'n restant (±154,481 ha), 9 gedeeltes wat wissel tussen 621 m² en 750 m² en gedeelte pad (±2 244 m²).

Verder is dit ook die voorneme ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 om die gedeelte pad te hersoneer vanaf residensiële sone I na vervoersone II.

Verdere besonderhede is gedurende gewone kantoorure (weksdae) by Departement Ontwikkelingsdienste, die kantoor van die Hoof: Beplanning, Boubeheer en Waardasies, Munisipale Kantoor, Kerkstraat, Malmesbury beskikbaar.

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 8 September 2008.

JJ Scholtz, Munisipale Bestuurder, Munisipale kantore, Privaat sak X52, Malmesbury 7299.

8 Augustus 2008

46650

SWARTLAND MUNICIPALITY

NOTICE 16/08/09

PROPOSED REZONING AND SUBDIVISION OF
ERF 1449, RIEBEEK KASTEEL

Notice is hereby given in terms of sections 17(1) and 24(1) of Ordinance 15 of 1985 that an application has been received for the rezoning of Erf 1449 in extent 1,0423 ha situated on the southern part of Riebeek Kasteel from Agricultural zone I to subdivisional area in order to create 8 single residential erven and a portion street.

Further particulars are available during office hours (weekdays) at the Department Development Services, office of the Chief: Planning, Building Control and Valuations, Municipal Office, Church Street, Malmesbury.

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 8 September 2008.

JJ Scholtz, Municipal Manager, Municipal Office, Private Bag X52, Malmesbury 7299.

8 August 2008

46651

SWARTLAND MUNICIPALITY

Notice 08/08/09

NOTICE FOR THE INSPECTION OF SUPPLEMENTARY
VALUATION ROLL 2008/2009 OF ALL PROPERTIES SITUATED
IN THE SWARTLAND MUNICIPAL AREA AND LODGING
OF OBJECTIONS

Notice is hereby given, in terms of the provisions of section 49(1)(a)(i) read together with section 78(2) of the Local Government: Municipal Property Rates Act (no. 6 of 2004), herein after referred to as the "Act", that the Supplementary Valuation Roll 2008/2009 lies open for Public Inspection at the various offices of the Municipality or the Webpage www.swartland.org.za as from 6 August 2008 to 12 September 2008.

An invitation is also extended, in terms of the provisions of section 49(1)(a)(ii) read together with section 78(2) of the Act, that any owner of immovable property or any other person may submit an objection to the Municipal Manager regarding any matter or omission in connection with the Valuation Roll within the abovementioned period. Your attention is specifically drawn to the provisions of section 50(2) of the Act that any objection must refer to a particular property and not to the Valuation Roll as a whole. The prescribed form for the lodging of objections is available at the various Municipal Offices or the webpage www.swartland.org.za. Enquiries may be directed to Div Muller or Gwyn McGregor (022 487 9400). Address: The Municipal Manager, Private Bag X52, Malmesbury, 7299.

JJ Scholtz, Municipal Manager, Municipal Office, 1 Church Street, Private Bag X52, Malmesbury.

8 August 2008

46652

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 4630, 3 OAK STREET,
SWELLENDAM

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance of 1985 (Ordinance 15 of 1985) that the Council has received an application from C C True for a departure on Erf 4630, Swellendam to conduct a business of a second hand car dealer from the property.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 8 September 2008.

Persons who are unable to read and write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

WF Hendricks, Municipal Manager, Municipal Office, Swellendam.

Notice: 129/2008

8 August 2008

46653

SWARTLAND MUNISIPALITEIT

KENNISGEWING 16/08/09

VOORGESTELDE HERSONERING EN ONDERVERDELING VAN
ERF 1449, RIEBEEK KASTEEL

Kennis geskied hiermee ingevolge artikels 17(1) en 24(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van Erf 1449 (groot 1,0423 ha) geleë aan die suidelike deel van Riebeek Kasteel vanaf Landbousone I na onderverdelingsgebied ten einde 8 enkel residensiële erwe en 'n gedeelte straat te skep.

Verdere besonderhede is gedurende gewone kantoorure (weekdae) by Departement Ontwikkelingsdienste, die kantoor van die Hoof: Beplanning, Boubeheer en Waardasies, Munisipale Kantoor, Kerkstraat, Malmesbury beskikbaar.

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 8 September 2008.

JJ Scholtz, Munisipale Bestuurder, Munisipale kantore, Privaatsak X52, Malmesbury 7299.

8 Augustus 2008

46651

MUNISIPALITEIT SWARTLAND

Kennisgewing 08/08/09

KENNISGEWING VIR DIE INSPEKSIE VAN AANVULLENDE
WAARDASIEROL 2008/2009 VAN ALLE EIENDOMME GELEË
IN DIE SWARTLAND MUNISIPALE GEBIED EN INDIENING
VAN BESWARE

Kennis word hiermee gegee kragtens die bepalings van artikel 49(1)(a)(i) saamgelees met artikel 78(2) van die Plaaslike Regering: Munisipale Wet op Eiendomsbelasting (Wet nr. 6 van 2004), hierna verwys as die "Wet", dat die Aanvullende Waardasierol 2008/2009 ter insae lê vir openbare inspeksie by die onderskeie Munisipale kantore of die webblad www.swartland.org.za vanaf 6 Augustus 2008 tot 12 September 2008.

'n Uitnodiging word ook gerig ingevolge die bepalings van artikel 49(1)(a)(ii) saamgelees met artikel 78(2) van die Wet dat enige eienaar van vaste eiendom of enige ander persoon 'n beswaar kan indien by die Munisipale Bestuurder ten opsigte van enige aangeleentheid of uitsluitel rakende die eiendomswaardasierol binne bogenoemde tydperk. Daar word spesifiek verwys na die bepalings van artikel 50(2) van die Wet dat 'n beswaar moet verwys na spesifieke eiendom en nie teen die waardasierol in geheel nie. Die voorgeskrewe vorm vir die indiening van 'n beswaar is beskikbaar by die onderskeie Munisipale kantore of webblad www.swartland.org.za. Enige navrae kan gerig word aan Div Muller of Gwyn McGregor (022 487 9400). Adres: Die Munisipale Bestuurder, Privaatsak X52, Malmesbury, 7299.

JJ Scholtz, Munisipale Bestuurder, Munisipale Kantoor, Kerkstraat 1, Privaatsak X52, Malmesbury.

8 Augustus 2008

46652

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 4630, OAKSTRAAT 3,
SWELLENDAM

Kennisgewing geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning 1985 (No 15 van 1985) dat die Raad 'n aansoek van C C True ontvang het vir 'n afwyking op Erf 4630, Swellendam ten einde handel te dryf in tweedehandse voertuie vanaf die eiendom.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 8 September 2008 bereik.

Persones wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

WF Hendricks, Munisipale Bestuurder, Munisipale Kantoor, Swellendam.

Kennisgewing: 129/2008

8 Augustus 2008

46653

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 101,
RESIESBAAN STREET, SWELLENDAM

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance of 1985 (Ordinance 15 of 1985) that the Council has received an application from The Apostolic Faith Mission of S A for a departure on Erf 101, Swellendam to encroach the building line on both Resiesbaan and Siegelaar Streets.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 8 September 2008.

Persons who are unable to read and write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

WF Hendricks, Municipal Manager, Municipal Office, Swellendam.

Notice: 130/2008

8 August 2008

46654

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 5712,
4 EDELWEISS STREET, SWELLENDAM

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance of 1985 (Ordinance 15 of 1985) that the Council has received an application from A Rossouw on behalf of J L Ludick for a departure on Erf 5712, Swellendam to conduct a house shop on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 8 September 2008.

Persons who are unable to read and write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

WF Hendricks, Municipal Manager, Municipal Office, Swellendam.

Notice: 128/2008

8 August 2008

46655

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE ERF 3069, CALEDON

Notice is hereby given in terms of section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application for departure from B. Plaatjies in order to enable the owner to extend two additional rooms on to the existing house.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Caledon during office hours from 8 August 2008 to 8 September 2008.

Objections to the proposal, if any, must reach the undermentioned on or before 8 September 2008.

Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Caledon, to write down their objections.

S. Wallace, Municipal Manager, Municipal Office, P.O. Box 24, Caledon 7230.

Reference number: C/3069 Notice number: KOR 58/2008

8 August 2008

46661

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 101,
RESIESBAANSTRAAT, SWELLENDAM

Kennisgewing geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning 1985 (No 15 van 1985) dat die Raad 'n aansoek van Die Apostoliese Geloofsending van S A ontvang het vir 'n afwyking op Erf 101, Swellendam ten einde die straatboulyn op Resiesbaan sowel as Siegelaarstraat te oorskry.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 8 September 2008 bereik.

Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

WF Hendricks, Munisipale Bestuurder, Munisipale Kantoor, Swellendam.

Kennisgewing: 130/2008

8 Augustus 2008

46654

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 5712,
EDELWEISSSTRAAT 4, SWELLENDAM

Kennisgewing geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning 1985 (No 15 van 1985) dat die Raad 'n aansoek van A Rossouw namens J L Ludick ontvang het vir 'n afwyking op Erf 5712, Swellendam ten einde 'n huiswinkel vanaf die eiendom te bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 8 September 2008 bereik.

Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

WF Hendricks, Munisipale Bestuurder, Munisipale Kantoor, Swellendam.

Kennisgewing: 128/2008

8 Augustus 2008

46655

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM AFWYKING ERF 3069, CALEDON

Kennisgewing geskied hiermee ingevolge die bepalings van artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek om afwyking ontvang het van B. Plaatjies ten einde die eienaar in staat te stel om twee addisionele vertrekke aan die bestaande huis te bou.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Caledon, ter insae vanaf 8 Augustus 2008 tot 8 September 2008.

Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 8 September 2008 bereik.

Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hulle besware neer te skryf.

S. Wallace, Munisipale Bestuurder, Munisipale Kantoor, Posbus 24, Caledon 7230.

Verwysingsnommer: C/3069 Kennisgewingsnommer: KOR 58/2008

8 Augustus 2008

46661

MATZIKAMA MUNICIPALITY

REPEAL OF BY-LAWS

Notice is hereby given that the Council of the Matzikama Municipality has approved the repeal of the standard by-laws listed in die Schedule hereto in so far as it applied to areas of jurisdiction of the former Vredendal Municipality, Klawer Municipality, Vanrhynsdorp Municipality and Lutzville Municipality from date of publication of this notice.

SCHEDULE

FORMER MUNICIPALITY FOR THE AREA OF VREDENDAL

Standard by-law relating to the Procedure and the Maintenance of Order at Meetings, published under Provincial Notice 411 dated 20 May 1988 and the adoption thereof by the Council of former Municipality for the area of Vredendal vide Provincial Notice 1057 dated 9 December 1988.

FORMER KLAWER MUNICIPALITY

Standard Rules of Order, published under Provincial Notice 148 dated 21 March 1952 and the adoption thereof by the Village Management of former Klawer Municipality vide Provincial Notice 521 dated 15 August 1958.

FORMER MUNICIPALITY FOR THE AREA OF VANRHYNSDORP

Standard Rules of Order, published under Provincial Notice 148 dated 21 March 1952 and the adoption thereof by the Council of former Municipality for the area of Vanrhynsdorp vide Provincial Notice 558 dated 1 August 1952.

FORMER MUNICIPALITY FOR THE AREA OF LUTZVILLE

Standard Rules of Order, published under Provincial Notice 148 dated 21 March 1952 and the adoption thereof by the Council of former Municipality for the area of Lutzville vide Provincial Notice 582 dated 27 May 1966.

8 August 2008

46657

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(ACT 32 OF 2000)PROPOSED AMENDMENT OF PREVIOUS APPROVAL: ERF 3105,
45 METELERKAMP STREET (WELBEDACHT), KNYSNA

Notice is hereby given in terms of Section 42 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received by the Municipal Manager and is open for inspection during office hours at the Municipal Town Planning Offices, 11 Pitt Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 on or before 17:00, on Monday, 8 September 2008 quoting the above Ordinance and the objector's property description/erf number.

Notice is further given in terms of Section 21(4) of the Local Government Act: Municipal Systems 2000 (Act 32 of 2000) that people who cannot write can approach the Town Planning section during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

Objections via e-mail will not be accepted.

Nature of the application: Application for the amendment of the previous rezoning approval in terms of Section 42(3) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in order to allow 10 group housing units on Erf 3105, Knysna.

Applicant: HM Vreken TRP(SA) on behalf of Knycor Investments (No 30) (Pty) Ltd, P.O. Box 2180, Knysna 6570.

Tel: (044) 382 0420 Fax: (044) 382 0438

e-mail: marike@vreken.co.za

JB Douglas, Municipal Manager

Ref: 3105 KNY 8 August 2008

46660

MATZIKAMA MUNISIPALITEIT

HERROEPING VAN VERORDENINGE

Kennis geskied hiermee dat die Raad van Matzikama Munisipaliteit die herroeping van die standaardverordeninge, soos in die Bylae hiertoe vermeld, vir sover dit op die regsgebiede van die voormalige Vredendal Munisipaliteit, Klawer Munisipaliteit, Vanrhynsdorp Munisipaliteit en Lutzville Munisipaliteit van toepassing was, met ingang van die datum van publikasie van hierdie kennisgewing, goedgekeur het.

BYLAE

VOORMALIGE MUNISIPALITEIT VIR DIE GEBIED VAN VREDENDAL

Standaardverordening insake die Prosedure en Handhawing van Orde op Vergaderings gepubliseer by Provinsiale Kennisgewing 411 van 20 Mei 1988 en die aanname daarvan deur die Raad van die voormalige Munisipaliteit vir die Gebied van Vredendal by Provinsiale Kennisgewing 1057 van 9 Desember 1988.

VOORMALIGE MUNISIPALITEIT VAN KLAWER

Standaard Reglement van Orde gepubliseer by Provinsiale Kennisgewing 148 van 21 Maart 1952 en die aanname daarvan deur die Dorpsbestuur van die voormalige Munisipaliteit van Klawer by Provinsiale Kennisgewing 521 van 15 Augustus 1958.

VOORMALIGE MUNISIPALITEIT VIR DIE GEBIED VAN VANRHYNSDORP

Standaard Reglement van Orde gepubliseer by Provinsiale Kennisgewing 148 van 21 Maart 1952 en die aanname daarvan deur die Raad van die voormalige Munisipaliteit vir die Gebied van Vanrhynsdorp by Provinsiale Kennisgewing 558 van 1 Augustus 1952.

VOORMALIGE MUNISIPALITEIT VIR DIE GEBIED VAN LUTZVILLE

Standaard Reglement van Orde gepubliseer by Provinsiale Kennisgewing 148 van 21 Maart 1952 en die aanname daarvan deur die Raad van die voormalige Munisipaliteit vir die Gebied van Lutzville by Provinsiale Kennisgewing 582 van 27 Mei 1966.

8 Augustus 2008

46657

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)VOORGESTELDE WYSIGING VAN GOEDKEURING: ERF 3105,
METELERKAMPSTRAAT 45 (WELBEDACHT), KNYSNA

Kennis geskied hiermee ingevolge Artikel 42 van Ordonnansie op Grondgebruikbeplanning 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en gedurende kantoorure ter insae lê by die Munisipale Stadsbeplanningskantore, Pittstraat 11, Knysna. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingedien word op of voor 17:00 op Maandag, 8 September 2008 met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word hiermee verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling kan nader tydens normale kantoorure waar die Sekretaris u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Besware per e-pos sal nie aanvaarbaar wees nie.

Aard van aansoek: Aansoek vir die wysiging van die vorige hersonering goedkeuring ingevolge Artikel 42(3) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) om sodoende 10 groepbehuisingseenhede op Erf 3105, Knysna toe te laat.

Aansoeker: HM Vreken TRP(SA) namens Knycor Investments (No 30) (Pty) Ltd, Posbus 2180, Knysna 6570.

Tel: (044) 382 0420 Faks: (044) 382 0438

e-pos: marike@vreken.co.za

JB Douglas, Munisipale Bestuurder

Verw: 3105 KNY 8 Augustus 2008

46660

THEEWATERSKLOOF MUNICIPALITY: GRABOUW

APPLICATION IN TERMS OF LESS FORMAL TOWNSHIP DEVELOPMENT ACT 113 OF 1991

Notice is hereby given in terms of section 11(12) of the Less Formal Township Development Act, 1991 (Act 113/1991) that an application for permission to establish a township on the property specified below has been received, and is open to inspection at the office of the Theewaterskloof Municipality, Grabouw Offices, 1 Arbor Drive, Grabouw. Any enquiries may be directed to the Municipal Manager: Theewaterskloof Municipality, P.O. Box 32 Grabouw 7160.

Any objections with full reasons therefor should be lodged in writing at the abovementioned address on or before 8 September 2008.

Any comments received after the aforementioned closing date may be disregarded.

Applicant: BCD Town and Regional Planners on behalf of Theewaterskloof Municipality.

Nature of application: Application for permission to establish a township on a portion of Portion 6 (a Portion of Portion 2) of the Farm Oude Brug No. 313, Grabouw, currently zoned "undetermined", comprising residential erven, a business erf, a community facility, roads and open spaces.

APPLICATION IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT, 1999 25 OF 1999

Applicant: Theewaterskloof Municipality

Nature of the application: Approval for the proposed subsidised housing project and associated infrastructure as described above is sought in terms of section 38 of the National Heritage Resources Act 1999, subject to the provisions of section 38(8) of the said Act.

Invitation to comment: Interested and affected parties are invited to comment on or raise any concerns about any aspect of the proposed development. Such comment or concerns must be lodged in writing with the Theewaterskloof Municipality in the manner described above. The closing date for comments is given above.

S. Wallace, Municipal Manager, Municipal Office, P.O. Box 24, Caledon 7230.

Reference number: L/334 Notice number: KOR 65/2008

8 August 2008

46656

MATZIKAMA MUNICIPALITY

Notice is hereby given in terms of section 13 of the Municipal Systems Act, 2000 (Act 32 of 2000) that the Municipal Council of the Matzikama Municipality has made the by-law set out in the schedule hereto.

SCHEDULE

BY-LAW REGULATING THE CONDUCT OF MEETINGS OF THE COUNCIL OF THE MATZIKAMA MUNICIPALITY

PART 1: GENERAL

1. Authorisation

The Constitution authorises the council to enact by-laws which prescribe rules and orders for its internal arrangements, business and proceedings, and for the establishment, composition, procedures, powers and functions of its committees.

2. Interpretation

National and provincial legislation will be given priority in the interpretation of this by-law. Any provision in this by-law that is

THEEWATERSKLOOF MUNISIPALITEIT: GRABOUW

KENNISGEWING VAN DORPSTIGTING EN VOORNEME OM GRONDGEBRUIKSVERANDERING UIT TE VOER

Hiermee word kennis ingevolge artikel 11(2) van die Wet op Minder Formele Dorpstigting, 1991 (113 van 1991) gegee dat 'n aansoek om goedkeuring vir die stigting van 'n dorp op die eiendom soos hieronder aangedui, ontvang is, en ter insae lê by die kantore van Theewaterskloof Munisipaliteit, Grabouw, Arborrylaan 1, Grabouw. Enige navrae kan gerig word aan die Munisipale Bestuurder: Theewaterskloof Munisipaliteit, Posbus 32, Grabouw 7160.

Enige besware, met volledige redes daarvoor, moet skriftelik by bogenoemde adres ingedien word op of voor 8 September 2008.

Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: BCD Stads- en Streekbeplanners namens Theewaterskloof Munisipaliteit.

Aard van aansoek: Aansoek om goedkeuring vir die stigting van 'n dorp op 'n gedeelte van Gedeelte 6 ('n Gedeelte van Gedeelte 2) van die Plaas Oude Brug Nr. 313, Grabouw, tans as "onbepaald" gesoneer, wat die ontwikkeling van 438 residensiële erwe, 'n besigheidsperseel, 'n gemeenskapsfasiliteit, paaie en oopruimtes bevat.

AANSOEK IN TERME VAN DIE WET OP NASIONALE ERFENIS HULPBRONNE, 1999 (Nr. 25 van 1999)

Aansoeker: Theewaterskloof Munisipaliteit

Aard van aansoek: Goedkeuring vir die voorgestelde gesubsidieerde behuisingsprojek en gepaardgaande infrastruktuur soos bo beskryf, word verlang in terme van artikel 38 van die Wet op Nasionale Erfenis Hulpbronne, 1999 (Nr. 25 van 1999), onderhewig aan die bepalings van artikel 38(8) van hierdie Wet.

Uitnodiging vir kommentaar: Geïnteresseerde partye en belangegroepes word uitgenooi om kommentaar te lewer op, of enige kwessie te lig rakende enige aspekte van die voorgestelde ontwikkeling. Sodanige geskrewe kommentaar of insette moet ingehandig word by Theewaterskloof Munisipaliteit op die manier soos bo beskryf. Die sluitingsdatum vir kommentaar word bo aangetoon.

S. Wallace, Munisipale Bestuurder, Munisipale Kantoor, Posbus 24, Caledon 7230.

Verwysingsnommer: L/334 Kennisgewingsnommer: KOR 65/2008

8 Augustus 2008

46656

MATZIKAMA MUNISIPALITEIT

Kennis geskied hiermee ingevolge die bepalings van Artikel 13 van die Munisipale Stelselwet, 2000 (Wet 32 van 2000) dat die Munisipale Raad van Matzikama Munisipaliteit, die verordening soos uiteengesit in die skedule hiertoe vermeld, gemaak het.

SKEDULE

VERORDENING VIR DIE HOU VAN VERGADERINGS VAN DIE RAAD VAN MATZIKAMA MUNISIPALITEIT

DEEL 1: ALGEMEEN

1. Magtiging

Die grondwet magtig die raad om verordeninge uit te vaardig om reëls en orders voor te skryf vir sy interne reëlings, sy werksaamhede en verrigtinge, en die instelling, samestelling, prosedures, bevoegdhede en funksies van sy komitees.

2. Interpretasies

By die interpretasie van hierdie verordening, sal nasionale en provinsiale wetgewing voorrang geniet. Enige bepaling in hierdie verordening

against the law or unenforceable will not in any way invalidate the validity of the remaining provisions in this by-law to the extent that it is against the law or unenforceable.

3. Definitions

In this by-law, unless inconsistent with the context—

“**mayor**” means the councillor appointed as executive mayor by the council in terms of the Structures Act or, in his or her absence, the executive deputy mayor;

“**code of conduct**” means the code of conduct for councillors as set out in the Systems Act;

“**Constitution**” means the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

“**MEC**” means the member of the Executive Council responsible for local government in the Province of the Western Cape;

“**majority of votes**” means the votes cast by the majority of council members present during a meeting;

“**motion**” means a proposal, recommendation or question on which the council must make a decision, excluding a motion as specified in paragraphs 47 and 48 of the by-law;

“**municipal manager**” means the person appointed by council as municipal manager or acting municipal manager in terms of the Structures Act;

“**supporting vote**” means the vote cast by a majority of the members of the council;

“**party**” means a party as defined in the Structures Act;

“**council**” means the municipal council of the Matzikama Municipality;

“**rules**” means the provisions of this by-law;

“**speaker**” means the councillor elected as chairperson of the council or any other councillor acting as chairperson of the council in terms of the Structures Act;

“**Systems Act**” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“**Structures Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“**meeting**” means the meetings of the council and/or any of its committees.

PART 2: APPLICATION OF THE BY-LAW

4. Application

- (1) This by-law is applicable to all meetings.
- (2) Except where it is clearly inappropriate, a rule applying to councillors in any proceedings also applies to a non-councillor who takes part in those proceedings with the approval of the speaker.
- (3) Except where it is clearly inappropriate, this by-law also applies to committees of the council, in which case any reference to speaker in this by-law shall be interpreted as—
 - (a) the councillor appointed as chairperson of any committee of the council or acting as chairperson of such committee; or
 - (b) the councillor appointed as executive mayor and who chairs meetings of the mayoral committee and, in his or her absence, the executive deputy mayor.

wat regtens verbied word of onafdwingbaar is, sal nie in die mate wat dit verbode of onafdwingbaar is, die geldigheid van die oorblywende bepalings hiervan op enige wyse hoegenaamd ongeldig maak nie.

3. Woordomskrywing

In hierdie verordening, tensy dit uit die samehang anders blyk, beteken:

“**burgemeester**” die raadslid deur die raad aangewys as uitvoerende burgemeester kragtens die Strukturewet of, in sy/haar afwesigheid, die uitvoerende onderburgemeester;

“**gedragskode**” die gedragskode vir raadslede soos in die Stelselswet uiteengesit;

“**Grondwet**” die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 108 van 1996);

“**LUR**” die lid van die Uitvoerende Raad verantwoordelik vir Plaaslike Regering in die Provinsie Wes-Kaap;

“**meerderheid van stemme**” die stem uitgebring deur die meerderheid van raadslede wat tydens ’n vergadering teenwoordig is;

“**mosie**” ’n voorstel, aanbeveling of vraag waaroor die raad ’n besluit moet neem, uitgesluit ’n mosie soos vermeld in paragrawe 47 en 48;

“**munisipale bestuurder**” die persoon deur die raad as munisipale bestuurder of waarnemende munisipale bestuurder aangestel ingevolge die Strukturewet;

“**ondersteunende stem**” die stem uitgebring deur die meerderheid van die lede van die raad;

“**party**” ’n politieke party soos omskryf in die Strukturewet;

“**raad**” die munisipale raad van Matzikama Munisipaliteit;

“**reëls**” die bepalings van hierdie verordening;

“**speaker**” die raadslid gekies tot voorsitter van die raad of enige ander raadslid wat as voorsitter van die raad waarneem kragtens die Strukturewet;

“**Stelselswet**” die Wet op Plaaslike Regering: Munisipale Stelsels 2000 (Wet 32 van 2000);

“**Strukturewet**” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

“**vergadering**” die vergadering van die raad of enige van sy komitees.

DEEL 2: TOEPASSING VAN VERORDENING

4. Toepassing

- (1) Hierdie verordening is op alle vergaderings van toepassing.
- (2) Uitgesonderd waar dit klaarblyklik onvanpas is, is ’n reël wat in enige verrigtinge op raadslede van toepassing is, ook van toepassing op ’n nie-raadslid wat met die goedkeuring van die speaker aan daardie verrigtinge deelneem.
- (3) Uitgesonderd waar dit klaarblyklik onvanpas is, is hierdie verordening ook van toepassing op komitees van die raad, in welke geval enige verwysing na speaker in hierdie verordening uitgelê moet word as—
 - (a) die raadslid wat as voorsitter van enige komitee van die raad optree of as voorsitter van sodanige komitee waarneem; of
 - (b) die raadslid wat as uitvoerende burgemeester aangewys is en as voorsitter van die burgemeesters-komitee optree en in sy/haar afwesigheid, die uitvoerende onderburgemeester.

5. Supplementation

- (1) The speaker may make a ruling with regard to the application of this by-law and in respect of any eventuality for which this by-law does not make provision and no further discussion shall be allowed on the ruling.
- (2) Notwithstanding the provisions of paragraph 54, the speaker may also order that the council adjourn for a specific time, not exceeding one hour, should circumstances require this.
- (3) The speaker's decision will be final and binding on all councillors and the public, subject to the rights of the council in terms of sub-paragraphs 5(a) and 5(b) of this by-law.
- (4) The ruling of the speaker shall be entered in the minutes.
- (5) If the majority of the councillors present during a meeting are of the opinion that the speaker has exceeded his or her powers and/or interpreted the relevant rule incorrectly and/or has not interpreted the rules of the procedures of the council correctly, the council may:
 - (a) temporarily suspend the speaker from the position and appoint another councillor to act as speaker in terms of the Structures Act, for the appointment of a special committee consisting of councillors;
 - (b) immediately thereafter appoint a special committee to investigate the incident and to make a recommendation to the council;

after which the speaker will continue to lead the meeting in order to finalise the outstanding items on the agenda.
- (6) The special committee referred to in sub-paragraph 5(b) of this by-law will meet as soon as possible to investigate the incident and make a suitable recommendation to the council.

PART 3: MEETINGS**6. Chairing of meetings**

- (1) The speaker chairs all meetings of the council.
- (2) Should the speaker not be present at a meeting, an acting speaker for that meeting will be elected from the councillors present by a majority of votes.

7. Commencement of meeting

Subject to the provisions of paragraph 16 of this by-law, the speaker must take the chair precisely at the time for which the meeting is convened and must proceed immediately with the business of the meeting.

8. Order of business

- (1) The business of meetings will appear on the agenda in the following order:
 - (a) election of acting speaker, if necessary;
 - (b) applications for leave of absence;
 - (c) confirmation of minutes;
 - (d) statements and communications by the speaker;
 - (e) statements and communications by the mayor;
 - (f) interviews with deputations;
 - (g) consideration of reports;
 - (h) urgent matters submitted by the municipal manager;
 - (i) consideration of notices of motions;

5. Aanvulling

- (1) Die speaker kan 'n beslissing gee met betrekking tot die toepassing van hierdie verordening en ten opsigte van enige gebeurlikheid waarvoor hierdie verordening nie voorsiening maak nie, en geen verdere bespreking word oor die beslissing toegelaat nie.
- (2) Ondanks die bepalings van paragraaf 57 mag die speaker ook gelas dat die raad vir 'n bepaalde tyd verdaag, vir hoogstens een uur lank, indien omstandighede dit sou vereis.
- (3) Die speaker se beslissing sal finaal en bindend op raadslede en die publiek wees, behoudens die regte van die raad kragtens subparagraawe 5(a) en 5(b) van die verordening.
- (4) Die beslissing van die speaker moet in die notule aangeteken word.
- (5) Indien die meerderheid van die teenwoordige raadslede tydens 'n vergadering van mening is dat die speaker sy/haar magte oorskry het, en/of die toepaslike reël verkeerd geïnterpreteer het, en/of die reëls van die prosedures van die raad nie nakom nie, kan die raad:
 - (a) die speaker tydelik uit die amp onthef en 'n ander raadslid ingevolge die Strukturewet aanwys om as speaker waar te neem, vir die aanwysing van 'n spesiale komitee, wat uit raadslede sal bestaan;
 - (b) onmiddellik daarna 'n spesiale komitee aanwys om die voorval te ondersoek en om 'n aanbeveling aan die raad te maak;

waarna die speaker sal voortgaan om die vergadering te lei om uitstaande items op die sakelys af te handel.
- (6) Die spesiale komitee na verwys in subparagraaf 5(b) van die verordening sal so gou doenlik vergader om die voorval te ondersoek en 'n toepaslike aanbeveling aan die raad te maak.

DEEL 3: VERGADERINGS**6. Voorsitterskap van vergaderings**

- (1) Die speaker tree tydens alle vergaderings van die raad as voorsitter op.
- (2) Indien die speaker tydens 'n vergadering nie teenwoordig is nie, word 'n waarnemende speaker vir daardie vergadering uit die teenwoordige raadslede gekies deur 'n meerderheid van stemme.

7. Aanvang van vergadering

Die speaker moet, behoudens die bepaling van paragraaf 16 van die verordening op elke vergadering van die raad, die stoel op die vasgestelde aanvangstyd van die vergadering inneem en word daar onmiddellik tot die werksaamhede van die vergadering oorgegaan.

8. Volgorde van sake

- (1) Die sake van vergaderings moet in die volgende volgorde op die sakelys verskyn:
 - (a) verkiesing van waarnemende speaker, indien nodig;
 - (b) aansoeke vir verlof vir afwesigheid;
 - (c) goedkeuring van notule;
 - (d) verklarings en mededelings deur die speaker;
 - (e) verklarings en mededelings deur die burgemeester;
 - (f) onderhoude met afvaardigings;
 - (g) oorweging van verslae;
 - (h) dringende aangeleenthede deur die munisipale bestuurder;
 - (i) oorweging van kennisgewings van mosies;

(j) consideration of notices of questions; and

(k) consideration of motions of exigency.

(2) The speaker may of own volition change the order of the business on the agenda.

(3) A councillor who wishes to have the order of business on the agenda changed must approach the speaker with this request prior to the meeting, but any changes remain the prerogative of the speaker.

9. Urgent matters

The speaker, mayor and/or municipal manager may, at any time during the meeting and without prior notice, make any statement or introduce urgent matters.

10. Business to be disposed of

Except as otherwise provided in this by-law, no matter not specified in the agenda of a meeting of the council shall be dealt with at such meeting.

11. Meetings

(1) Council must meet at least quarterly.

(2) Excluding the first meeting of the council and subject to the provisions of sub-paragraph 11(1) of this by-law, the speaker decides where and when council meets.

(3) If a majority of the councillors requests the speaker in writing to convene a meeting, the speaker must call a meeting at a time set out in the request.

(4) On the instruction of the speaker, the municipal manager must

- (a) give at least 48 hours notice of each meeting to each councillor, together with the agenda set out for that meeting; and
- (b) in a manner determined by the council, inform the public of the time, date and venue of each meeting of the council,

except when time constraints make this impossible in respect of urgent meetings.

(5) Councillors must carefully check the agenda with which they have been provided in accordance with sub-paragraph 11(4)(a) of this by-law and prepare themselves thoroughly for the scheduled meeting.

(6) On acceptance of his/her office as councillor, a councillor must provide the municipal manager with an address within the municipal area of jurisdiction to which the agendas for meetings can be delivered.

A councillor must inform the municipal manager without delay if the aforementioned address should change.

12. Attendance of meetings

(1) Every councillor attending a meeting of the council must sign his or her name in the attendance register kept for this purpose.

(2) The names of every councillor who attended a meeting of the council or a committee thereof or who were absent from such meeting shall be recorded in the minutes or reports of such meetings.

(3) A councillor must attend each meeting of the council and of a committee of which that councillor is a member, except when—

(a) leave of absence is granted in terms of paragraph 13 of this by-law; or

(j) oorweging van kennisgewings van vrae; en

(k) oorweging van dringende mosies.

(2) Die speaker kan uit eie beweging die volgorde van die sake op die sakelys verander.

(3) 'n Raadslid wat die volgorde van sake op die sakelys wil verander, moet die speaker voor die vergadering met die versoek nader, maar dit bly die prerogatief van die speaker om toe te stem tot die versoek of dit te weier.

9. Dringende aangeleenthede

Die speaker, burgemeester en/of munisipale bestuurder kan sonder kennisgewing op enige vergadering enige verkiesing doen of enige dringende aangeleentheid voorstel of enige mededeling voorlees.

10. Sake vir afhandeling

Uitgesonderd soos in hierdie verordening bepaal, mag geen aangeleentheid wat nie op die sakelys van 'n vergadering van die raad vermeld is nie, op sodanige vergadering behandel word nie.

11. Vergaderings

(1) Die raad moet ten minste kwartaaliks vergader.

(2) Uitgesluit die eerste vergadering van die raad en behoudens die bepalinge van subparagraaf 11(1) van die verordening, besluit die speaker waar en wanneer die raad vergader.

(3) Indien 'n meerderheid van die raadslede die speaker skriftelik versoek om 'n vergadering te belê, moet die speaker die vergadering byeenroep op die tyd in die versoek vermeld.

(4) Die munisipale bestuurder, in opdrag van die speaker,

- (a) gee minstens 48 uur vooraf skriftelik kennis aan elke raadslid van elke vergadering, tesame met die sakelys bedoel vir daardie vergadering; en
- (b) moet op 'n wyse wat deur die raad bepaal word, die publiek in kennis stel van die tyd, datum en plek van elke vergadering van die raad,

behalwe wanneer tydbeperkings dit onmoontlik maak ten opsigte van dringende vergaderings.

(5) Raadslede moet die sakelyste wat ooreenkomstig subparagraaf 11(4)(a) van die verordening aan hulle besorg is, behoorlik nagaan en hulself deeglik vir die geskeduleerde vergadering voorberei.

(6) By die aanvaarding van sy/haar amp as raadslid, moet 'n raadslid aan die munisipale bestuurder 'n adres binne die munisipale regsgebied verskaf waar sakelyste van vergaderings aan sodanige raadslid bestel moet word.

'n Raadslid moet die munisipale bestuurder sonder versuim in kennis stel indien die voormelde adres sou wysig.

12. Bywoning van vergaderings

(1) Elke raadslid wat op 'n vergadering van die raad teenwoordig is, moet sy/haar naam teken in die bywoningsregister wat vir dié doel beskikbaar moet wees.

(2) Die name van alle raadslede wat op enige raads- en komiteevergadering teenwoordig is en van alle raadslede aan wie verlof tot afwesigheid van enige sodanige verandering gegee is, moet aangeteken word in die notule of verslag of verslae met betrekking tot sodanige vergadering.

(3) 'n Raadslid moet elke vergadering van die raad en van 'n komitee waarvan daardie raadslid 'n lid is, bywoon, behalwe wanneer—

(a) verlof vir afwesigheid ingevolge paragraaf 13 van die verordening verleen is; of

- (b) the councillor is required to withdraw in terms of this by-law; or
- (c) a councillor is suspended temporarily in terms of sub-paragraph 29(3) of this by-law.

13. Leave of absence

- (1) A councillor who cannot attend a meeting must submit his or her apology at the office of the municipal manager or his or her delegate at least one hour before the meeting commences. However, the speaker, on good cause, may grant leave of absence to a councillor who has been prevented by special circumstances from obtaining leave of absence from the council.
- (2) A councillor who refrains from remaining in attendance at a meeting shall be regarded as being absent without leave.
- (3) The names of all councillors to whom leave of absence from any meeting has been granted and those of all councillors who absent themselves without leave from any meeting or who fail to remain in attendance at a meeting, shall be recorded in the minutes or report(s) relating to such meeting.

14. Sanction for non-attendance

- (1) A councillor who is absent without leave from a meeting or who is deemed absent in terms of sub-paragraph 13(2) of this by-law is in breach of this by-law: provided that, if a councillor is temporarily suspended from meetings and/or committees in terms of paragraph 29 of this by-law, he or she is deemed absent with leave for the purposes of this paragraph.
- (2) A councillor who violates the provisions of sub-paragraph 14(1) of this by-law will be fined by an amount as determined by the council from time to time, which fine shall be recovered directly from such councillor's remuneration.
- (3) A councillor who is absent without leave from three or more consecutive meetings of the council or from three or more consecutive meetings of a committee which that councillor is required to attend, shall be removed from his or her office as councillor.
- (4) The council may appoint a special committee to investigate and make a finding on any repeated violation of sub-paragraph 14(1) of this by-law in terms of the code of conduct and to make a relevant recommendation to the council.
- (5) Proceedings for the removal of a councillor must be conducted in accordance with the uniform standing procedure of the council, which must comply with the rules of natural justice.

15. Minutes

- (1) Minutes of the proceedings of meetings must be compiled in printed form and must be confirmed by the council at its next meeting and signed by the speaker.
- (2) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each councillor at least 48 hours before the scheduled meeting.
- (3) No motion or discussion of the minutes shall be allowed, except in connection with the correctness thereof.
- (4) A motion to improve the minutes will be allowed and if adopted, the minutes must be improved and signed.

16. Quorum

- (1) A majority of the members of the council must be present at a meeting of the council before a vote may be taken on any matter.
- (2) Notwithstanding the provisions of sub-paragraph 16(1) of

- (b) die raadslid hom of haar ingevolge hierdie verordening moet onttrek;
- (c) 'n raadslid kragtens subparagraaf 29(3) van die verordening tydelik geskors is.

13. Verlof tot afwesigheid

- (1) 'n Raadslid wat nie 'n vergadering kan bywoon nie, moet ten minste een uur voor die aanvang van die vergadering by die kantoor van die munisipale bestuurder of sy gedelegeerde verskoning aanteken. Die speaker kan egter, om goeie redes, verlof vir afwesigheid verleen aan 'n raadslid wat deur spesiale omstandighede verhinder word om verlof vir afwesigheid voor die aanvang van die vergadering aan te teken.
- (2) 'n Raadslid wat, sonder verlof, versuim om teenwoordig te bly by 'n vergadering, word geag as sonder verlof afwesig te wees.
- (3) Die name van alle raadslidde wat sonder verlof afwesig is van enige vergadering of versuim om teenwoordig te bly by 'n vergadering, moet aangeteken word in die notule of verslag of verslae met betrekking tot sodanige vergadering.

14. Sanksie vir nie-bywoning

- (1) 'n Raadslid wat sonder verlof van 'n vergadering afwesig is of ooreenkomstig subparagraaf 13(2) van die verordening geag word afwesig te wees, oortree hierdie verordening: met dien verstande dat indien 'n raadslid ooreenkomstig paragraaf 29 van die verordening tydelik van vergaderings en/of komitees geskors is, hy of sy vir doeleindes van hierdie paragraaf geag word met verlof afwesig te wees.
- (2) 'n Raadslid wat die bepaling van subparagraaf 14(1) van hierdie verordening oortree, word beboet met 'n bedrag soos van tyd tot tyd deur die raad bepaal, welke boete regstreeks van die betrokke raadslid se vergoeding verhaal sal word.
- (3) 'n Raadslid wat sonder verlof afwesig is van drie of meer agtereenvolgende vergaderings van die raad of van drie of meer agtereenvolgende vergaderings van 'n komitee, wat daardie raadslid veronderstel is om by te woon, moet uit sy/haar amp as raadslid ontslaan word.
- (4) Die raad kan 'n spesiale komitee instel om enige herhaalde oortreding van sub-paragraaf 14(1) van hierdie verordening ingevolge die gedragskode te ondersoek, 'n bevinding te maak en 'n toepaslike aanbeveling aan die raad te maak.
- (5) Stappe vir die ontslag van 'n raadslid moet aangevoer word ooreenkomstig die eenvormige staande prosedures van die raad, wat moet voldoen aan die reëls van natuurlike geregtigheid.

15. Notule

- (1) 'n Notule van verrigtinge van vergaderings moet in gedrukte vorm saamgestel word en moet op die volgende vergadering deur die raad goedgekeur en deur die speaker onderteken word.
- (2) Die notule word vir die doel van goedkeuring as gelees beskou indien 'n eksemplaar daarvan ten minste 48 uur voor die geskeduleerde vergadering aan elke raadslid gestuur is.
- (3) Geen mosie of bespreking oor die notule word toegelaat nie, uitgesonderd in verband met die juistheid daarvan.
- (4) 'n Geleentheidsvoorstel om die notule te verbeter, is toelaatbaar en indien dit aangeneem word, moet die notule dienooreenkomstig verbeter en onderteken word.

16. Kworum

- (1) 'n Meerderheid van die lede van die raad moet by 'n vergadering van die raad teenwoordig wees voordat daar oor enige aangeleentheid gestem mag word.
- (2) Ongeag die bepalings van subparagraaf 16(1) van hierdie

this by-law, a meeting will only commence once a quorum is present. If there is no quorum at the time for which the meeting is scheduled, the speaker will only take the chair as soon as a quorum is present.

- (3) Whenever there is no quorum, the start of the meeting must be delayed for no longer than 30 minutes and, if there is not yet a quorum at the end of that period, the speaker must adjourn the meeting to another time, date and venue at his or her discretion and must record the names of those councillors present.
- (4) Whenever the speaker is not present and there is also no quorum, the start of the meeting must be delayed for no more than 30 minutes and, if there is still no quorum at the end of that period, no meeting may take place and the municipal manager must record the names of the councillors present.
- (5) Whenever there is a quorum at the start of a meeting, but a situation arises during the meeting that there is no longer a quorum, the speaker must suspend the proceedings until a quorum is again present: provided that, if there is still no quorum after 10 minutes, the speaker must adjourn the meeting.
- (6) Whenever a meeting is adjourned because there is no longer a quorum, the time of such adjournment, as well as the names of the councillors present and the names of the councillors who left the meeting without leave, must be recorded in the minutes.

PART 4: DECISIONS

17. Unopposed matters

Whenever the council is requested to consider a matter before it and there is no opposition from any councillor, a unanimous vote must be recorded in the minutes.

18. Manner of voting

- (1) The speaker must put every opposed motion to the vote by calling upon the councillors to indicate by a show of hands, unless otherwise prescribed, whether they are for such motion or against it, whereupon he or she must declare the result of such vote and record it in the minutes.
- (2) If the majority of the councillors present request the speaker that a vote should take place by secret ballot, this shall be done accordingly.
- (3) Upon the speaker's declaration of the result of a vote, a councillor may demand that his or her vote be recorded against the decision concerned and the municipal manager shall ensure that such vote is recorded in the minutes.
- (4) A councillor may abstain from voting without leaving the meeting place.

19. Decisions

- (1) In accordance with the Structures Act, a supporting vote of at least two thirds of the members of the council is necessary to adopt a decision to dissolve the council.
- (2) In accordance with the Constitution, the supporting vote of a majority of the councillors is needed to decide on—
 - (a) the passing of by-laws;
 - (b) the approval of the budgets;
 - (c) the imposition of rates and other taxes, levies and duties; and
 - (d) obtaining loans.

verordening, sal 'n vergadering eers in aanvang neem sodra daar 'n kworum teenwoordig is. As daar op die tydstig waarvoor die vergadering belê is nie 'n kworum is nie, sal die speaker eers die stoel inneem sodra daar 'n kworum is.

- (3) Wanneer daar nie 'n kworum is nie, moet die begin van die vergadering met hoogstens 30 minute uitgestel word en as daar aan die einde van hierdie tydperk nog nie 'n kworum is nie, moet die speaker die vergadering verskuif na 'n ander tyd, datum en plek na sy of haar goeddunke en moet hy of sy die name van die teenwoordige lede aanteken.
- (4) Wanneer die speaker nie teenwoordig is nie en daar ook nie 'n kworum is nie, moet die begin van die vergadering met hoogstens 30 minute uitgestel word, en as daar aan die einde van daardie tydperk nog nie 'n kworum is nie, mag die vergadering nie plaasvind nie en moet die munisipale bestuurder die name van die teenwoordige lede aanteken.
- (5) Wanneer daar by die aanvang van 'n vergadering 'n kworum is, maar tydens die vergadering die situasie ontstaan dat daar nie 'n kworum is nie, moet die speaker die vergadering tydelik verdaag totdat daar weer 'n kworum is, met dien verstand dat as daar na 10 minute nog nie 'n kworum is nie, die speaker die vergadering moet verdaag.
- (6) Wanneer 'n vergadering verdaag word omdat daar nie meer 'n kworum is nie, moet die tyd van sodanige verdaging asook die name van die teenwoordige raadslede en die name van raadslede wat die vergadering sonder verskoning verlaat het, in die notule aangeteken word.

DEEL 4: BESLUITE

17. Onbestrede aangeleenthede

Wanneer die raad versoek word om 'n aangeleentheid voor hom te oorweeg en daar geen teenkanting van enige raadslid is nie, moet 'n eenparige stemming in die notule aangeteken word.

18. Wyse van stemming

- (1) Die speaker moet 'n stemming hou oor elke mosie wat teengestaan word, deur die raadslede te versoek om deur die opsteek van hande, tensy anders voorgeskryf, aan te dui of hulle vir of teen sodanige mosie is, waarna hy of sy die uitslag van sodanige stemming bekend moet maak en dit in die notule aangeteken word.
- (2) Indien die meerderheid van die teenwoordige raadslede die speaker versoek dat 'n stemming per geslote stembrief moet geskied, sal dit dienooreenkomstig geskied.
- (3) Wanneer die speaker die uitslag van 'n stemming bekend maak, kan 'n raadslid versoek dat sy of haar stem teen die betrokke besluit aangeteken word en die munisipale bestuurder moet seker maak dat sodanige stem in die notule aangeteken word.
- (4) 'n Raadslid kan buite stemming bly sonder om die vergaderlokaal te verlaat.

19. Besluite

- (1) In ooreenstemming met die Strukturewet is 'n ondersteunende stem van minstens twee derdes van die lede van die raad nodig om 'n besluit om die raad te ontbind, aan te neem.
- (2) In ooreenstemming met die Grondwet is die ondersteunende stem van 'n meerderheid van die raadslede nodig om te besluit oor—
 - (a) die aanneem van verordeninge;
 - (b) die goedkeuring van die begroting;
 - (c) die oplegging van eiendomsbelasting en ander belastinge, heffings en regte; en
 - (d) die verkryging van lenings.

- (3) If, in terms of sub-paragraph 21 of this by-law, the council—
- (a) wants to rescind or amend a resolution or adopt a conflicting resolution within six months after the resolution was passed, this must be done by means of a resolution passed by a supporting vote of a majority of councillors;
 - (b) wants to rescind or amend a resolution or adopt a conflicting resolution after six months have passed since the resolution was passed, this must be done by a resolution of the same description as that required by legislation for passing the initial resolution.
- (4) All questions other than those referred to in sub-paragraphs 19(1), 19(2) and 19(3) of this by-law are decided by a majority of votes.
- (5) If there is a tie of votes in all the cases referred to in sub-paragraphs 19(1), 19(2), 19(3) and 19(4) of the by-law, the speaker must cast the deciding vote, in addition to the speaker's vote as councillor.
- (6) Before the council can take a decision on the following matters, it must first request its executive committee or executive mayor, if the council has such a committee or mayor, to submit a report and recommendation on the matter to the council:
- (a) any matter referred to in section 160(2) of the Constitution;
 - (b) the approval of an integrated development plan for the Swartland Municipality and amendments of the mentioned plan;
 - (c) the appointment and conditions of service of the municipal manager and the head of a department of Matzikama Municipality.
- (7) No by-law may be adopted by the council, unless:
- (a) reasonable notice was given to all the councillors; and
 - (b) the proposed by-law has been published for public comment.
- (8) If more than one quarter of the councillors objects to granting consent to a councillor to:
- (a) be a party to or beneficiary under a contract for—
 - (i) the provision of goods or services to the municipality; or
 - (ii) the performance of any work otherwise than as a councillor for the municipality;
 - (b) obtain a financial interest in any business of the municipality; or
 - (c) appear on behalf of any other person before the council or a committee for a fee or other consideration,
- such consent may only be given to the councillor on the approval of the MEC.

20. Unopposed business

- (1) When a meeting has been in progress for not less than one hour, the speaker may interrupt the proceedings and order the council to proceed forthwith to dispose of unopposed business.
- (2) After the disposal of such business, the proceedings shall be resumed at the point at which they were interrupted, unless all other remaining business has been adjourned until the next meeting.

- (3) Indien die raad ingevolge subparagraaf 21 van die verordening 'n bestaande besluit—
- (a) binne ses maande nadat dit besluit is, wil herroep, wysig of 'n besluit strydig daarmee wil neem, moet dit geskied deur 'n besluit geneem met 'n ondersteunende stem van 'n meerderheid van raadslede;
 - (b) na verloop van ses maande nadat dit besluit is, wil herroep, wysig of 'n besluit strydig daarmee wil neem, moet dit geskied deur 'n besluit van dieselfde beskrywing as dié wat by wetgewing vereis word vir die neem van die aanvanklike besluit.
- (4) Alle ander vrae as na verwys in subparagrafe 19(1), 19(2) en 19(3) van die verordening, word beslis deur 'n meerderheid van die stemme wat uitgebring word.
- (5) In alle gevalle verwys na in subparagrafe 19(1), 19(2), 19(3) en 19(4) van die verordening, indien daar 'n staking van stemme is, moet die speaker 'n beslissende stem uitbring, benewens die speaker se stem as raadslid.
- (6) Alvorens die raad 'n besluit oor die volgende aangeleenthede neem, moet hy eers sy uitvoerende burgemeester versoek om 'n verslag en aanbeveling oor die aangeleentheid aan die raad voor te lê:
- (a) enige aangeleentheid genoem in artikel 160(2) van die Grondwet;
 - (b) die goedkeuring van 'n geïntegreerde ontwikkelingsplan vir die munisipaliteit en wysigings van gemelde plan;
 - (c) die aanstelling en diensvoorwaardes van die munisipale bestuurder en 'n bestuurder wat direk rapporteer aan die munisipale bestuurder.
- (7) Geen verordening mag deur die raad aangeneem word nie, tensy:
- (a) daar redelike kennis aan al die raadslede gegee is; en
 - (b) die voorgestelde verordening vir openbare kommentaar gepubliseer is.
- (8) Indien meer as 'n kwart van die raadslede beswaar maak teen die verlening van goedkeuring aan 'n raadslid om:
- (a) 'n party by of bevoordeelde kragtens 'n kontrak wees vir—
 - (i) die verskaffing van goedere of dienste aan die munisipaliteit; of
 - (ii) die verrigting van enige werk buiten as raadslid aan die munisipaliteit;
 - (b) 'n finansiële belang in enige sake-onderneming van die munisipaliteit verkry; of
 - (c) vir 'n fooi of ander oorweging ten behoeve van enige persoon voor die raad of komitee verskyn;
- mag sodanige goedkeuring slegs aan die raadslid gegee word met die goedkeuring van die LUR.

20. Onbestrede sake

- (1) Wanneer 'n vergadering minstens een uur aan die gang is, kan die speaker die verrigtinge onderbreek en gelas dat die raad onverwyld daartoe oorgaan om onbestrede sake af te handel.
- (2) Na die afhandeling van sodanige sake moet die vergadering hervat word op die punt waar dit onderbreek is, tensy alle oorblywende sake tot die volgende vergadering uitgestel is.

- (3) An item on the agenda shall be deemed to be opposed business if a councillor signifies his or her intention to discuss such item immediately after the speaker has intimated to the meeting that such item is open for discussion: provided that no item shall be deemed to be opposed by reason only of questions being asked in connection therewith.

21. Rescission of resolutions

- (1) If a councillor wishes to give notice of his or her intention to move the rescission or amendment of a resolution (or part thereof) of the council, he or she shall give such notice by delivery to the municipal manager of a notice of motion in writing, which notice of motion shall be signed and dated by such councillor and shall state at which meeting of the council it will be introduced, and it shall be in the hands of the municipal manager at least six working days before the said meeting. Such notice of motion shall further state that the mover will move that the existing resolution (or part thereof) be reviewed for the purpose of rescission or amendment, as the case may be, and that the mover will further move that the same be rescinded or amended, as the case may be, stating, in the case of an amendment, the exact amendment desired.
- (2) If a committee has resolved to recommend to the council that a resolution (or part thereof) of the council be rescinded or amended, notice of intention to move such rescission or amendment shall be given by the inclusion of such recommendation in a report of the committee to the council, and the municipal manager shall send a copy of such report to each councillor, at the address which such councillor is required to furnish to the municipal manager for the purpose of the delivery of official communications, to reach him at least twelve hours before the meeting at which the recommendation will be considered. The copies of such report thus sent to all councillors, or documents which accompany it, shall indicate at which meeting such report will be considered.
- (3) Except upon the recommendation of a committee, a resolution (or part thereof) shall not be reviewed at any meeting of the council unless the permission of the majority of the councillors present at such meeting has been obtained.
- (4) There shall be no debate on such motion to review, save that the councillor or the chairman of the committee giving notice shall have the right to briefly state the reasons therefor.
- (5) If the council wants to rescind or amend a resolution or adopt a conflicting resolution, such decision to rescind must be taken in accordance with sub-paragraph 19(3) of this by-law.

PART 5: PUBLIC ACCESS

22. Admittance of public

The speaker must take reasonable steps to regulate public access to and public conduct at meetings.

23. Non-disclosure of matters

- (1) Whenever the municipal manager, at his or her discretion, has provisionally placed any matter on a part of the agenda which will not be disclosed to the public before the meeting, the speaker, when such matters are to be considered, must—
- (a) order that all members of the public leave the venue of the meeting; and
- (b) order that the councillors consider whether it would be reasonable for any or all of the items on such part of the agenda to be considered without the presence of the public and the media, with due regard to the provisions

- (3) 'n Item op die sakelys word geag 'n onbestrede saak te wees as 'n raadslid te kenne gee dat hy van voornemens is om sodanige item te bespreek onmiddellik nadat die speaker aan die vergadering te kenne gegee het dat sodanige item oop is vir bespreking, met dien verstande dat geen item geag word bestrede te wees slegs omrede vrae vir toeligtig in verband daarmee gestel word nie.

21. Herroeping van besluite

- (1) Indien 'n raadslid kennis wil gee van sy voorneme om die herroeping of wysiging van 'n besluit (of deel daarvan) aan die raad voor te stel, moet hy sodanig kennis gee deur 'n skriftelike kennisgewing van voorstel by die munisipale bestuurder af te lewer, welke kennisgewing van voorstel deur sodanige raadslid onderteken en gedateer moet wees en waarin hy moet meld op watter vergadering van die raad dit aangehoor moet word, en moet dit minstens ses werkdade voor genoemde vergadering by die munisipale bestuurder afgelewer word. In sodanige kennisgewing van voorstel moet daar verder vermeld word dat die voorsteller sal voorstel dat die bestaande besluit (of deel daarvan) in hersiening geneem word vir die doel van wysigings of herroeping, na gelang van die geval, en dat die voorsteller verder sal voorstel dat dit herroep of gewysig word, na gelang van die geval, met vermelding, in die geval van 'n wysiging, van die presiese wysigings wat verlang word.
- (2) Indien 'n komitee besluit het om by die raad aan te bevel dat 'n besluit (of deel daarvan) van die raad herroep of gewysig word, moet kennis van voorneme om sodanige herroeping of wysigings voor te stel, gegee word deur sodanige aanbeveling in te sluit by 'n verslag van die komitee aan die raad, en die munisipale bestuurder moet 'n kopie van sodanige verslag aan elke raadslid stuur, by die adres wat sodanige raadslid aan die munisipale bestuurder moet verstrekk vir die doel van die aflewering van amptelike mededelings, om hom/haar minstens twaalf uur voor die vergadering waarop die aanbeveling oorweeg sal word, te bereik. Die kopieë van sodanige verslag wat aldus aan alle raadslede gestuur word, of dokumente wat dit vergesel, moet aandui op watter vergadering sodanige verslag oorweeg sal word.
- (3) Uitgesonderd op aanbeveling van 'n komitee mag 'n besluit (of deel daarvan) nie op enige vergadering van die raad op hersiening geneem word nie, tensy die toestemming van die meerderheid van die raadslede wat op sodanige vergadering teenwoordig is, verkry is.
- (4) Daar mag geen debat oor sodanige voorstel tot hersiening gevoer word nie, behalwe dat die raadslid of die voorsitter van die komitee wat kennis gee, die reg het om kortliks die redes daarvoor te vermeld.
- (5) Indien die raad 'n bestaande besluit wil herroep, wysig of 'n besluit strydig met die bestaande besluit wil neem, moet sodanige herroepingsbesluit geskied ooreenkomstig subparagraaf 19(3) van die verordening.

DEEL 5: TOEGANG VIR PUBLIEK

22. Toelating van publiek

Die speaker moet redelike stappe doen om toegang vir die publiek tot en gedrag van die publiek op vergaderings te reguleer.

23. Nie-openbaarmaking van aangeleenthede

- (1) Wanneer die munisipale bestuurder na sy of haar goedgekenne enige aangeleentheid voorlopig op 'n deel van die sakelys geplaas het wat nie voor die vergadering aan die publiek openbaar gemaak sal word nie, moet die speaker, wanneer sodanige aangeleentheid oorweeg gaan word—
- (a) gelas dat alle lede van die publiek en die media die vergaderlokaal verlaat; en
- (b) gelas dat die raad oorweeg of dit redelik sal wees as enige van of al die items op sodanige deel van die sakelys oorweeg word sonder die teenwoordigheid van die publiek en die media, met behoorlike inagneming van die

of the Constitution, which requires that the public and the media may only be excluded from being present at a meeting when it is reasonable to do so, having regard to the nature of the business being considered.

- (2) The motivation for the exclusion of the public must be minuted in full.
- (3) Any items from which the public will not be excluded shall be considered directly after the procedure as set out in sub-paragraph 23(1) of this by-law.

24. Exclusion of the public and media from meetings

- (1) The public, including the media, may be excluded from the meeting—
 - (a) when so ordered by the speaker in terms of sub-paragraph 23(1)(a) of this by-law, or
 - (b) when it has been decided by council in terms of sub-paragraph 24(3) of this by-law.
- (2) If such motion is seconded, it shall be put to the vote forthwith and without discussion.
- (3) If such motion is carried after due consideration by council of the reasons stated, the place of meeting shall be cleared of all members of the public, including the media.

25. Readmission of public and media to meetings

- (1) During the course of a meeting from which the public and the media have been excluded, a councillor may move “that the meeting again be opened” and state the reasons for such motion.
- (2) If such motion is seconded, it shall be put to the vote forthwith and without discussion.

26. Invitation to non-member

The speaker may invite a person who is not a councillor to address the council or to attend a meeting to state his or her views on a matter before the council.

27. Deputations

- (1) An individual or a deputation seeking an interview with the council must give the municipal manager six working days’ written notice of his or her request and furnish details of the proposed interview.
- (2) The municipal manager must submit a notice in terms of sub-paragraph 27(1) of this by-law, together with his or her comments and recommendations, to the speaker, who may decide to grant or refuse an interview, and under what conditions this is done.
- (3) A deputation shall consist of no more than ten members. Except with the consent of the speaker or in reply to questions from councillors, only two members of a deputation may address the council.
- (4) Except with the consent of the speaker, a member of a deputation or an individual, depending on the case, shall not address the meeting for more than ten minutes.

PART 6: ORDER IN MEETINGS

28. Conduct of non-councillors and members of the public

If a non-councillor or member of the public misconducts himself or herself, behaves in an unseemly manner or obstructs the business of any meeting, the speaker may order his or her removal from the meeting.

bepalings van die Grondwet, wat vereis dat die publiek en die media van ’n vergadering uitgesluit kan word slegs as dit redelik is om dit te doen met inagneming van die aard van die sake wat oorweeg word.

- (2) Die motivering vir die uitsluiting van die publiek moet volledig genoteer word.
- (3) Enige items waarvan die publiek nie uitgesluit sal word nie, word oorweeg onmiddellik na die prosedure in subparagraaf 23(1) van die verordening uiteengesit.

24. Uitsluiting van die publiek en media van vergaderings

- (1) Die publiek, insluitende die media, kan van die vergadering uitgesluit word—
 - (a) waar die speaker dit ingevolge subparagraaf 23(1)(a) van die verordening gelas, of
 - (b) waar die raad dit ingevolge subparagraaf 24(3) van die verordening besluit.
- (2) Indien sodanige mosie gesekondeer word, moet dit onverwyld en sonder bespreking tot stemming gebring word.
- (3) Indien sodanige mosie aangeneem word na behoorlike oorweging deur die raad van die redes wat aangevoer is, moet alle lede van die publiek, insluitende die media, die vergaderlokaal verlaat.

25. Hertoelating van publiek en media tot vergadering

- (1) ’n Raadslid kan in die loop van die vergadering waarvan die publiek en die media uitgesluit is, voorstel “dat die vergadering weer oopgestel word” met vermelding van die redes vir sodanige mosie.
- (2) Indien sodanige mosie gesekondeer word, moet dit onverwyld en sonder bespreking tot stemming gebring word.

26. Uitnodiging aan nie-lid

Die speaker kan ’n persoon wat nie ’n raadslid is nie, nooi om die raad toe te spreek of om ’n vergadering by te woon ten einde sy of haar menings oor ’n aangeleentheid voor die raad te stel.

27. Afvaardigings

- (1) ’n Individu of afvaardiging wat ’n onderhoud met die raad verlang, moet aan die munisipale bestuurder skriftelik kennis gee van sy of haar versoek en moet besonderhede verskaf van die inhoud van die beoogde onderhoud.
- (2) Die munisipale bestuurder moet ’n kennisgewing met die inhoud vermeld in subparagraaf 27(1) van die verordening tesame met sy of haar kommentaar en aanbevelings aan die speaker voorlê, wat kan besluit om ’n onderhoud toe te staan of te weier, en op watter voorwaardes.
- (3) ’n Afvaardiging mag uit hoogstens 10 lede bestaan, uitgesonderd met die toestemming van die speaker of in antwoord op vrae en raadslede mag net twee lede van ’n afvaardiging die vergadering toespreek.
- (4) Uitgesonderd met die toestemming van die speaker mag ’n lid van ’n afvaardiging of ’n individu, na gelang van die geval, die vergadering nie langer as tien minute toespreek nie.

DEEL 6: ORDE OP VERGADERINGS

28. Gedrag van nie-lede en lede van die publiek

Indien ’n nie-raadslid of lid van die publiek hom of haar aan wangedrag skuldig maak, op ’n onbehoorlike wyse gedra of die sake van enige vergadering belemmer, kan die speaker gelas dat hy of sy uit die vergaderlokaal verwyder word.

29. Conduct of councillors

- (1) If a councillor—
- misconducts himself or herself, or
 - behaves in an unseemly manner, or
 - obstructs the business of any meeting, or
 - challenges the ruling of the speaker on any point of order or ruling in terms of sub-paragraph 5(1) of the by-law, or
 - declines to withdraw any expression when ordered to do so by the speaker, or
 - indulges in tedious repetition or unbecoming language, or
 - commits any breach of this by-law,

the speaker shall order such councillor to conduct himself or herself properly and, if speaking, to discontinue his or her speech.

- (2) In the event of a persistent disregard of the directions of the speaker, the speaker shall direct such councillor to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed from the venue.
- (3) The council may request the MEC to suspend, for a period of time, a councillor who deliberately obstructs a meeting by disregarding the rules of this by-law.

30. Offences

Any councillor, non-councillor or member of the public who—

- refuses or fails to comply with a direction of the speaker given in terms of paragraphs 28 and 29 of the by-law; or
- returns to the place of meeting prior to the conclusion of the meeting from which he or she was directed to retire; or
- offers resistance whilst he or she is being removed from the place of meeting,

shall be guilty of an offence and, if convicted, will be liable to a fine or imprisonment for a period not exceeding six months.

PART 7: RULES OF DEBATE**31. Councillor to address chair**

A councillor who speaks at a meeting must address the chair and may do so in any one of the three official languages of the Province of the Western Cape.

32. Order of priority

When a councillor wishes to address the council, he or she must first obtain the permission of the speaker.

33. Precedence of speaker

Whenever the speaker addresses the meeting, all councillors must be silent so that the speaker may be heard without any interruption.

34. Relevance

- A councillor who speaks must direct his speech strictly to the subject or matter under discussion or to an explanation or a point of order.
- No discussion shall be permitted—

29. Gedrag van raadslede

- (1) Indien 'n raadslid—
- hom of haar aan wangedrag skuldig maak, of
 - hom of haar op 'n onbehoorlike wyse gedra, of
 - die sake van enige vergadering belemmer, of
 - die beslissing van die speaker oor enige punt van orde of beslissing ingevolge subparagraaf 5(1) van die verordening uitdaag, of
 - weier om enige uitdrukking terug te trek wanneer die speaker daarop aandrings, of
 - hom of haar oorgee aan langdradige herhaling of onbehoorlike taalgebruik, of
 - enige bepaling van hierdie verordening oortree,

moet die speaker gelas dat sodanige raadslid hom of haar behoorlik gedra en, indien hy of sy aan die woord is, om sy of haar redevoering te staak.

- (2) In die geval van 'n voortdurende verontagsaming van die lasgewings van die speaker moet die speaker sodanige raadslid gelas om die vergadersaal vir die res van die vergadering te verlaat en kan hy of sy, indien nodig, sodanige raadslid uit die lokaal laat verwyder.
- (3) Die raad mag die LUR versoek om 'n raadslid, wat die sake van 'n vergadering doelbewus belemmer deur die reëls van hierdie verordening te verontagsaam, vir 'n tydperk tydelik of permanent te skors.

30. Misdrywe

Enige raadslid, nie-raadslid of lid van die publiek wat—

- weier of versuim om te voldoen aan 'n lasgewing van die speaker opgelê ooreenkomstig paragrafe 28 en 29 van die verordening; of
- na die vergaderlokaal terugkeer voor die afsluiting van die vergadering waaraan hy of sy gelas is om te onttrek; of
- weerstand bied terwyl hy of sy uit die vergaderlokaal verwyder word

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

DEEL 7: REËLS VIR DEBATVOERING**31. Raadslid spreek stoel aan**

'n Raadslid wat op 'n vergadering praat, moet die stoel aanspreek en kan dit doen in enige van die drie amptelike tale van die Provinsie Wes-Kaap.

32. Orde van prioriteit

Wanneer 'n raadslid die raad wil toespreek, moet hy of sy eers die speaker se toestemming kry.

33. Voorrang van speaker

Wanneer die speaker die vergadering toespreek, moet alle raadslede stilbly sodat die speaker sonder onderbreking aangehoor kan word.

34. Relevansie

- 'n Raadslid wat aan die woord is, moet sy toespraak streng bepaal by die onderwerp of aangeleentheid onder bespreking of by 'n verduideliking of 'n punt van orde.
- Geen bespreking word toegelaat—

- (a) which will anticipate any matter on the agenda;
- (b) on any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of enquiry is pending.

35. Right to speak

A councillor may only speak once—

- (a) on the matter before the council;
- (b) on any motion before the council;
- (c) on any amendments to the matter before the council;
- (d) on a matter or an amendment proposed or to be proposed by himself or herself;
- (e) on a point of order or a question of privilege,

unless authorised by the speaker or as provided for in terms of these rules.

36. Duration of speeches

- (1) Except with the consent of the speaker, no councillor may speak for more than five minutes on any subject (or matter).
- (2) The mover of an original motion or of any amendment may, however, speak for five minutes on such motion or amendment.

37. Reintroduction of motion or question

No motion which has been rejected by the council and no question asked in terms of these rules and dealt with at any meeting may again be moved or asked within a period of three months of such meeting, except with the consent of the speaker.

38. Notices of motions

- (1) The speaker may not accept any motion, except a motion of exigency or a motion of course, unless notice thereof has been given in terms of sub-paragraph 38(2) of this by-law.
- (2) Every notice of intention by a councillor to introduce a motion shall be in writing, signed and dated and delivered to the municipal manager at least six working days before the date of the meeting at which it is intended to be introduced.

39. Notices of questions

- (1) Subject to paragraph 43 of the by-law, the speaker may not accept any question unless notice thereof has been given in terms of sub-paragraph 39(2) of this by-law.
- (2) Every notice of intention by a councillor to introduce a question shall be in writing, signed and dated and delivered to the municipal manager at least six working days before the date of the meeting on which it is intended to be introduced.

40. Absence of mover or questioner

In the event of the mover or questioner not being present in his place at the meeting of the council when called upon by the speaker to move a motion or ask a question standing in his name on the agenda, such motion or question shall lapse, unless the original mover or questioner has notified the speaker in writing of a substitute to move the motion or ask the question.

41. Motions and questions on matters dealt with by committee

- (1) A councillor may not give notice of a motion or question in respect of any matter assigned to a committee, unless

- (a) wat enige aangeleentheid op die sakelys sal vooruitloop nie;
- (b) oor enige aangeleentheid ten opsigte waarvan 'n besluit deur 'n geregtelike liggaam of 'n kommissie van ondersoek hangende is nie.

35. Reg om te praat

'n Raadslid mag net een keer praat—

- (a) oor die aangeleentheid voor die raad;
- (b) oor enige mosie voor die raad;
- (c) oor enige amendemente van die aangeleentheid voor die raad;
- (d) oor 'n aangeleentheid of 'n amendement wat hy of sy self voorgestel het of gaan voorstel;
- (e) oor 'n punt van orde of 'n saak van voorreg,

tensy deur die speaker gemagtig of soos in hierdie reëls voorsiening gemaak.

36. Duur van toesprake

- (1) Uitgesonderd met die toestemming van die speaker mag geen raadslid langer as vyf minute oor enige onderwerp (of aangeleentheid) praat nie.
- (2) Die voorsteller van 'n oorspronklike mosie of van enige amendement kan egter vyf minute lank oor sodanige mosie of amendement praat.

37. Herindiening van mosie van vraag

Geen mosie wat deur die raad verwerp is en geen vraag wat ingevolge die reëls gestel is en afgehandel is op enige vergadering, mag weer ingedien of gestel word nie binne 'n tydperk van drie maande na sodanige vergadering, uitgesonderd met die toestemming van die speaker.

38. Kennisgewing van mosie

- (1) Die speaker mag geen mosie, uitgesonderd 'n dringende mosie of 'n mosie van orde, aanvaar nie tensy kennis daarvan ingevolge subparagraaf 38(2) van die verordening gegee is.
- (2) Elke kennisgewing van voorneme deur 'n raadslid om 'n mosie in te dien, moet skriftelik wees, onderteken en gedateer wees en aan die munisipale bestuurder gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit gestel gaan word.

39. Kennisgewing van vraag

- (1) Behoudens paragraaf 43 van die verordening mag die speaker geen vraag aanvaar nie tensy kennis daarvan ingevolge subparagraaf 39(2) van die verordening gegee is.
- (2) Elke kennisgewing van voorneme deur 'n raadslid om 'n vraag te stel, moet skriftelik wees, onderteken en gedateer wees en aan die munisipale bestuurder gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit gestel gaan word.

40. Afwesigheid van voorsteller of vraesteller

Indien die voorsteller of vraesteller nie in sy plek teenwoordig is nie op die vergadering van die raad wanneer hy of sy deur die speaker versoek word om 'n mosie in te dien of 'n vraag te stel wat op sy of haar naam op die sakelys verskyn. Verval sodanige mosie of vraag tensy die oorspronklike voorsteller of vraesteller die speaker in kennis gestel het van 'n plaasvanger om die mosie in te dien of die vraag te stel.

41. Mosies of vrae oor aangeleenthede deur komitee hanteer

- (1) 'n Raadslid mag nie kennis van 'n mosie of vraag gee met betrekking tot enige aangeleentheid wat aan 'n komitee opgedra is

such motion or question has previously been submitted to such committee or unless it is in the form of a reference to such committee for consideration and report.

- (2) The chairperson of a committee may, if he or she is of opinion that the matter is one of exigency, give notice of his or her intention to introduce a motion or ask a question on a matter assigned to such committee, notwithstanding the fact that such motion or question has not received the prior consideration of such committee.

42. Recommendation of committee regarded as motion

- (1) The adoption of a recommendation contained in a report submitted by a committee to the council shall be deemed to have been moved by the chairman of such committee or, in his or her absence or when he or she opposes such recommendation, by a councillor of such committee deputed by him or her to act at the time when the speaker of the meeting intimates that such recommendation is open for discussion, and no such motion need be seconded, nor shall the chairperson of such committee thereby be precluded from exercising his or her right to speak thereon.
- (2) The chairperson referred to in sub-paragraph 42(1) of this by-law may, however, speak on the matter and reply, but in replying he or she shall strictly confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.

43. Questions

- (1) After any motion or amendment has been moved and seconded or at the conclusion of any speech thereon, a councillor may ask any question relevant to such motion or amendment.
- (2) No supplementary questions may be asked, except by the councillor asking the original question, and then only in respect of matters arising out of the reply to such original question.
- (3) The speaker may not disallow any such question: provided that the councillor to whom such question is directed may either reply thereto forthwith or require that notice thereof be given in terms of sub-paragraph 39.

44. Motion of exigency

- (1) A councillor may direct the attention of the council to any matter which does not appear on the agenda and of which no previous notice has been given, by stating briefly the subject of the matter and, without comment thereon, moving "that the motion to which attention has been directed be considered forthwith as a matter of exigency".
- (2) Such motion is herein referred to as a motion of exigency.
- (3) If such motion is seconded and carried by a majority of the councillors present, the mover shall be permitted without notice to bring the matter under consideration by way of a motion or question.

45. Motions of course

In addition to those provided for elsewhere in these rules, the following shall be regarded as motions of course:

- (i) that precedence be given to the consideration of any particular item appearing on the agenda;
- (ii) that any report referred to in the agenda be noted, or that it is adopted or referred back or that the report is acted upon;
- (iii) that any document before the council be acted upon in the manner specified in the motion;
- (iv) that action be taken in respect of any item submitted for consideration in the manner specified in the motion.

nie, tensy sodanige mosie of vraag voorheen aan sodanige komitee voorgelê is of tensy dit in die vorm is van 'n verwysing na sodanige komitee vir oorweging en verslagdoening.

- (2) Die voorsitter van 'n komitee kan, indien hy of sy van mening is dat die aangeleentheid dringend is, kennis gee van sy of haar voorneme om 'n mosie in te dien of 'n vraag te stel oor 'n aangeleentheid wat aan sodanige komitee opgedra is, ondanks die feit dat sodanige mosie of vraag nie vooraf deur sodanige komitee oorweeg is nie.

42. Aanbeveling van komitee as mosie beskou

- (1) Die aanvaarding van 'n aanbeveling vervat in 'n verslag wat deur 'n komitee aan die raad voorgelê is, word geag deur die voorsitter van sodanige komitee voorgestel te wees of, in sy of haar afwesigheid of wanneer hy of sy sodanige aanbeveling teenstaan, deur 'n raadslid van sodanige komitee deur hom of haar afgevaardig om waar te neem wanneer die speaker van die vergadering te kenne gee dat sodanige aanbeveling oop is vir bespreking, en geen sodanige mosie hoeft gesekondeer te word nie, en die voorsitter van sodanige komitee mag ook nie verhinder word om sy reg om daarvoor te praat, uit te oefen nie.
- (2) Die voorsitter in subparagraaf 42(1) van die verordening bedoel, kan egter oor die aangeleentheid praat en repliek lewer, maar in sy of haar repliek moet hy of sy hom of haar streng bepaal by antwoorde aan vorige sprekers en mag hy of sy geen nuwe aangeleenthede in die debat invoer nie.

43. Vrae

- (1) Nadat enige mosie of amendement voorgestel en gesekondeer is of na afhandeling van enige toespraak daarvoor, kan 'n raadslid enige vraag stel wat tersaaklik is vir sodanige mosie of amendement.
- (2) Geen aanvullende vrae mag gestel word nie uitgesonderd deur die raadslid wat die oorspronklike vraag gestel het en dan net ten opsigte van aangeleenthede voortspuitend uit die antwoord op sodanige oorspronklike vraag.
- (3) Die speaker mag geen sodanige vraag weier nie: met dien verstande dat die raadslid aan wie sodanige vraag gerig is, onverwyld daarop kan antwoord of kan vereis dat kennis daarvan ingevolge subparagraaf 39 gegee word.

44. Dringende mosie

- (1) 'n Raadslid kan die aandag van die raad vestig op enige aangeleentheid wat nie op die sakelys verskyn nie en waarvan daar nie vooraf kennis gegee is nie, deur kortliks die onderwerp van die aangeleentheid te meld en sonder kommentaar daarop voor te stel "dat die mosie waarop die aandag gevestig is, onverwyld oorweeg word as 'n kwessie van dringendheid".
- (2) Sodanige mosie word hierin 'n dringende mosie genoem.
- (3) Indien sodanige mosie gesekondeer word en aangeneem word deur 'n meerderheid van die raadslede teenwoordig, moet die voorsteller toegelaat word om die aangeleentheid sonder kennis deur middel van 'n mosie of vraag tot oorweging te bring.

45. Mosies van orde

Benewens die mosies waarvoor elders in hierdie reëls voorsiening gemaak word, word die volgende as mosies van orde beskou:

- (i) dat voorrang verleen word aan die oorweging van enige bepaalde item wat op die sakelys verskyn;
- (ii) dat daar kennis geneem word van enige verslag in die sakelys vermeld, of dat dit aangeneem of terugverwys word of dat daar aan die verslag uitvoering gegee word;
- (iii) dat daar uitvoering gegee word aan enige dokument voor die raad op die wyse in die mosie vermeld;
- (iv) dat stappe gedoen word met betrekking tot enige item wat vir oorweging voorgelê is, op die wyse in die mosie vermeld.

46. Point of order

A councillor may raise a point of order to call attention to a departure from these rules by stating the particular rule such councillor relies on, whereupon such councillor shall immediately be heard.

47. Point of explanation

The speaker may allow a councillor to raise a point of explanation: provided that such explanation shall be confined to some material part of the debate which may have been misunderstood.

48. Withdrawal of motion, amendment or question

- (1) A motion or amendment may, without debate and with the permission of the seconder and the council, be withdrawn by the mover.
- (2) A councillor may not speak on such motion or amendment after the council has agreed to the withdrawal of such motion.
- (3) A question may be withdrawn by the councillor intending to put it.

49. Speaker's ruling on points of order and explanation

- (1) The ruling of the speaker on a point of order or an explanation shall be final and will not be open to discussion.
- (2) The ruling of the speaker on any point of order raised as to the interpretation of these rules must be entered in the minutes.

50. Order of debate

When a motion is under debate at any meeting of the council, no further motion may be received, except the following:

- (1) that the motion be amended;
- (2) that the consideration of the matter be postponed;
- (3) that the public and the media be excluded;
- (4) that the public and the media be readmitted;
- (5) that the council now adjourns;
- (6) that the council adjourn for a specified time;
- (7) that the debate be adjourned;
- (8) that the matter be put to the vote;
- (9) that the council proceed to the next business.

51. That the motion be amended

- (1) Every amendment shall be relevant to the motion on which it is moved.
- (2) An amendment shall, if required by the speaker, be in writing, signed by the mover and handed to the speaker.
- (3) An amendment shall be read before being moved.
- (4) An amendment shall not be discussed or put to the council until it has been seconded.
- (5) If there is more than one amendment to a motion, the amendment proposed last shall be put to the vote first and, if carried, the matter shall be resolved accordingly.
- (6) If the amendment proposed last is rejected, the amendment proposed immediately prior to the last amendment shall be put to the vote.

46. Punt van orde

'n Raadslid kan 'n punt van orde opper om die aandag te vestig op 'n afwyking van hierdie reëls deur die bepaalde reël te noem waarop sodanige raadslid hom of haar beroep, waarna sodanige raadslid onmiddellik gehoor verleen moet word.

47. Punt van verduideliking

Die speaker kan 'n raadslid toelaat om 'n punt van verduideliking te opper: met dien verstande dat sodanige verduideliking beperk moet word tot 'n wesentlike deel van die debat wat moontlik misverstaan is.

48. Terugtrekking van mosie, amendement of vraag

- (1) 'n Mosie of amendement kan sonder bespreking en met die toestemming van die sekondeerder en die raad deur die voorsteller teruggetrek word.
- (2) 'n Raadslid mag nie oor sodanige mosie of amendement praat nadat die raad tot die terugtrekking van sodanige mosie ingestem het nie.
- (3) 'n Vraag kan teruggetrek word deur die raadslid wat dit wou gestel het.

49. Speaker se beslissing oor punte van orde en verduideliking

- (1) Die beslissing van die speaker oor 'n punt van orde of verduideliking is finaal en nie oop vir bespreking nie.
- (2) Die beslissing van die speaker oor 'n punt van orde wat oor die vertolking van hierdie reëls geopper is, moet in die notule aangeteken word.

50. Volgorde van bespreking

Wanneer 'n mosie onder bespreking is op enige vergadering van die raad, mag geen verdere mosie ontvang word nie, uitgesonder die volgende:

- (1) dat die mosie geamendeer word;
- (2) dat die oorweging van die aangeleentheid uitgestel word;
- (3) dat die publiek en media uitgesluit word;
- (4) dat die publiek en media weer toegelaat word;
- (5) dat die raad nou verdaag;
- (6) dat die raad vir 'n bepaalde tyd verdaag;
- (7) dat die debat verdaag word;
- (8) dat die aangeleentheid tot stemming gebring word;
- (9) dat die raad na die volgende saak oorgaan.

51. Dat die mosie geamendeer word

- (1) Elke amendement moet tersaaklik wees vir die mosie waarop dit voorgestel word.
- (2) 'n Amendement moet, indien die speaker dit verlang, skriftelik en deur die voorsteller onderteken wees en aan die speaker oorhandig word.
- (3) 'n Amendement moet gelees word voordat dit voorgestel word.
- (4) 'n Amendement mag nie bespreek of aan die raad gestel word voordat dit gesecondeer is nie.
- (5) As daar meer as een amendement op 'n mosie is, word die amendement wat laaste ingedien is, eerste tot stemming gebring, en as dit aangeneem word, word die aangeleentheid dienooreenkomstig afgehandel.
- (6) Indien die amendement wat laaste ingedien is, verwerp word, word die amendement wat onmiddellik voor die laaste amendement ingedien is, tot stemming gebring.

- (7) No further amendment shall be moved to a motion or amendment after the speaker has commenced to take the vote upon such motion or amendment.

52. That consideration of the matter be postponed

- (1) A councillor may, at the conclusion of a speech, move that the consideration of the matter be postponed to a fixed or undetermined date.
- (2) Such motion must be seconded, but this need not be in writing: provided that the seconder shall not be permitted to speak. The mover shall be permitted to speak to the motion for a period not exceeding five minutes and the seconder shall not speak, except for seconding the motion.
- (3) Upon such motion being made, the mover of the matter under debate may (without prejudice to his or her ultimate right of reply if the motion that the matter be postponed is not carried) be heard in reply for five minutes, after which the motion shall be put to the vote without further debate.
- (4) If the motion is carried, the matter shall be placed first on the agenda of matters to be considered at the meeting to which it has been postponed: provided that sub-paragraphs 8(2) and 8(3) of this by-law do not apply to such matter.

53. That the council do now adjourn to another date

- (1) A councillor may, at any time except during the course of a speech by another councillor or while a vote is being taken, move "that the council do now adjourn to another date".
- (2) Such motion must be seconded, but this need not be in writing.
- (3) The mover shall be permitted to speak to the motion for a period not exceeding five minutes, but the seconder shall not speak, except for seconding the motion.
- (4) If the motion is carried, the council shall adjourn forthwith: provided that the speaker may direct that the meeting continue to first dispose of business other than opposed business.
- (5) If the motion is not carried, the speaker shall not accept another such motion until a period of half an hour has elapsed.
- (6) Save as is provided in sub-paragraph 31(3), no discussion on such motion shall be permitted, except that a councillor who has first indicated as such may speak against the motion for not longer than five minutes.
- (7) No amendment to such motion may be moved, except with regard to the period of adjournment.
- (8) If a motion to adjourn a meeting has been carried during a debate and prior to the conclusion thereof, then the councillor who moved the adjournment shall be entitled to speak first upon consideration of the matter forming the subject of such debate at the adjourned meeting.
- (9) No business shall be transacted at an adjourned meeting except such as is set out in the agenda for the meeting of which it is an adjournment.

54. That the council adjourn for a specified time

- (1) A councillor may at any time, except during the course of a speech by another councillor or while a vote is being taken, move "that the council now adjourn for a specified time, up to one hour".
- (2) Such motion need not be in writing.
- (3) If the motion is carried, the council shall forthwith adjourn for the specified time.

- (7) Geen verdere amendement op 'n mosie of amendement mag ingedien word nadat die speaker begin het om sodanige mosie of amendement tot stemming te bring nie.

52. Dat die oorweging van die aangeleentheid uitgestel word

- (1) 'n Raadslid kan aan die einde van 'n toespraak voorstel dat die oorweging van die aangeleentheid uitgestel word tot 'n bepaalde of onbepaalde datum.
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie: met dien verstande dat die sekondeerder nie toegelaat mag word om te praat nie. Die voorsteller moet toegelaat word om vir 'n tydperk van hoogstens vyf minute oor die mosie te praat, en die sekondeerder mag nie, behalwe om die mosie te sekondeer.
- (3) Wanneer so 'n mosie voorgestel word, kan die voorsteller van die aangeleentheid onder bespreking (sonder benadeling van sy of haar uiteindelijke reg op repliek indien die mosie dat die aangeleentheid uitgestel word nie aanvaar word nie) vyf minute lank repliek lewer, uitgestel word, nie aanvaar word nie) vyf minute lank repliek lewer, waarna die mosie sonder verdere bespreking tot stemming gebring word.
- (4) Indien die mosie aanvaar word, moet die aangeleentheid eerste geplaas word op die sakelys van aangeleenthede wat oorweeg moet word op die vergadering waartoe dit uitgestel is: met dien verstande dat subparagrafe 8(2) en 8(3) van die verordening nie op sodanige aangeleentheid van toepassing is nie.

53. Dat die raad tot 'n ander datum verdaag

- (1) 'n Raadslid kan te eniger tyd, uitgesonderd in die loop van 'n toespraak deur 'n ander raadslid of terwyl daar gestem word, voorstel "dat die raad nou tot 'n datum verdaag".
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller moet toegelaat word om vir 'n tydperk van hoogstens vyf minute oor die mosie te praat, maar die sekondeerder mag nie praat nie behalwe om die mosie te sekondeer.
- (4) Indien die mosie aanvaar word, moet die raad onverwyld verdaag: met dien verstande dat die speaker kan gelas dat die vergadering voortgaan om eers onbestrede sake af te handel.
- (5) Indien die mosie nie aanvaar word nie, mag die speaker nie nog so 'n mosie aanvaar nie totdat 'n halfuur verstryk het.
- (6) Uitgesonderd soos in subparagraaf 31(3) bepaal, mag geen bespreking oor sodanige mosie toegelaat word nie, behalwe dat 'n raadslid wat dit eerste aangedui het, hoogstens vyf minute lank teen die mosie kan praat.
- (7) Geen amendement op sodanige mosie mag voorgestel word nie, uitgesonderd met betrekking tot die tydperk van verdaging.
- (8) Indien 'n mosie om 'n vergadering te verdaag aanvaar is gedurende 'n debat en voor die afhandeling daarvan, na oorweging van die aangeleentheid wat die onderwerp van sodanige bespreking op die verdaagde vergadering sal wees, is die raadslid wat die verdaging voorgestel het, geregtig om eerste te praat.
- (9) Geen sake mag op 'n verdaagde vergadering afgehandel word nie, uitgesonderd die sake wat op die sakelys van die vergadering waarvan dit 'n vergadering is, verskyn.

54. Dat die raad vir 'n bepaalde tyd verdaag

- (1) 'n Raadslid kan te eniger tyd behalwe in die loop van 'n toespraak deur 'n ander raadslid of terwyl daar gestem word, voorstel "dat die raad nou vir 'n bepaalde tyd, vir hoogstens een uur lank, verdaag".
- (2) Sodanige mosie hoef nie skriftelik te wees nie.
- (3) Indien die mosie aanvaar word, moet die raad onverwyld vir die bepaalde tyd verdaag.

- (4) The speaker may limit the number of such motions.

55. That the debate be adjourned

- (1) A councillor may, at the conclusion of any speech, move that the debate be adjourned.
- (2) Such motion must be seconded, but this need not be in writing.
- (3) The mover of such motion may speak to it for five minutes, but the seconder may not speak beyond formally seconding it.
- (4) Save as is provided in subsection (3), no discussion may be permitted on such motion except with reference to the period of adjournment and that the councillor who first rises in his or her place for that purpose may speak in opposition thereto for five minutes.
- (5) If such motion is carried, the meeting proceeds to the next business on the agenda, and the discussion of the adjourned debate, unless otherwise resolved, is resumed at the next meeting.
- (6) On the resumption of the adjourned debate, the councillor who moved the adjournment is entitled to speak first.
- (7) If the motion is not carried, the speaker shall not accept another such motion until half an hour has elapsed.
- (8) A councillor may not move or second more than one motion for the adjournment of the debate during the course of that debate.

56. That the matter be put to the vote

- (1) A councillor may, at the conclusion of any speech during a debate, move that the matter be now put to the vote.
- (2) Subject to the provisions of sub-paragraph 56(3) of this by-law, no motion put in terms of sub-paragraph 56(1) of this by-law shall be open to discussion.
- (3) The mover of a matter under discussion may, when a motion has been put in terms of sub-paragraph 56(1) of this by-law, speak on such motion for not more than five minutes, whereupon the said motion shall be put to the vote without any further discussion.

8 August 2008

46658

CAPE WINELANDS DISTRICT MUNICIPALITY

FIRE SAFETY BY-LAW

Under the provisions of section 156(2) of the Constitution of the Republic of South Africa, 1996, the Cape Winelands District Municipality, enacts as follows:—

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- (4) Die speaker kan die aantal sodanige mosies beperk.

55. Dat die debat verdaag word

- (1) 'n Raadslid kan aan die einde van enige toespraak voorstel dat die debat verdaag word.
- (2) Sodanige mosie moet gesekondeer word, maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller van sodanige mosie kan vyf minute lank daarvoor praat, maar die sekondeerder mag nie praat nie, behalwe om dit formeel te sekondeer.
- (4) Uitgesonderd soos in subartikel (3) bepaal, mag geen bespreking oor sodanige mosie toegelaat word nie, behalwe in verband met die tydperk van verdaging en dat die raadslid wat eerste sy of haar hand opsteek vir die doel, vyf minute lank daarteen mag praat.
- (5) Indien sodanige mosie aanvaar word, gaan die vergadering oor na die volgende saak op die sakelys, en die bespreking van die verdaagde debat word op die volgende vergadering hervat, tensy daar anders besluit word.
- (6) Met die hervatting van die verdaagde debat is die raadslid wat die verdaging voorgestel het, geregtig om eerste te praat.
- (7) Indien die mosie nie aanvaar word nie, mag die speaker nie nog so 'n mosie aanvaar nie totdat 'n halfuur verstryk het.
- (8) 'n Raadslid mag nie meer as een mosie vir die verdaging van die debat in die loop van daardie debat voorstel of sekondeer nie.

56. Dat die aangeleentheid tot stemming gebring word

- (1) 'n Raadslid kan in die loop van 'n debat, aan die einde van enige toespraak, voorstel dat die aangeleentheid nou tot stemming gebring word.
- (2) Behoudens die bepalings van subparagraaf 56(3) van die verordening is geen mosie wat ingevolge subparagraaf 56(1) van die verordening voorgestel is, oop vir bespreking nie.
- (3) Die voorsteller van 'n aangeleentheid onder bespreking kan, wanneer 'n mosie ingevolge subparagraaf 56(1) van die verordening voorgestel is, hoogstens vyf minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.

8 Augustus 2008

46658

KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT

BRANDVEILIGHEID VERORDENING

Kragtens die bepalings van artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, verorden die Kaapse Wynland Distriksmunisipaliteit soos volg:—

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CHAPTER 1: DEFINITIONS AND INTERPRETATION OF THIS BY-LAW	HOOFSTUK 1: WOORDOMSKRYWING EN INTERPRETASIE VAN HIERDIE VERORDENING
1. Definitions and interpretation	1. Woordomskrwing en interpretasie
In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and <i>vice versa</i> , the	In hierdie verordening sluit woorde wat die manlike geslag aandui ook die vroulike geslag in, sluit die enkelvoud die meervoud in en

English text prevails in the event of an inconsistency between the different texts and unless the context otherwise indicates—

“**above ground storage tank**” means a tank situated above ground for the storage of flammable substances as contemplated in SANS 0131 and SANS 089 Part 1 and SANS 087 Part 3;

“**agricultural holding**” means a portion of land not less than 0,8 hectares in extent used solely or mainly for the purpose of agriculture, horticulture or for breeding or keeping domesticated animals, poultry or bees;

“**animal**” means any animal that is kept for domestic, breeding, research, agricultural, resale, veterinary treatment or animal welfare purposes within the area of the controlling authority;

“**approved**” means as approved by the municipality;

“**automatic releasing hold-open device**” means a device used to hold open a fire door and operates on the detection of a fire to close the fire door;

“**basement**” in relation to a building, means any part of the building which is below the level of the ground storey;

“**boundary**” means any lateral or street boundary of a site;

“**building**” means:—

- (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in the construction thereof, erected or used for or in connection with:—
 - (i) the accommodation or convenience of human beings or animals;
 - (ii) the manufacture, processing, storage or sale of any goods;
 - (iii) the rendering of any service;
 - (iv) the destruction or treatment of combustible refuse or combustible waste;
 - (v) the cultivation or growing of any plant or crop;
- (b) any wall, swimming pool, reservoir or bridge or any other structure connected therewith;
- (c) any fuel pump or any tank used in connection therewith;
- (d) any part of a building, including a building as defined in paragraph (a) or (b);
- (e) any facilities or system, or part or portion thereof, within or outside but incidental to a building, for the provision of a water supply, drainage, sewerage, storm water disposal, electricity supply or other similar service in respect of the building;

“**bund wall**” means a containment wall surrounding an above ground storage tank, constructed of an impervious material and designed to contain 110% of the contents of the tank;

“**Cape Winelands District Municipality**” means the Cape Winelands District Municipality established in terms of section 12 of the Municipal Structures Act, (Act 117 of 1998);

“**Category B municipality**” means a municipality within the area of jurisdiction of the Cape Winelands District municipality as contemplated in section 155(1) of the Constitution;

“**certificate of fitness**” means a certificate contemplated in section 41;

“**certificate of registration**” means a certificate contemplated in section 64;

“**chief fire officer**” means the chief fire officer appointed by the municipality in terms of section 5 of the Fire Brigade Services Act and includes any person appointed as acting chief fire officer;

omgekeerd, geniet die Engelse teks voorrang in die geval van ’n teenstrydigheid tussen die verskillende tekse en tensy dit uit die samehang anders blyk—

“**aangewese gebied**” beteken ’n plek as sodanig aangewys ingevolge artikel 60;

“**aangewese perseel**” beteken enige perseel as sodanig aangewys en geregistreer deur die munisipaliteit en wat vereis word om ’n noodonttruimingsplan te hê soos beoog in artikel 38 van hierdie verordening;

“**beheerkamer**” beteken ’n kamer op enige perseel wat toegerus is en gebruik word om ’n noodgeval in of op ’n aangewese perseel te koördineer en te beheer;

“**bevoegde persoon**” beteken ’n persoon wat gekwalifiseer is uit hoofde van sy of haar ondervinding en opleiding;

“**bogronde opbergingstenk**” beteken ’n tenk wat bo die grond geleë is vir die opberging van vlambare vloeistowwe soos beoog in SANS 0131 en SANS 089 Deel 1 en SANS 087 Deel e;

“**brandbare afval**” beteken brandbare afvalmateriaal wat herwin, behou of versamel kan word as afval of vir herverwerking en kan insluit alle brandbare vesels, hooi, strooi, hare, vere, dons, houtskaafsels, afdraaisels, alle tipes papierprodukte, vuil materiaalafsnysels en -afval, rubberafsnysels en -skuursels, metaalfyngoed en enige mengsel van bogenoemde items, of enige ander herwinbare brandbare afvalmateriaal;

“**brandbare materiaal**” beteken brandbare afval, brandbare vullis of enige ander materiaal wat kan ontbrand;

“**brandbare vloeistof**” beteken ’n vloeistof wat ’n toe-deksel vlammpunt van 38°C of meer het;

“**brandbare vullis**” beteken brandbare vullis, vuilgoed of materiaal wat weggegooi, geweier, verwerp of as waardeloos beskou word;

“**brandbeheersone**” beteken die area wat binne die jurisdiksie van ’n plaaslike owerheid val waar geen vuurmaak binne ’n bepaalde periode toegelaat word nie;

“**brandbeskermingsinstallasie**” beteken enige apparaat of stelsel wat ontwerp en geïnstalleer is om—

- (a) ’n brand op te spoor, te bestry of te blus; of
- (b) okkupeerders of die brandweardiens, of albei, van ’n brand bewus te maak,

maar uitgesonderd draagbare en mobiele brandblussers;

“**brandblusser**” beteken ’n draagbare of mobiele herlaaibare houër wat ’n brandblusstof bevat wat uitspuit deur die werking van interne druk met die doel om ’n brand te blus;

“**brandblusstroom**” beteken die hoeveelheid water wat die munisipaliteit benodig om ’n brand te blus;

“**branddemper**” beteken ’n outomatiese demper, ingesluit sy samestel, wat voldoen aan die vereistes vervat in SABS 193;

“**branddeur**” beteken ’n outomatiese of selfsluitende deur of luiksamestel wat spesiaal gebou is om die deurgang van vuur vir ’n bepaalde tydperk te voorkom;

“**brandgevaar**” beteken enige situasie, proses, materiaal of toestand wat ’n brand of ontploffing kan veroorsaak of ’n geredelike brandstof toevoer kan verskaf om die verspreiding of intensiteit van die brand of ontploffing te vergroot en wat ’n bedreiging vir lewe of eiendom inhou;

“**brandinstallasie**” beteken enige waterinstallasie wat water vervoer uitsluitlik vir doeleindes van brandbestryding;

“**brandrisiko kategorie**” beteken die omskrywing van die risiko profiel van enige sub-area binne die gebied van die beherende owerheid soos voorsien in SANS 10090 en sluit in—

“Chief Inspector of Explosives” means the Chief Inspector of Explosives appointed in terms of section 2 of the Explosives Act, 1956;

“Civil Aviation Authority” means the South African Civil Aviation Authority established in terms of section 2 of the South African Civil Aviation Authority Act, 1998 (Act No. 40 of 1998);

“class” means a class of petroleum product based on the following classification—

- (a) Class O: liquefied petroleum gases;
- (b) Class I: liquids subdivided as follows:
 - (i) Class IA: liquids which have a closed-cap flash point below 23°C and a boiling point below 35°C; and
 - (ii) Class IB: liquids which have a closed-cap flash point below 23°C and a boiling point of 38°C or above;
 - (iii) Class IC: liquids which have a closed-cap flash point of 23°C or above but below 38°C;
- (c) Class II: liquids which have a closed-cap flash point of 38°C or above but below 60,5°C;
- (d) Class IIIA: liquids which have a closed-cap flash point of 60,5°C or above but below 93°C; and
- (e) Class IIIB: liquids which have a closed-cap flash point of 93°C or above;

“combustible liquid” means a liquid which has a close-cap flash point of 38°C or above;

“combustible material” means combustible refuse, combustible waste or any other material capable of igniting;

“combustible refuse” means combustible rubbish, litter or material that is discarded, refused, rejected, or considered worthless;

“combustible waste” means combustible waste material which is salvageable, retained or collected for scrap or reprocessing and may include all combustible fibres, hay, straw, hair, feathers, down, wood shavings, turnings, all types of paper products, soiled cloth trimmings and cuttings, rubber trimmings and buffing, metal fines, and any mixture of the above items, or any other salvageable combustible waste material;

“competent person” means a person who is qualified by virtue of his or her experience and training;

“control room” means a room on any premises which is equipped and used to co-ordinate and control an emergency situation in or on designated premises;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“Criminal Procedure Act” means the Criminal Procedure Act, 1077 (Act No. 51 of 1977);

“dangerous goods” means any flammable gas, flammable liquid or flammable solid as contemplated in SANS 0228;

“designated area” means a place designated as such in terms of section 60;

“designated premises” means any premises designated and registered as such by the municipality and which is required to have an emergency evacuation plan as contemplated in section 38 of this by-law;

“district” means the area of jurisdiction of the Cape Winelands District Municipality and includes the area of jurisdiction of the Category B municipalities within such area;

“dwelling house” means a single dwelling unit situated on its own site, including any motor vehicle garage and other domestic outbuildings on that site;

Kategorie A: Sentrale sakedistrikte en ekstensiewe kommersiële en industriële gebiede normaalweg gevind in stede en groot dorpe (gebiede waar die risiko van lewe en eiendom moontlik hoog kan wees as gevolg van brandgebeurlikhede en verspreiding).

Kategorie B: Beperkte sentrale sakedistrikte, kleiner kommersiële of industriële gebiede normaalweg geassosieer met klein dorpe en gedentraliseerde stadsgebiede en groot dorpe (gebiede waar die risiko van lewe en eiendom moontlik matig kan wees as gevolg van brandgebeurlikhede en verspreiding).

Kategorie C: Woongebiede met konvensionele konstruksie.

Kategorie D: Landelike risiko met beperkte geboue en afgesonder van stedelike gebiede.

Kategorie E: Spesiale risiko. Individuele risiko's wat 'n vooraf-bepaalde bywoning bo en behalwe die predominante risiko kategorie in 'n gebied vereis. Sluit in groot winkel/vermaaklikheidsentrums, informele nedersettings, hawens, hospitale, gevangnisse, groot lughawe geboue, toringgeboue en petrochemiese aanlegte.

Nota : Toringgeboue is 'n integrale deel van sentrale sakedistrikte en sal daarom ingesluit word onder Kategorie A. Geboue met groot brandveiligheid of ander risiko implikasies mag egter as spesiale risiko's geklassifiseer word.

“brandweerhoof” beteken die brandweerhoof aangestel deur die munisipaliteit ingevolge artikel 5 van die Wet op Brandweerdienste en sluit in enige persoon aangestel as waarnemende brandweerhoof;

“brandweertoerusting” beteken enige draagbare of mobiele brandblusser, slangtol of brandkraan;

“Burgerlike Lugvaartowerheid” beteken die Suid-Afrikaanse Burgerlugvaartowerheid ingestel ingevolge artikel 2 van die Wet op Suid-Afrikaanse Burgerlike Lugvaartowerheid, 1998 (Wet No 40 van 1998);

“diens” beteken die brandweerdienste ingestel en onderhou deur die munisipaliteit soos beoog in artikel 4;

“diensinstallasie” beteken enige outomatiese brandblusinstallasie, brandpompaansluiting, noodkrag of bystandgenerator, brandbespeurder, opsporings of alarmstelsel, noodbeligting of ontruimingskommunikasiesstelsel, meganiese ventilasiesstelsel, drukreguleringsstelsel, rookventilasiesstelsel, hystoestel, simboliese veiligheidsteken en rook of branddeurtoestel;

“dier” beteken enige dier wat vir huishoudelike, teel, navorsing, landboukundige, herverkoop, veeartseny behandeling of diermaatskaplike doeleindes binne die munisipale gebied aangehou word;

“distrik” beteken die jurisdiksie gebied van die Kaapse Wynland Distriksmunisipaliteit en sluit in die jurisdiksie gebied van die Kategorie B munisipaliteite binne sodanige gebied is;

“eienaar” het sy gemenerereg betekenis en sluit in—

- (a) 'n huurder of ander persoon wat die grond betrokke ingevolge 'n kontrak, testamentêre dokument, wet of 'n bevel van 'n Hoër Hof beheer;
- (b) met betrekking tot grond beheer deur 'n gemeenskap, die uitvoerende liggaam van die gemeenskap ingevolge sy grondwet of enige wet of gebruik;
- (c) met betrekking tot Staatsgrond wat nie beheer word deur 'n persoon beoog in paragraaf (a) of 'n gemeenskap nie—
 - (i) die Minister van die Staatsdepartement of die lid van die uitvoerende raad van die provinsiale administrasie wat beheer uitoefen oor daardie Staatsgrond; of
 - (ii) 'n persoon deur hom of haar gemagtig; en
- (d) met betrekking tot die munisipaliteit, die munisipale

“**dump**” means to abandon or discard any hazardous substance by depositing, discharging, spilling or releasing it;

“**emergency**” means any incident or eventuality which seriously endangers or may endanger any person or property;

“**emergency evacuation plan**” means an emergency evacuation plan contemplated in section 38;

“**emergency route**” means that part of any escape route which—

- (a) protects the occupiers of any building from fire; and
- (b) leads to an escape door;

“**enclosed place**” in respect of domestic animals means any kraal, cage, camp or similar enclosure where domestic animals are kept or exercised;

“**escape door**” means any door at the end of an emergency route and includes any door providing entrance to, or exit from, a building;

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

“**explosives**” means explosives as defined in section 1 of the Explosives Act, 1956 and the regulations promulgated thereunder;

“**Explosives Act**” means the Explosives Act, 1956 (Act No. 26 of 1956), and any regulations made under that Act;

“**extinguishing stream**” means the amount of water that the municipality needs in order to extinguish a fire;

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

“**Fire Brigade Services Act**” means the Fire Brigade Services Act, 1987 (Act No. 99 of 1987), and any regulations made under that Act;

“**fire control zone**” means an area that falls within the jurisdiction of a local authority where no making of fires is allowed within a stipulated period;

“**fire damper**” means an automatic damper, including its assembly, which complies with the requirements of SANS 193;

“**fire door**” means an automatic or self-closing door or shutter assembly especially constructed to prevent the passage of fire for a specific length of time;

“**fire extinguisher**” means a portable or mobile rechargeable container which has a fire extinguishing substance that is expelled by the action of internal pressure for the purposes of extinguishing a fire;

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

“**fire hazard**” means any situation, process, material or condition which may cause a fire or explosion or provide a ready fuel supply to increase the spread or intensity of the fire or explosion and which poses a threat to life or property;

“**fire installation**” means any water installation which conveys water solely for the purposes of fire-fighting;

“**fire protection installation**” means any device or system designed and installed to—

- (a) detect, control or extinguish a fire, or
- (b) alert occupants or the fire service, or both, to a fire;

but excludes portable and mobile fire extinguishers;

“**fire risk category**” means the definition of the risk profile of any sub-area within the area of the controlling authority as provided for in SANS 10090 and includes:

bestuurder van die munisipaliteit of ’n persoon deur hom of haar gemagtig;

“**gebou**” beteken—

- (a) enige struktuur, hetsy van ’n tydelike of permanente aard en ongeag die materiaal wat by die bou daarvan gebruik is, wat opgerig is of gebruik word vir of in verband met—
 - (i) die akkommodasie of gerief van mense of diere;
 - (ii) die vervaardiging, verwerking, opberging of verkoop van enige goedere;
 - (iii) die lewering van enige diens;
 - (iv) die vernietiging of behandeling van brandbare afval of brandbare vullis;
 - (v) die kweek of verbouing van enige plant of gewas;
- (b) enige muur, swembad, reservoir of brug of enige ander struktuur wat daarmee verband hou;
- (c) enige brandstofpomp of enige tenk wat in verband daarmee gebruik word;
- (d) enige deel van ’n gebou, insluitende ’n gebou soos omskryf in paragraaf (a), (b) of (c);
- (e) enige fasiliteite of stelsel, of ’n deel of ’n gedeelte daarvan, binne of buite maar gepaardgaande met ’n gebou, vir die voorsiening van ’n watertoevoer, dreinerings, riolering, stormwaterwegdoening, elektrisiteitsvoorsiening of ander soortgelyke diens ten opsigte van die gebou;

“**gebruik**” in verband met vuurwerke, beteken afvuur, aansteek of ontsteking;

“**goedgekeur**” beteken soos goedgekeur deur die munisipaliteit;

“**geregistreeerde perseel**” beteken enige perseel ten opsigte waarvan ’n sertifikaat van registrasie uitgereik is;

“**gevaarhoudende stof**” beteken enige gevaarhoudende stof soos in die Wet op Gevaarhoudende Stowwe beoog;

“**gevaarlike goedere**” beteken ’n vlambare gas, vlambare vloeistof of vaste stof soos in SABS 0228 beoog;

“**grens**” beteken enige laterale of straatgrens van ’n terrein;

“**Groep I, II, III, V, VI, VIII en IX**” beteken Groep I, II, III, V, VI, VIII en IX gevaarhoudende stowwe, na gelang van die geval, soos beoog in die Wet op Gevaarhoudende Stowwe;

“**Grondopmetingswet**” beteken die Grondopmetingswet, 1997 (Wet No 8 van 1997);

“**Grondwet**” beteken die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 109 van 1996);

“**hierdie verordening**” sluit die bylaes wat kragtens hierdie verordening gepubliseer is in;

“**hoofinspekteur van plofstof**” beteken die hoofinspekteur van plofstof aangestel ingevolge artikel 2 van die Wet op Ontplofbare Stowwe, 1956;

“**Kaapse Wynland Distriksmunisipaliteit**” beteken die Kaapse Wynland Distriksmunisipaliteit ingestel ingevolge artikel 12 van die Munisipale Strukturewet (Wet No 117 van 1998);

“**Kategorie B munisipaliteit**” beteken ’n munisipaliteit binne die jurisdiksie gebied van die Kaapse Wynland Distriksmunisipaliteit soos beoog in artikel 155(1) van die Grondwet;

“**keermuur**” beteken ’n stuitmuur rondom ’n bogrondse opbergingsstank, wat gebou is van ’n ondeurlatende materiaal en ontwerp is om 110% van die inhoud van die tenk te bevat;

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

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

Category C: Residential areas of conventional construction.

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

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

NOTE: High-rise buildings are an integral part of central business districts and would therefore be included in Category A. Buildings with major fire safety or other risk implications may, however, be classed as special risks;

“fireworks” means any explosive device or substance which burns or explodes after ignition, including firecrackers, and which is regulated under the Explosives Act;

“fireworks display” means the use of fireworks for purposes of a public display;

“flammable gas” means a gas which at 20°C and a standard pressure of 101,3 kilopascals—

- (a) is ignitable when in a mixture of 13% or less by volume with air; or
- (b) has a flammable range with air of at least 12%, regardless of the lower flammable limit;

“flammable liquid” means a liquid or combustible liquid which has a closed-cap flash point of 93°C or below;

“flammable solid” as contemplated in SANS 0228, means a solid that is easily ignited by external sources, such as sparks and flames, solids that are readily combustible, solids that are liable to cause, or contribute to, a fire through friction or solids that are desensitised (wetted) explosives that can explode if not diluted sufficiently;

“flammable store” means a store that is used for the storage of flammable liquids and complies with the criteria set out in Chapter 8 of this by-law;

“flammable substance” means any flammable liquid, combustible liquid or flammable gas;

“Group I, II, III, V, VI, VIII and IX hazardous substances” means Group I, II, III, V, VI, VIII and IX hazardous substances, as the case may be, as contemplated in the Hazardous Substances Act;

“hazardous substance” means any hazardous substance contemplated in the Hazardous Substances Act;

“Hazardous Substances Act” means the Hazardous Substances Act, 1973 (Act No. 15 of 1973), and any regulations made under that Act;

“Land Survey Act” means the Land Survey Act, 1997 (Act No. 8 of 1997);

“liquefied petroleum gas” means a mixture of light hydrocarbons (predominantly propane, butane) that is gaseous under conditions of ambient temperature and pressure and that is maintained in a liquid state by an increase of pressure or lowering of temperature;

“municipal manager” means a person appointed in terms of section 82 of the Municipal Structures Act or his nominee;

“kelder” in verband met 'n gebou, beteken enige deel van die gebou wat onder die vlak van die grondverdieping is;

“klas” beteken 'n klas petroleum produk gebaseer op die volgende klassifikasie—

- (a) Klas O: vloeibare petroleumgas;
- (b) Klas I: vloeistof soos volg onderverdeel—
 - (i) Klas IA: vloeistof wat 'n toe-deksel vlampunt onder 23°C en 'n kookpunt van onder 35°C het;
 - (ii) Klas IB: vloeistof wat 'n toe-deksel vlampunt van onder 23°C en 'n kookpunt van 38°C of meer het;
 - (iii) Klas IC: vloeistof wat 'n toe-deksel vlampunt van 23°C of meer maar onder 38°C het;
- (c) Klas II: vloeistof wat 'n toe-deksel vlampunt van 38°C of meer maar onder 60,5°C het;
- (d) Klas IIIA: vloeistof wat 'n toe-deksel vlampunt van 60,5°C of meer maar onder 93°C het; en
- (e) Klas IIIB: vloeistof wat 'n toe-deksel vlampunt van 93°C of meer het;

“landbouhoewe” beteken 'n grondgedeelte nie minder as 0,8 hektaar in grootte wat uitsluitlik of hoofsaaklik vir doeleindes van landbou, tuinbou of vir die teel of aanhou van mak diere, pluimvee of bye gebruik word;

“lid” beteken 'n lid van die diens en sluit die brandweerhoof in;

“munisipale bestuurder” beteken 'n persoon aangestel ingevolge artikel 82 van die Munisipale Strukturewet of sy genomineerde;

“Munisipale Strukturewet” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

“munisipaliteit” beteken die Kaapse Wynland Distriksmunisipaliteit, ingestel ingevolge artikel 12 van die Munisipale Strukturewet, 117 van 1998, en sluit in enige politieke struktuur, politieke ampsbekleër, raadslid of behoorlik gemagtigde agent of enige werknemer wat ingevolge hierdie verordening handel uit hoofde van 'n bevoegdheid wat by die munisipaliteit berus en gedelegeer of gesubdelegeer is aan sodanige politieke struktuur, politieke ampsbekleër, raadslid, agent of werknemer;

“Nasionale Bouregulasies” beteken die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) en enige regulasies gemaak ingevolge daardie Wet;

“Nasionale Padverkeerswet” beteken die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996) en enige regulasies gemaak ingevolge daardie Wet;

“noodgeval” beteken enige insident of gebeurlikheid wat enige persoon of eiendom ernstig in gevaar stel of in gevaar mag stel;

“noodontruimingsplan” beteken 'n noodontruimingsplan beoog in artikel 38;

“noodroete” beteken daardie deel van enige ontsnaproete wat—

- (a) brandbeskerming bied aan die okkupeerders van enige gebou; en
- (b) na 'n ontsnapdeur lei;

“okkupeerder” beteken enige persoon wat enige perseel okkupeer of beheer daarvoor het;

“omheinde plek” in verband met huishoudelike diere, beteken enige kraal, hok, kamp of soortgelyke omheining waar huishoudelike diere aangehou of geoeven word;

“ondergrondse tenk” beteken enige tenk wat gebruik word of bedoel is om gebruik te word vir die opberging van vlambare vloeistof en wat heeltemal in die grond versink is en onder die oppervlak van die grond is;

“**municipality**” means the Cape Winelands District Municipality, established in terms of section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office-bearer, councillor, duly authorised agent or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office-bearer, councillor, agent or employee;

“**Municipal Systems Act**” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“**member**” means a member of the Service and includes the chief fire officer;

“**National Archives and Record Service of South Africa Act**” means the National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996);

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

“**National Road Traffic Act**” means the National Road Traffic Act, 1996 (Act No. 93 of 1996), and any regulations made under that Act;

“**Occupational Health and Safety Act**” means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

“**occupier**” means any person who occupies or has control over any premises;

“**owner**” has its common-law meaning and includes—

- (a) a lessee or other person who controls the land in question in terms of a contract, testamentary document, law or order of a High Court;
- (b) in relation to land controlled by a community, the executive body of the community in terms of its constitution or any law or custom;
- (c) in relation to State land not controlled by a person contemplated in paragraph (a) or a community—
 - (i) the Minister of the Government department or the member of the executive council of the provincial administration exercising control over that State land; or
 - (ii) a person authorised by him or her; and
- (d) in relation to a municipality, the municipal manager of the municipality or a person authorised by him or her;

“**person in charge**” means:—

- (a) in relation to premises, either a natural or juristic person who is permanently or temporarily responsible for the management, maintenance or utilisation of the premises;
- (b) in relation to a building, either a natural or juristic person who is permanently or temporarily responsible for the management, maintenance or utilisation of the building;
- (c) in relation to an installation, either a natural or juristic person who is permanently or temporarily responsible for the management or utilisation of the installation; provided that such a person is not the person mentioned in (a); and
- (d) in the event of the chief fire officer being unable to determine the identity of a person mentioned in (a), (b) and (c), any person who is in the opinion of the chief fire officer deemed to be in charge of such premises, building or installation;

“**Promotion of Access to Information Act**” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

“**prescribed**” means as determined by the municipality;

“**ontsnapdeur**” beteken enige deur aan die einde van in ’n ontsnaproete en sluit in enige deur wat ingang tot, of uitgang van, ’n gebou verleen;

“**ontsnaproete**” beteken die volledige bewegingsbaan, gemeet vanaf ’n ontsnapdeur na die verste punt in enige vertrek in ’n gebou;

“**opbergingshouer**” beteken ’n drukhouer soos omskryf in die Regulasies vir Drukhouers afgekondig kragtens die Wet op Beroepsgesondheid en Veiligheid;

“**openbare plek**” beteken enige plein, park, ontspanningsgrond, strand, sportgrond, sanitasielaan of oop terrein wat—

- (a) voorsien, gereserveer of opsygesit is vir gebruik deur die publiek of te enige tyd aan die publiek opgedra is;
- (b) deur die publiek sonder onderbreking gebruik is vir ’n periode van ten minste dertig jaar; of
- (c) te enige tyd verklaar of sodanig aangewys is deur die munisipaliteit of ander bevoegde gesag;

“**outomatiese oophou-lostoestel**” beteken ’n toestel wat gebruik word om ’n branddeur oop te hou en die branddeur toemaak wanneer ’n brand bespeur word;

“**perseel**” beteken enige grond, gebou, terrein, pad, konstruksie of deel daarvan en sluit in enge trein, boot, vliegtuig of ander voertuig;

“**persoon in beheer**” beteken—

- (a) met betrekking tot ’n perseel, ’n natuurlike of regspersoon wat permanent of tydelik verantwoordelik is vir die bestuur, instandhouding of benutting van die perseel;
- (b) met betrekking tot ’n gebou, ’n natuurlike of regspersoon wat permanent of tydelik verantwoordelik is vir die bestuur, instandhouding of benutting van die gebou;
- (c) met betrekking tot ’n installasie, ’n natuurlike of regspersoon wat permanent of tydelik verantwoordelik is vir die bestuur of benutting van die installasie: met dien verstande dat so ’n persoon nie die persoon in (a) bedoel is nie; en
- (d) indien die brandweerhoof nie in staat is om die identiteit van ’n persoon in (a), (b) en (c) bedoel te bepaal nie, enige persoon wat na die mening van die brandweerhoof geag word in beheer van sodanige perseel, gebou of installasie te wees;

“**plofstof**” beteken plofstof soos omskryf in artikel 1 van die Wet op Ontplofbare Stowwe, 1956 en enige regulasies gemaak ingevolge daardie Wet;

“**publieke byeenkoms**” beteken enige byeenkoms van lede van die publiek—

- (a) om enige toneel- of opera opvoering, orkestrale of musiek voordrag of kinematies-grafiese vertoning te sien; of
- (b) om enige binnenshuise sport aktiwiteit, dans, fisiese aktiwiteit of ander ontspanningsaktiwiteit by te woon, te beoefen of aan deel te neem;

“**SANS**” beteken die Suid-Afrikaanse Nasionale Standaard soos beoog in die Wet op Standaard, 1993 (Wet No 29 van 1993), en SANS gevolg deur enige nommer beteken ’n verwysing na ’n SANS praktykkode, spesifikasie of standaard van die ooreenstemmende nommer;

“**Staat**” beteken—

- (a) enige departement van die staat of administrasie in die nasionale, provinsiale of plaaslike sfeer van regering; of
- (b) enige ander ampsbekleër of instelling wat—
 - (i) ’n gesag uitoefen of ’n funksie ingevolge die Grondwet of ’n provinsiale grondwet verrig; of
 - (ii) ’n publieke gesag uitoefen of ’n publieke funksie ingevolge enige wetgewing verrig, sluit nie ’n hof of regterlike beampte in nie;

“**premises**” means any land, building, terrain, road, construction or structure or part thereof and includes any train, boat, aircraft or other vehicle;

“**prescribed fee**” means a fee determined by the municipality 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 gathering**” includes any gathering by members of the public—

- (a) to view any theatrical or operatic performances, orchestral or choral recitals or cinematic-graphic screenings; or
- (b) to attend, practice or participate in any indoor sports activity, dance, physical activity or other recreational activity;

“**public place**” means any square, park, recreation ground, beach, sports ground, sanitary lane or open space which has—

- (a) been provided, reserved or set apart for use by the public or at any time been dedicated to the public;
- (b) been used by the public without interruption for a period of at least 30 years; or
- (c) at any time been declared or rendered such by the municipality or other competent authority;

“**registered premises**” means any premises in respect of which a certificate of registration has been issued;

“**SANS**” means the South African National Standards contemplated in section 2 of the Standards Act, 1993 (Act No. 29 of 1993), and SANS followed by any number means a reference to a SANS code of practice, specification or standard of the corresponding number;

“**service**” means the Fire Brigade Service established and maintained by the municipality as contemplated in section 4;

“**service installation**” means any automatic fire-extinguishing installation, fire pump connector, fire pump, emergency power or stand-by generator, fire detection, locating or alarm system, emergency lighting or evacuation communication system, mechanical ventilation system, pressure regulation system, smoke ventilation system, hoist, symbolic safety sign and smoke or fire door assembly;

“**spray**” means to spray, coat, plate or epoxy-coat with any hazardous substance and “spraying” has a corresponding meaning;

“**spraying permit**” means a permit contemplated in section 124;

“**spraying room**” means a room contemplated in section 123;

“**State**” means:—

- (a) any department of state or administration in the national, provincial or local sphere of government, or
- (b) any other functionary or institution—
 - (i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court or judicial officer;

“**storage vessel**” means a pressure vessel as defined in the Regulations for Pressure Vessels made under the Occupational Health and Safety Act;

“**store room**” means a room for storage of flammable substances contemplated in section 79;

“**street**” means any street, road, cycle path, thoroughfare or any other place, including

“**sertifikaat van geskiktheid**” beteken ’n sertifikaat beoog in artikel 41;

“**sertifikaat van registrasie**” beteken ’n sertifikaat beoog in artikel 64;

“**spuit**” beteken om met enige gevaarhoudende stof te spuit, verlaag te gee, oorblaas of epoksiverf en “spuiting” het ’n ooreenstemmende betekenis;

“**spuitpermit**” beteken ’n permit beoog in artikel 124;

“**spuitkamer**” beteken ’n kamer beoog in artikel 123;

“**straat**” beteken enige straat, pad, fietspad, deurgang of enige ander plek, ingesluit—

- (a) enige rand van sodanige pad, straat of deurgang;
- (b) enige voetpad, sypaadjie of soortgelyke voetganger gedeelte van ’n padreserwe;
- (c) enige brug, pont of drif wat enige sodanige pad, straat of deurgang kruis;
- (d) enige ander voorwerp behorende tot sodanige pad, straat of deurgang wat op enige tydstop—
 - (i) aan die publiek opgedra is;
 - (ii) deur die publiek sonder onderbreking gebruik is vir ’n periode van ten minste dertig jaar;
 - (iii) verklaar of sodanig aangewys is deur die munisipaliteit of ander bevoegde gesag; of
 - (iv) gebou is deur ’n plaaslike owerheid; en
 - (v) enige grond, met op sonder geboue of strukture daarop, wat aangetoon word as ’n straat op—
 - (aa) enige onderverdelingsplan of diagram goedgekeur deur die munisipaliteit of ander bevoegde gesag waarop gehandel is; of
 - (bb) enige algemene plan soos omskryf in die Grondopmetingswet, 1977 geregistreer of geliasseer in die akteskantoor of kantoor van die landmeter-generaal, tensy sodanige grond op sodanige plan of diagram omskryf word as ’n private straat;

“**stoorkamer**” beteken ’n kamer vir die opberging van vlambare stowwe soos beoog in artikel 79;

“**stort**” beteken om van enige gevaarhoudende stof afstand te doen of weg te doen deur afsetting, morsing of vrylating daarvan;

“**Strafproseswet**” beteken die Strafproseswet, 1977 (Wet No 51 van 1977);

“**summiere bedwinging**” beteken om ’n toestand onmiddellik te evalueer as ’n brandgevaar of ander dreigende gevaar vir lewe of eiendom en om te gelas dat sodanige toestand onmiddellik reggestel word;

“**toevoerroete**” beteken daardie gedeelte van ’n ontsnaproete wat beweging in twee verskillende rigtings na die toegangsdeure van ten minste twee noodroetes toelaat;

“**vlambare gas**” beteken ’n gas wat by 20°C en teen ’n standaard druk van 101,3 kilopascal—

- (a) kan ontsteek in ’n mengsel van 13% of minder per volume met lug; of
- (b) ’n vlambare bestek met lug van minstens 12% het, ongeag die laagste vlamperk;

“**vlambare stof**” beteken enige vlambare vloeistof, brandbare vloeistof of vlambare gas;

- (a) the verge of any such road, street or thoroughfare;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other object belonging to such road, street or thoroughfare, which has at any time been—
 - (i) dedicated to the public;
 - (ii) used without interruption by the public for a period of at least 30 years;
 - (iii) declared or rendered such by the municipality or other competent authority, or
 - (iv) constructed by a local authority, and
 - (v) any land, with or without buildings or structures thereon, which is shown as a street on—
 - (aa) any plan of subdivision or diagram approved by the municipality or other competent authority and acted upon, or
 - (bb) any general plan as defined in the Land Survey Act, 1997 registered or filed in a deeds registry or Surveyor-General's office, unless such land is on such plan or diagram described as a private street;

“this by-law” includes the Schedules published in terms of this by-law;

“summary abate” means to immediately judge a condition to be a fire hazard or other threatening danger to life or property and to order immediate correction of such condition;

“underground tank” means any tank used or intended to be used for the storage of any flammable liquid and which is wholly sunk into and below the surface of the ground;

“use” in relation to fireworks means discharging, lighting or igniting;

“vegetation” includes grass, weeds, leaves, shrubs and trees; and

“vehicle” includes a trailer or semi-trailer which—

- (a) has at least four wheels with independent axles and suspension systems; and
- (b) can be hitched to a truck-tractor or any other motor vehicle contemplated in the National Road Traffic Act.

CHAPTER 2: PURPOSE AND APPLICATION OF BY-LAW

2. Purpose of by-law

The purpose of this by-law is to establish and maintain a service for the area of jurisdiction of the municipality, to promote the achievement of a fire-safe environment for the benefit of all persons within the area of jurisdiction of the municipality and to provide for procedures, methods and practices to regulate fire safety within the area of jurisdiction of the municipality.

3. Application of by-law

- (1) This by-law is applicable to all persons within the area of jurisdiction of the municipality and includes both formal and informal sectors of the community and economy.

“vlambare vaste stof” soos in SANS 0228 beoog, beteken 'n vaste stof wat maklik ontsteek word deur eksterne bronne, soos vonke en vlamme, vaste stowwe wat geredelik brandbaar is, vaste stowwe wat 'n brand kan veroorsaak of daartoe kan bydra deur wrywing, of vaste stowwe wat gedesensitiseerde (benatte) plofstowwe is wat kan ontplof as dit nie voldoende verdun word nie;

“vlambare vloeistof” beteken 'n vloeistof of brandbare vloeistof wat 'n toe-deksel vlampunt van 93°C of minder het;

“vloeibare petroleumgas” beteken 'n mengsel van ligte koolwaterstof (oorheersend propaan, butaan) wat gasagtig is onder omstandighede van omgewingstemperatuur en druk en wat in 'n staat van vloeistof gehou word deur 'n verhoging van druk of vermindering van temperatuur;

“voertuig” sluit 'n sleepwa of semi-sleepwa in wat—

- (a) ten minste 4 wiele met onafhanklike asse en suspensiestelsels het; en
- (b) aan 'n trek-trekker of enige ander voertuig beoog in die Nasionale Padverkeerswet gehaak kan word;

“voorgeskrewe geld” beteken gelde bepaal deur die munisipaliteit by besluit ingevolge artikel 10G(7)(a)(ii) van die Oorgangswet op Plaaslike Regering, 1993 (Wet No 209 van 1993) of enige ander toepaslike wetgewing;

“voorgeskryf” beteken soos bepaal deur die munisipaliteit;

“vuurwerke” beteken enige ontploftoestel of stof wat brand of ontplof na aansteking, ingesluit klappers, en wat gereguleer word ingevolge die Wet op Ontplofbare Stowwe;

“vuurwerkvertoning” beteken die gebruik van vuurwerke vir doeleindes van 'n publieke vertoning;

“Wet op Bevordering van Toegang tot Inligting” beteken die Wet op Bevordering van Toegang tot Inligting, 2000 (Wet No 2 van 2000);

“Wet op Beroepsgesondheid en Veiligheid” beteken die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No 85 van 1993);

“Wet op Brandweerdienste” beteken die Wet op Brandweerdienste, 1987 (Wet No 99 van 1987) en enige regulasies gemaak ingevolge daardie Wet;

“Wet op die Nasionale Argief van Suid-Afrika” beteken die Wet op die Nasionale Argief van Suid-Afrika, 1996 (Wet No 43 van 1996);

“Wet op Gevaarhoudende Stowwe” beteken die Wet op Gevaarhoudende Stowwe, 1973 (Wet No 15 van 1973) en enige regulasies gemaak ingevolge daardie Wet;

“Wet op Ontplofbare Stowwe” beteken die Wet op Ontplofbare Stowwe, 1956 (Wet No 26 van 1956) en enige regulasies gemaak ingevolge daardie Wet;

“woonhuis” beteken 'n enkel wooneenheid geleë op sy eie, ingesluit die motorvoertuig motorhuis en ander huishoudelike buitegeboue op daardie perseel;

HOOFSTUK 2: DOEL EN TOEPASSING VAN VERORDENING

2. Doel van verordening

Die doel van hierdie verordening is om 'n diens vir die jurisdiksie gebied van die munisipaliteit in te stel en te onderhou, om die bereiking van 'n brandveilige omgewing te bevorder tot die voordeel van alle persone binne die jurisdiksie gebied van die munisipaliteit en om prosedures, metodes en praktyke daar te stel om brandveiligheid binne die jurisdiksie gebied van die munisipaliteit te bevorder.

3. Toepassing van verordening

- (1) Hierdie verordening is van toepassing op alle persone binne die jurisdiksie gebied van die munisipaliteit en sluit beide formele en informele sektore van die gemeenskap en ekonomie in.

- (2) Notwithstanding the provisions in either the Hazardous Substances Act or the Occupational Health and Safety Act, and in addition to any other applicable national or provincial law, this by-law regulates flammable substances in the area of jurisdiction of the municipality so as to prevent and reduce fire hazards or other threatening dangers.
- (3) The municipality may, in terms of an agreement as contemplated in section 12 of the Act, and the payment of tariffs in accordance with the municipality's tariff policy or as contemplated in this by-law, be employed outside the area of jurisdiction of the municipality.
- (4) If any provision in this by-law vests or imposes any power, function or duty of the municipality in or on an employee of the municipality and such power, function or duty has in terms of section 81(2) of the Municipal Systems Act or any other law been assigned to a service provider, the reference in such provision to such employee must be read as a reference to the municipality provider or, where applicable, an employee of the municipality provider authorised by it.

CHAPTER 3: ESTABLISHMENT OF A FIRE BRIGADE SERVICE

4. Establishment and maintenance of service

- (1) A service for the area of jurisdiction of the municipality is established as contemplated in section 3(1) of the Act, read with section 156(1)(a) and Part B of Schedule 4 of the Constitution.
- (2) The municipality must maintain the Service, which includes—
 - (a) appointing a chief fire officer and the necessary members of the Service;
 - (b) ensuring that such officer and members are properly trained; and
 - (c) acquiring and maintaining the necessary vehicles, machinery, equipment, devices and accessories to ensure that the Service is effective and able to fulfil its objects.

5. Objects of the Service

- (1) The objects of the Service are—
 - (a) to prevent the outbreak or spread of a fire;
 - (b) to fight and extinguish any fire that endangers any person or property;
 - (c) to protect any person or property against any fire or other danger as contemplated in this by-law;
 - (d) to rescue any person or property from any fire or other danger as contemplated in this by-law; or
 - (e) to perform any other function connected with any of the matters referred to in subsection (a) to (d).
- (2) The Service may provide any service related to its objects to any other person.
- (3) Any service contemplated in subsection (2) may, at the discretion of the chief fire officer, be terminated without notice if the municipality's, equipment or members involved in providing that service are required to deal with an emergency situation, fire hazard or other threatening danger.

6. Reporting a fire hazard and other threatening danger

- (1) An owner or the person in charge of premises, upon discovering any evidence of a fire hazard or other threatening danger as contemplated in this by-law, must immediately notify the Service.

- (2) Nieteenstaande die bepalings van die Wet op Gevaarhouende Stowwe en die Wet op Beroepsgegesondheid en Veiligheid, en addisioneel tot enige ander toepaslike nasionale of provinsiale wet, reguleer hierdie verordening ontvlambare stowwe binne die jurisdiksie gebied van die munisipaliteit ten einde brandgevaar of ander dreigende gevare te voorkom en te verminder.
- (3) Die munisipaliteit mag, ingevolge 'n ooreenkoms beoog in artikel 12 van die Wet, en die betaling van tariewe ingevolge die munisipaliteit se tarief beleid of soos beoog in hierdie verordening, betrokke wees buite die jurisdiksie gebied van die munisipaliteit.
- (4) Indien enige bepaling in hierdie verordening enige mag, funksie of plig van die munisipaliteit in of op 'n beampte van die munisipaliteit laat berus of oplê en sodanige mag, funksie of plig is ingevolge artikel 81(2) van die Munisipale Stelselwet of enige ander wet opgedra aan 'n diensverskaffer, moet die verwysing na sodanige beampte gelees word as 'n verwysing na die diensverskaffer of, waar van toepassing, 'n beampte en die diensverskaffer deur die munisipaliteit gemagtig.

HOOFSTUK 3: INSTELLING VAN 'N BRANDWEERDIENS

4. Instelling en onderhoud van diens

- (1) 'n Diens vir die jurisdiksie gebied van die munisipaliteit word ingestel soos beoog in artikel 3(1) van die Wet, gelees met artikel 156(1)(a) en Deel B van Bylae 4 van die Grondwet.
- (2) Die munisipaliteit moet die diens onderhou, wat insluit:
 - (a) aanstelling van 'n brandweerhoof en die nodige lede van die diens;
 - (b) te verseker dat sodanige hoof en lede behoorlik opgelei word; en
 - (c) verkryging en onderhouding van die nodige voertuie, masjienerie, toerusting, apparaat en toebehore ten einde te verseker dat die diens effektief en in staat is om sy oogmerke te verwesenlik.

5. Oogmerke van die diens

- (1) Die oogmerke van die diens is—
 - (a) om die uitbreek of verspreiding van 'n vuur te voorkom;
 - (b) om enige vuur wat enige persoon of eiendom in gevaar stel te beveg en te blus;
 - (c) om enige persoon of eiendom teen enige vuur of ander gevaar soos beoog in hierdie verordening te beskerm;
 - (d) om enige persoon of eiendom van enige vuur of ander gevaar soos beoog in hierdie verordening te red; of
 - (e) om enige ander funksie wat verband hou met enige van die aangeleenthede waarna in subartikels (a) tot (d) verwys word, te verrig.
- (2) Die diens mag enige diens wat verband hou met sy oogmerke aan enige ander persoon lewer.
- (3) Enige diens beoog in subartikel (2) mag, in die diskresie van die brandweerhoof, sonder kennisgewing beëindig word indien die munisipaliteit se toerusting of lede betrokke by die lewering van daardie diens benodig word om 'n noodsituasie, brandgevaar of ander dreigende gevaar te hanteer.

6. Aanmelding van 'n brandgevaar en ander dreigende gevaar

- (1) 'n Eienaar of die persoon in beheer van 'n perseel moet by die ontdekking van enige bewys van 'n brandgevaar of ander dreigende gevaar soos beoog in hierdie verordening, onmiddellik die diens in kennis stel.

(2) An owner or the person in charge of premises must provide all details pertaining to the incident as contemplated in subsection (1), to the Service as requested.

(3) Any person who contravenes subsections (1) and (2) commits an offence.

7. Administration and enforcement

(1) The chief fire officer is responsible for the administration and enforcement of this by-law.

(2) Where no chief fire officer has been appointed, or where no acting chief fire officer has been appointed by the municipal manager as contemplated in section 9(3), the municipal manager is responsible for the administration and enforcement of this by-law.

8. Delegation

(1) The chief fire officer may delegate any power granted to him in terms of this by-law as contemplated in section 19 of the Act or in accordance with the system of delegation of the municipality developed in terms of section 59 of the Municipal Systems Act.

(2) A municipal manager may delegate any power granted to him in terms of this by-law in accordance with the system of delegation of the municipality developed in terms of section 59 of the Municipal Systems Act.

9. Chief fire officer

(1) The chief fire officer has the powers as contemplated in sections 8(1) and 8(2) of the Act, and must also—

(a) make or implement such general orders, procedures, rules and such other measures as he may consider necessary for the proper administration and enforcement of this by-law; provided that the making or implementation of such general orders, procedures, rules and such other measures are not inconsistent with the provisions of this by-law or any other by-law or policy of the municipality;

(b) ensure that contact numbers in respect of the Service are made available to the public and other institutions or organisations;

(c) inform the municipal manager of operational requirements for the structuring of the Service as contemplated in section 5.

(2) Notwithstanding anything to the contrary contained in any other law, the chief fire officer has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger.

(3) Whenever the chief fire officer is for any reason unable to perform his duties of office, the municipal manager must appoint a suitably qualified member of the Service as acting chief fire officer to perform the duties and functions of the chief fire officer.

10. Instructions by members of service

(1) In addition to any powers as contemplated in section 8 of the Act, a member may give any instruction to any person in order to secure compliance with this by-law or to ensure the safety of any person or property.

(2) An instruction may be given orally or in writing and if the instruction is given orally, the member must confirm it in writing and give it to the person concerned at the earliest opportunity.

(3) An instruction contemplated in subsection (1) may include, but is not limited to an instruction—

(2) 'n Eienaar of die persoon in beheer van 'n perseel moet alle besonderhede met betrekking tot die insident soos beoog in subartikel (1) aan die diens voorsien soos versoek.

(3) Enige persoon wat die bepalings van subartikels (1) en (2) oortree begaan 'n misdryf.

7. Administrasie en afdwinging

(1) Die brandweerhoof is verantwoordelik vir die administrasie en afdwinging van hierdie Verordening.

(2) Waar geen brandweerhoof aangestel is nie of waar geen waarnemende brandweerhoof deur die munisipale bestuurder aangestel is nie soos beoog in artikel 9(3), is die munisipale bestuurder verantwoordelik vir die administrasie en afdwinging van hierdie Verordening.

8. Delegering

(1) Die brandweerhoof mag enige bevoegdheid wat ingevolge hierdie Verordening aan hom verleen is deleger is soos beoog in artikel 19 van die Wet of ooreenkomstig die delegeringstelsel van die munisipaliteit wat ingevolge artikel 59 van die Munisipale Stelselwet ontwikkel is.

(2) 'n Munisipale bestuurder mag enige bevoegdheid wat ingevolge hierdie Verordening aan hom verleen is deleger in ooreenstemming met die delegeringstelsel van die munisipaliteit wat ingevolge artikel 59 van die Munisipale Stelselwet ontwikkel is.

9. Brandweerhoof

(1) Die brandweerhoof het die bevoegdhede soos beoog in artikels 8(1) en 8(2) van die Wet en moet ook—

(a) sodanige algemene bevel, prosedures, reëls en sodanige ander maatreëls maak of implementeer as wat nodig geag word vir die behoorlike administrasie en afdwinging van hierdie verordening; met dien verstande dat die maak of implementering van sodanige algemene bevel, prosedures, reëls en ander sodanige ander maatreëls nie teenstrydig met die bepalings van hierdie verordening of enige ander verordening of beleid van die munisipaliteit is nie;

(b) verseker dat kontaknommers ten opsigte van die diens beskikbaar gemaak word aan die publiek en ander instellings of organisasies;

(c) die munisipale bestuurder in kennis stel van operasionele vereistes vir die strukturering van die diens soos beoog in artikel 5.

(2) Nieteenstaande enigiets tot die teendeel vervat in enige ander wet, het die brandweerhoof die bevoegdheid om die oorsaak, ontstaan en omstandighede van enige brand of ander dreigende gevaar te ondersoek.

(3) Wanneer die brandweerhoof vir enige rede nie in staat is om sy ampspligte te verrig nie, moet die munisipale bestuurder 'n behoorlik gekwalifiseerde lid van die diens as waarnemende brandweerhoof aanstel om die pligte en bevoegdhede van die brandweerhoof te verrig.

10. Instruksies deur lede van diens

(1) Addisioneel tot enige bevoegdhede soos beoog in artikel 8 van die Wet, mag 'n lid enige instruksie aan enige persoon gee ten einde voldoening aan hierdie verordening of die veiligheid van enige persoon of eiendom te verseker.

(2) 'n Instruksie mag mondelings of skriftelik gegee word en indien die instruksie mondelings gegee word, moet die lid dit skriftelik bevestig en dit by die vroegste geleentheid aan die persoon gee.

(3) 'n Instruksie beoog in subartikel (3) mag insluit, maar is nie beperk tot 'n instruksie—

- (a) for the immediate evacuation of any premises;
- (b) to close or barricade any premises, or part thereof, until such time as any contravention of this by-law has been rectified;
- (c) to cease any activity;
- (d) to remove any immediate threat to the safety of any person or property;
- (e) to take specified steps to comply with this by-law, either immediately or within a specified period; and
- (f) if it is not reasonable for steps referred to in paragraph (e) to be taken immediately for the owner or person in charge of the premises concerned, to provide the chief fire officer with a written description of the steps to be taken and a time-table for the taking of these steps in order to ensure compliance with this by-law.

(4) Any person who contravenes subsection (3) commits an offence.

11. Pretending to be member of service prohibited

- (1) No person may pretend to be a member.
- (2) No person who is not a member may wear any official clothing, uniform, badge or insignia of the Service.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

12. Certificates to identify members of service

- (1) The chief fire officer must provide each member with an identification document identifying that person as a member.
- (2) A member, while performing any function or exercising any power as contemplated in this by-law must—
 - (a) keep the identification document provided in terms of subsection (1), on his person; and
 - (b) produce it for inspection on request by any person.

13. Wearing of uniform and insignia

- (1) The chief fire officer and every member of the Service must wear the uniform, rank markings and insignia of the Service as prescribed.
- (2) Uniform, rank markings and insignia as contemplated in subsection (1) must be issued to the chief fire officer and members of the Service in accordance with the conditions of employment of the municipality or as agreed collectively.

14. Driving service vehicles

- (1) A member may, with the written authority of the Chief Fire Officer and as directed in the exercise of his or her duties, drive a Service vehicle if he or she is in possession of a valid driving licence for the code of vehicle in question.
- (2) A member, who is duly authorised to do so, as contemplated in subsection (1), must drive a Service vehicle in accordance with the provisions of the National Road Traffic Act, 1996, and any regulations made under the Act.
- (3) Any member who fails to comply with the provisions of this section is guilty of an offence.

15. Duties and orders during emergency situations

- (1) The Chief Fire Officer or a member in charge of an emergency situation, including one attended in terms of an agreement, must, in respect of every such emergency situation, ensure that—

- (a) vir die onmiddellike ontruiming van enige perseel;
- (b) om enige perseel, of gedeelte daarvan, te sluit of te versper totdat enige oortreding van hierdie verordening reggestel is;
- (c) om enige aktiwiteit te staak;
- (d) om enige onmiddellike bedreiging van die veiligheid van enige persoon of eiendom te verwyder;
- (e) om gespesifiseerde stappe te neem om onmiddellik of binne 'n gespesifiseerde tyd aan hierdie verordening te voldoen; en
- (f) indien dit nie vir die eenaar of persoon in beheer van die betrokke perseel redelik is om die stappe gemeld in subartikel (e) onmiddellik te neem nie, om die brandweerhoof te voorsien van 'n skriftelike beskrywing van die stappe wat geneem gaan word en 'n tydskaal vir die neem van die stappe ten einde voldoening aan hierdie verordening te verseker.

(4) Enige persoon wat subartikel (3) oortree begaan 'n misdryf.

11. Voorgee as lid van diens verbode

- (1) Geen persoon mag voorgee om 'n lid te wees nie.
- (2) Geen persoon wat nie 'n lid is nie mag enige amptelike kledingstukke, uniform, wapen of kentekens van die diens dra nie.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

12. Sertifikate om lede van diens te identifiseer

- (1) Die brandweerhoof moet elke lid van die diens van 'n identifikasie dokument voorsien om daardie persoon as 'n lid van die diens te identifiseer.
- (2) 'n Lid moet tydens die verrigting van enige funksie of uitvoering van enige bevoegdheid soos beoog in hierdie verordening—
 - (a) die identifikasie dokument voorsien ingevolge subartikel (1) by hom dra; en
 - (b) dit op versoek van enige persoon vir inspeksie toon.

13. Dra van uniform en kentekens

- (1) Die brandweerhoof en elke lid van die diens moet die uniform, rangmerke en kentekens van die diens dra soos voorgeskryf.
- (2) Uniforms, rangmerke en kentekens soos beoog in subartikel (1) moet aan die brandweerhoof en lede van die diens uitgereik word ooreenkomstig die diensvoorwaardes van die munisipaliteit of soos kollektief ooreengekom.

14. Bestuur van diensvoertuie

- (1) 'n Lid mag, met die skriftelike toestemming van die brandweerhoof en soos opgedra in die uitvoering van sy of haar pligte, 'n diensvoertuig bestuur indien hy of sy in besit is van 'n geldige bestuurderslisensie vir die kode voertuig betrokke.
- (2) 'n Lid wat behoorlik gemagtig is om dit te doen soos beoog in subartikel (1), moet 'n diensvoertuig ooreenkomstig die Nasionale Padverkeerswet, 1996 en enige regulasies daarkragtens gemaak, bestuur.
- (3) Enige lid wat versuim om aan die bepalings van hierdie artikel te voldoen is skuldig aan 'n misdryf.

15. Pligte en bevele gedurende noodsituasies

- (1) Die brandweerhoof of 'n lid in beheer van 'n noodsituasie, ingesluit een wat ingevolge 'n ooreenkoms optree, moet ten opsigte van elke sodanige noodsituasie verseker dat—

- (a) adequate manpower and the appropriate apparatus and equipment are made available, deployed and are used without delay;
 - (b) the emergency situation is immediately assessed upon arrival and additional resources or assistance that he may deem necessary, are called for without delay;
 - (c) all pertinent information, including information about places and times and relevant particulars, is recorded during the emergency situation or as soon as possible after the emergency situation, and that the recorded information is preserved in accordance with the provisions of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996), and any regulations made under the Act.
- (2) Any person or body, including any State department as contemplated in section 17 of the Act, the South African Police Service and the Department of Justice, who wishes to inspect any information referred to in subsection (1)(c) must send a motivated request in writing to the Chief Fire Officer along with the prescribed fees.
- (3) Any press or media release concerning the Service, emergency situations or any matter in relation thereto must be in accordance with the policy guidelines determined by the municipality.

16. Right of access to buildings and premises and issue of instructions

- (1) The Chief Fire Officer or a member may, in executing the powers delegated in terms of this by-law or any other legislation, enter any premises at any reasonable time to conduct inspections in order to determine the existence of a fire hazard or compliance with any applicable legislation relating to fire safety on such premises.
- (2) Should any fire hazard or condition of non-compliance contemplated in subsection (1) exist, such member may serve a written instruction on the owner or occupier of such premises and such notice shall incorporate such directives or requirements that are necessary to abate the condition, which instruction must determine a deadline for compliance.
- (3) Whenever any condition that may increase the risk of fire or which may pose a threat to life or property exists on any premises and such condition cannot be immediately rectified, or if costs need to be incurred to rectify such condition, the owner of the premises must, after receiving any written instruction referred to in subsection (2), inform the Chief Fire Officer forthwith, in writing, of the measures which he or she intends taking to remedy the condition and provide a programme and deadline to the Chief Fire Officer for approval.
- (4) The Chief Fire Officer may approve the proposed measures and deadline with or without amendments and may give further instructions for compliance with the proposed or required measures.
- (5) Any person who fails to comply with a written instruction referred to in this section is guilty of an offence.

17. Interference with the Service

- (1) No person may interfere with, prevent, obstruct or hinder the chief fire officer, municipal manager or any member in the execution of his duties as contemplated in this by-law or the Act.
- (2) Any person who contravenes subsection (1) commits an offence.

18. Furnishing of false information

- (1) No person may wilfully give any member of the Service any notice, or furnish any information regarding an outbreak of

- (a) voldoende mannekrag en toepaslike apparaat en toerusting beskikbaar gemaak, ontplooi en sonder vertraging aangewend word;
- (b) die noodsituasie onmiddellik by aankoms geëvalueer en addisionele bronne of bystand wat nodig geag word, sonder versuim versoek word;
- (c) alle pertinente inligting, ingesluit inligting omtrent plekke en tye en relevante besonderhede, tydens die noodsituasie of so spoedig na die noodsituasie, op rekord gestel word en dat sodanige rekord bewaar word ooreenkomstig die Wet op die Nasionale Argief van Suid-Afrika, 1996 (Wet 43 van 1996) en enige regulasies daarkragens gemaak.

- (2) Enige persoon of liggaam, ingesluit 'n staatsdepartement soos beoog in artikel 17 van die Wet, die Suid-Afrikaanse Polisiediens en die Departement van Justisie, wat enige inligting beoog in subartikel (1)(c) wil inspekteer, moet 'n gemotiveerde skriftelike versoek aan die brandweerhoof rig tesame met die voorgeskrewe gelde.
- (3) Enige pers of media vrystelling aangaande die diens, noodsituasie of enige aangeleentheid in verband daarmee moet in ooreenstemming wees met die beleidsriglyne bepaal deur die munisipaliteit.

16. Reg van toegang tot geboue en persele en uitreiking van instruksies

- (1) Die brandweerhoof of 'n lid van die diens mag in die uitvoering van magte gedelepeer ingevolge hierdie verordening of enige ander wetgewing, enige perseel op enige redelike tyd betree om inspeksies te doen ten einde die bestaan van 'n brandgevaar of voldoening aan enige toepaslike wetgewing met betrekking tot brandveiligheid op persele, vas te stel.
- (2) Indien enige brandgevaar of toestand van nie-voldoening beoog in subartikel (1) bestaan, mag sodanige lid 'n skriftelike instruksie op die eienaar of okkupeerder van sodanige perseel beteken en sodanige kennisgewing sal sodanige opdragte of vereistes bevat wat nodig is om die toestand te bedwing, welke instruksie 'n sperdatum vir nakoming moet bepaal.
- (3) Wanneer enige toestand wat die brandrisiko mag vermeerder of wat 'n bedreiging vir 'n lewe of eiendom inhou op enige perseel bestaan en sodanige toestand nie onmiddellik reggestel kan word nie, of indien koste aangegaan moet word om sodanige toestand reg te stel, moet die eienaar van die perseel, na ontvangs van enige skriftelike opdrag gemeld in subartikel (2), die brandweerhoof onverwyld skriftelik inlig van die maatreëls wat hy of sy beoog om te neem om die toestand te remedieër en aan die brandweerhoof 'n program en sperdatum voorsien vir goedkeuring.
- (4) Die brandweerhoof mag die voorgestelde program en sperdatum met of sonder wysigings goedkeur en mag verdere opdragte gee vir nakoming saam met die voorgestelde of vereiste maatreëls.
- (5) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

17. Inmenging met die diens

- (1) Geen persoon mag met die brandweerhoof, munisipale bestuurder of enige lid in die uitvoering van sy pligte soos beoog in hierdie verordening of die Wet inmeng, verhinder, belemmer of hinder nie.
- (2) Enige persoon wat versuim om aan 'n skriftelike opdrag gemeld in hierdie artikel te voldoen is skuldig aan 'n misdryf.

18. Verskaffing van vals inligting

- (1) Geen persoon mag wetens enige kennisgewing aan enige lid van die diens gee nie, of enige inligting omtrent die uitbreek

fire, or any other emergency situation requiring the attendance of the Service, and which, to his knowledge, is false or inaccurate.

- (2) Any person who contravenes subsection (1) commits an offence.

19. Denial, suspension or revocation of an approval or a certificate

The chief fire officer may refuse, suspend or revoke an approval or a certificate required by this by-law for—

- (a) failure to meet the provisions of this by-law for the issuance of the approval or certificate; or
(b) non-compliance with the provisions of the approval or certificate.

20. Records required, access to records and release of media statements

- (1) The safekeeping of all relevant records and documents pertaining to the Service in accordance with the provisions of the National Archives and Record Service of South Africa Act is the responsibility of the municipal manager.
(2) A request for access to a record held for the purpose or with regard to the exercise of a power or the performance of a function in respect of the Service must be made in accordance with the provisions of the Promotion of Access to Information Act.
(3) Media statements regarding the Service must be released as prescribed in terms of the communication strategy of the municipality.

21. Failure to comply with provisions

- (1) When the chief fire officer finds that there is non-compliance with the provisions of this by-law, excluding the situation in section 16(2), a written notice must be issued and include the following—
(a) confirmation of the findings;
(b) provisions of this by-law that are being contravened;
(c) the remedial action required; and
(d) a time for compliance.
(2) An order or notice issued under this by-law must be served either by personal delivery or registered mail upon a person who is in the opinion of the chief fire officer, deemed to be the appropriate person.
(3) For unattended or abandoned premises, a copy of such order or notice must be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice must be mailed by registered mail, to the last known address of the owner, the person in charge of the premises or both.
(4) An owner or the person in charge of premises, whose rights are affected by any decision of the chief fire officer as contemplated in subsection (1), may appeal against such decision in terms of section 62 of the Municipal Systems Act.

22. Payment for services

- (1) The municipality may charge the fees payable in terms of its Tariff Policy by a person on whose behalf the municipality rendered any service as contemplated in this by-law.
(2) The municipality may charge a prescribed fee for the provision of an inspection, re-inspection or any other service, including the approval or issuing of permits or certificates as contemplated in this by-law.

van 'n vuur, of enige ander noodsituasie wat die bywoning van die diens vereis, en wat na sy mening vals of onakkuraat is, voorsien nie.

- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

19. Weiering, opskorting of intrekking van 'n goedkeuring of 'n sertifikaat

Die brandweerhoof mag 'n goedkeuring of 'n sertifikaat wat ingevolge hierdie verordening vereis word weier, opskort of herroep vir:

- (a) versuim om aan die bepalings van hierdie verordening vir die uitreiking van die goedkeuring of sertifikaat te voldoen; of
(b) nie-nakoming van die bepalings van die goedkeuring of sertifikaat.

20. Rekords benodig, toegang tot rekords en vrystelling van media verkларings

- (1) Die veilige bewaring van alle tersaaklike rekords en dokumente van toepassing op die diens ooreenkomstig die Wet op die Nasionale Argief van Suid-Afrika is die verantwoordelikheid van die munisipale bestuurder.
(2) 'n Versoek vir toegang tot 'n rekord wat gehou word vir doeleindes of met betrekking tot die uitoefening van 'n mag of verrigting van 'n funksie aangaande die diens, moet gemaak word ooreenkomstig die bepalings van die Wet op die Bevordering van Toegang tot Inligting.
(3) Media verkларings aangaande die diens moet soos voorgeskryf ingevolge die kommunikasie strategie van die munisipaliteit vrygestel word.

21. Versuim om aan bepalings te voldoen

- (1) Wanneer die brandweerhoof bevind dat daar nie-nakoming van die bepalings van hierdie verordening is, uitgesonderd die situasie in artikel 16(2), moet 'n skriftelike kennisgewing uitgereik word wat die volgende insluit—
(a) bevestiging van die bevindings;
(b) bepalings van hierdie verordening wat oortree word;
(c) die regstellende stappe wat vereis word; en
(d) 'n datum vir nakoming.
(2) 'n Lasgewing of kennisgewing wat ingevolge hierdie verordening uitgereik word, moet beteken word deur persoonlike aflewering of per geregistreerde pos aan 'n persoon wat na die mening van die brandweerhoof geag word die geskikte persoon te wees.
(3) Vir onbewaakte of verlate persele, moet 'n afskrif van sodanige lasgewing of kennisgewing op 'n opvallende plek by of naby die ingang tot sodanige perseel opgeplak word en moet die lasgewing of kennisgewing per geregistreerde pos geos word na die laaste bekende adres van die eienaar, die persoon in beheer van die perseel, of albei.
(4) 'n Eienaar of die persoon in beheer van persele wie se regte geaffekteer word deur enige besluit van die brandweerhoof soos beoog in subartikel (1) mag teen sodanige besluit appèlleer ingevolge artikel 62 van die Munisipale Stelselwet.

22. Betaling vir dienste

- (1) Die munisipaliteit mag die gelde bepaal wat betaalbaar is deur 'n persoon namens wie die munisipaliteit enige diens gelewer het soos beoog in hierdie verordening.
(2) Die Munisipaliteit mag 'n voorgeskrewe geld hef vir die verskaffing van 'n inspeksie, herinspeksie of enige ander diens, ingesluit die goedkeuring of uitreiking van permitte soos beoog in hierdie verordening.

- (3) Any cost incurred by the municipality for any action necessary to prevent a fire hazard, accident or other threatening danger shall be considered a fee payable by a person for services rendered as contemplated in subsection (1).
- (4) Any costs incurred by the municipality in connection with the examination or analysis of any sample taken from any premises for the purposes of this by-law, and a report on such analysis by an institution accredited by the chief fire officer for that purpose may be recovered from the owner or person in charge of the premises if such owner or person in charge is not in compliance with this by-law regarding the substance concerned.
- (5) Notwithstanding the provisions of subsection (1), the chief fire officer may assess the aggregate of charges as contemplated in subsection (1) or any portion thereof, provided that such portion shall not be less than ninety percent of the aggregate of the charges that would have been payable; provided further that in assessing such charges or portion thereof, due regard, in addition to other factors, be given to:
- the fact that the amount so assessed shall be commensurate with the services rendered;
 - the manner, place and origin of fire or other emergency situation;
 - the loss that might have been caused by the fire or other emergency situation to the person liable to pay the charges, if the services had not been rendered.
- (6) Where charges are assessed in terms of paragraph (a) and the person liable to pay such charges is aggrieved by or is with such assessment, he may lodge a written appeal in terms of section 132 of this by-law.

23. Joint Fire Services Committee

- (1) A Joint Fire Services Committee representing the fire services in the area of jurisdiction of the Cape Winelands District Municipality and all Category B Municipalities in the area of jurisdiction of such municipality may be established.
- (2) The Joint Fire Services Committee as contemplated in subsection (1) must collaborate and liaise for the purposes of making recommendations with regard to—
- the planning and co-ordination of the services within the district;
 - the co-ordination and standardisation of infrastructure, vehicles, equipment and procedures pertaining to the service;
 - the training of members; and
 - any other operational matters relating to the Service.
- (3) The chief fire officer of each municipality within the district may be a member of the Joint Fire Services Committee.
- (4) The Joint Fire Services Committee may determine its rules of meeting procedures, provided that such procedures are not inconsistent with generally accepted municipal administrative practices, this by-law or any other legislation.

CHAPTER 4: FIRE PROTECTION

Part A: Fire protection for buildings and premises

24. General provisions

The chief fire officer must in terms of sections 16(3) and 21(1) of this by-law abate a contravention of the National Building Regulations relating to fire and safety of buildings and premises.

- (3) Enige koste aangegaan deur die munisipaliteit vir enige aksie nodig om 'n brandgevaar, ongeluk of ander dreigende gevaar te voorkom sal geag word 'n geld betaalbaar deur 'n persoon vir die dienste gelewer soos beoog in subartikel (1).
- (4) Enige koste aangegaan deur die munisipaliteit met betrekking tot die ondersoek of analise van enige monster geneem van enige perseel vir doeleindes van hierdie verordening, en 'n verslag oor sodanige analise deur 'n instelling geakkrediteer deur die brandweerhoof vir daardie perseel, mag van die eienaar of persoon in beheer van die perseel verhaal word indien sodanige eienaar of persoon in beheer nie aan hierdie verordening ten opsigte van die betrokke stof voldoen nie.
- (5) Ongeag die bepalings van subartikel (1) mag die brandweerhoof die saamgestelde gelde beoog in subartikel (1) of enige gedeelte daarvan bepaal; met dien verstande dat sodanige gedeelte nie minder is as negentig persent van die saamgestelde gelde wat betaalbaar sou gewees het nie; met dien verstande verder dat in die bepaling van sodanige gelde of gedeelte daarvan, die nodige ag gegee word, benewens ander faktore, aan—
- die feit dat die bedrag so bepaal vergelykbaar sal wees met die dienste gelewer;
 - die wyse, plek en oorsprong van vuur of ander noodsituasie;
 - die verlies wat deur die vuur of ander noodsituasie aan die persoon verantwoordelik vir betaling van die gelde veroorsaak sou gewees het indien die dienste nie gelewer was nie.
- (6) Waar gelde bepaal is ingevolge subartikel (5)(a) en die persoon verantwoordelik vir betaling van sodanige gelde is gegrief deur of met sodanige bepaling, mag hy 'n skriftelike appèl indien ingevolge artikel 132 van hierdie verordening.

23. Gesamentlike Brandweerdien Komitee

- (1) 'n Gesamentlike Brandweerdien Komitee wat die brandweerdienste in die jurisdiksie gebied van die Kaapse Wynland Distriksmunisipaliteit en alle Kategorie B Munisipaliteite in die jurisdiksie gebied van sodanige munisipaliteit verteenwoordig mag ingestel word.
- (2) Die Gesamentlike Brandweerdien Komitee beoog in subartikel (1) moet beraadslag en skakel vir doeleindes om aanbevelings te maak met betrekking tot—
- die beplanning en koördinering van die dienste in die distrik;
 - die koördinering en standaardisering van infrastruktuur, voertuie, toerusting en prosedures aangaande die diens;
 - die opleiding van lede; en
 - enige ander operasionele aangeleenthede aangaande die diens.
- (3) Die brandweerhoof van elke munisipaliteit in die distrik mag 'n lid wees van die Gesamentlike Brandweerdien Komitee.
- (4) Die Gesamentlike Brandweerdien Komitee mag sy vergadering prosedure reëls bepaal; met dien verstande dat sodanige prosedures nie teenstrydig is met algemeen aanvaarde munisipale administratiewe praktyke, hierdie verordening of enige ander wetgewing nie.

HOOFSTUK 4: BRANDBESKERMING

Deel A: Brandbeskerming vir geboue en persele

24. Algemene bepalings

Die brandweerhoof moet ingevolge artikels 16(3) en 21(1) van hierdie verordening 'n oortreding van die Nasionale Bouregulasies rakende brand en veiligheid van geboue en persele bedwing.

25. Design and construction of buildings

- (1) Subject to the provisions of subsection (3), every owner of a building, excluding a dwelling house, must ensure that it is designed and constructed in a manner that—
 - (a) provides for—
 - (i) the effective drainage of any water that may result from fire extinguishing activities; and
 - (ii) the discharge of such water directly into a storm water drain;
 - (b) prevents any water that may result from fire-extinguishing activities from draining—
 - (i) down any stairway or lift shaft;
 - (ii) down any electrical shaft or telecommunications service shaft;
 - (iii) down any shaft that is connected to a basement level; or
 - (iv) along any approach to a building or any vehicle access ramp leading to or from a building;
 - (c) if any water resulting from fire-extinguishing activities should spill into a basement, such water is discharged directly into a storm water drain; and
 - (d) complies with the requirements of SANS 0400 (Parts A, K, M, O, T, V and W) insofar as it relates to fire protection.
- (2) Subject to the provisions of subsection (3), every owner of a building equipped with a transformer room must ensure that—
 - (a) the transformer room is situated on the ground level;
 - (b) access to the transformer room is from outside the building; and
 - (c) there is adequate and ready access to the transformer room for fire-fighting and maintenance activities.
- (3) Subsections (1) and (2) do not apply in respect of any building which exists at the commencement of this by-law.
- (4) Any person who contravenes subsections (1) and (2) or Parts A, K, M, O, T, V or W of SANS 10400 insofar as it relates to fire protection, commits an offence.

26. Design and construction of dumping sites

- (1) Every person who designs or constructs any dumping site, must ensure that it is designed and constructed in accordance with the instructions of—
 - (a) the Department of Water Affairs and Forestry; and
 - (b) the municipality.
- (2) Any person who contravenes subsection (1) commits an offence.

27. Design and construction of other structures and sites

- (1) Every person who designs, constructs or erects any of the following structures, must ensure that they comply with a rational design as contemplated by the National Building Regulations—
 - (a) any grain silo;

25. Ontwerp en konstruksie van geboue

- (1) Onderhewig aan die bepalings van subartikel (3), moet elke eienaar van 'n gebou, uitgesonder 'n woonhuis, verseker dat dit ontwerp en gebou is op 'n wyse wat—
 - (a) voorsiening maak vir—
 - (i) die effektiewe dreinerings van enige water wat die gevolg mag wees van aktiwiteite met betrekking tot die blus van vuur; en
 - (ii) die wegdoen van sodanige water direk in 'n stormwaterdrein;
 - (b) voorkoming dat enige water wat die gevolg mag wees van aktiwiteite met betrekking tot die blus van vuur dreineer—
 - (i) af in enige trap of hyserskag;
 - (ii) af enige elektriese skag of telekommunikasie diensskag;
 - (iii) af enige skag wat verbind is met 'n kelder-verdieping; of
 - (iv) langs enige toegang tot 'n gebou of voertuig toegangsporit wat na of van 'n gebou lei;
 - (c) die wegdoening van sodanige water wat in 'n kelderverdieping gestort sou word as gevolg van aktiwiteite met betrekking tot die blus van vuur, direk in 'n stormwaterdrein; en
 - (d) voldoening aan die vereistes van SANS 0400 (Dele A, K, M, O, T, V en W) in sover dit betrekking het op brandbeskerming.
- (2) Onderhewig aan die bepalings van subartikel (3), moet elke eienaar van 'n gebou wat toegerus is met 'n transformator kamer verseker dat—
 - (a) die transformator kamer op grondvlak geleë is;
 - (b) toegang tot die transformator kamer vanaf die buitekant van die gebou is; en
 - (c) daar voldoende en geredelike toegang tot die transformator kamer is vir brandweer en onderhoud aktiwiteite.
- (3) Subartikels (1) en (2) is nie van toepassing op enige gebou wat bestaan tydens die inwerkingtreding van hierdie verordening nie.
- (4) Enige persoon wat subartikels (1) en (2) of Dele A, K, M, O, T, V en W van SANS 0400 in sover dit betrekking het op brandbeskerming oortree, begaan 'n misdryf.

26. Ontwerp en konstruksie van stortingsterreine

- (1) Elke persoon wat enige stortingsterrein ontwerp en bou, moet verseker dat dit ontwerp en gebou word in ooreenstemming met die instruksies van—
 - (a) die Departement van Waterwese en Bosbou; en
 - (b) die munisipaliteit.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

27. Ontwerp en konstruksie van ander strukture en persele

- (1) Elke persoon wat enige van die volgende strukture ontwerp, bou of oprig, moet verseker dat dit voldoen aan 'n rasionele ontwerp soos beoog deur die Nasionale Bouregulasies—
 - (a) enige graan silo;

- (b) any atrium;
 - (c) any air traffic control tower;
 - (d) any tower for telecommunications or other uses;
 - (e) any thatched structure which is larger than 20 square metres and situated within 4,5 metres of any boundary line of the property concerned;
 - (f) any tent or other temporary structure for holding a public gathering; and
 - (g) any open-plan commercial or industrial premises with a covering distance that exceeds 45 metres measured from any point in the premises to any escape or exit door.
- (2) Every person who designs or constructs any aircraft hanger or helicopter pad, must ensure that it—
- (a) complies with a rational design as contemplated by the National Building Regulations;
 - (b) provides for the effective drainage of any liquid from the floor of the hanger or helicopter pad or any approach to the aircraft hanger or helicopter pad;
 - (c) provides for the effective channelling of any liquid from the floor of the hanger or helicopter pad to a drainage area connected to a separator well;
 - (d) prevents the spread of any liquid from the floor of the hanger or helicopter pad; and
 - (e) is equipped with effective earthing devices for the discharge of static electricity.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

28. Requirements for sprinkler systems

- (1) If a sprinkler system is required in any building in accordance with SANS 0400, SANS 087 (Part III) or SANS 089 (Part I) or if the chief fire officer so requires, the owner or person in charge of the premises must ensure that the building is equipped with a sprinkler system.
- (2) Every person who designs, constructs or installs a sprinkler system must ensure that it is designed, constructed and installed—
- (a) in accordance with SANS 0287; and
 - (b) in compliance with the requirements of SANS 0400 (Parts A, K, M, O, T, V and W) insofar as it relates to fire protection.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

29. Requirements for extractor fan systems

- (1) Every person who designs, constructs or installs an extractor fan system, any related ducts or any similar chimney system and every owner or person in charge of the building in which such a system is installed must ensure that—
- (a) it is designed, constructed and installed in a manner } that provides for clearly demarcated, adequate and easy access for inspection, maintenance and repairs; and

- (b) enige atrium;
 - (c) enige lugverkeer beheertoring;
 - (d) enige toring vir telekommunikasie en en ander gebruike;
 - (e) enige dekgras struktuur wat groter as 20 vierkante meter is en geleë binne 4,5 meter van enige grenslyn van die betrokke eiendom;
 - (f) enige tent of ander tydelike struktuur vir die hou van 'n publieke byeenkoms; en
 - (g) enige oopplan kommersiële of industriële perseel met 'n dekkingsafstand wat 45 meter gemeet van enige punt in die perseel tot enige ontsnap- of uitgangseur, oorskry.
- (2) Elke persoon wat enige vliegtuigloods of helikopterstrook ontwerp of bou, moet verseker dat dit—
- (a) voldoen aan 'n rasonale ontwerp soos beoog deur die Nasionale Bouregulasies;
 - (b) voorsiening maak vir die effektiewe dreinerings van enige vloeistof van die vloer van die loods of helikopterstrook of enige toegang tot die vliegtuigloods of helikopterstrook;
 - (c) voorsiening maak vir die effektiewe kanalisering van enige vloeistof van die vloer van die loods of helikopterstrook na 'n dreineringsgebied verbind met 'n skeidingsput;
 - (d) die verspreiding van enige vloeistof van die vloer van die loods of helikopterstrook voorkom; en
 - (e) toegerus is met effektiewe aardapparate vir die wegdoen van statiese elektrisiteit.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

28. Vereistes vir sprinkelblusstelsels

- (1) Indien 'n sprinkelblusstelsel in enige gebou vereis word ooreenkomstig SANS 0400, SANS 087 (Deel III) of SANS 089 (Deel I) of indien die brandweerhoof so vereis, moet die eienaar of persoon in beheer van die perseel verseker dat die gebou toegerus is met 'n sprinkelblusstelsel.
- (2) Elke persoon wat 'n sprinkelblusstelsel ontwerp, bou of installeer moet verseker dat dit ontwerp, gebou of geïnstalleer word—
- (a) in ooreenstemming met SANS 0287; en
 - (b) met voldoening aan die vereistes van SANS 0400 (Dele A, K, M, O, T, V en W) insover dit betrekking het op brandbeskerming.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

29. Vereistes vir uittrekwaaiersstelsels

- (1) Elke persoon wat 'n uittrekwaaiersstelsel ontwerp, bou of installeer, enige geleidings in verband daarmee of enige soortgelyke skoorsteenstelsel en enige eienaar of persoon in beheer van die gebou waarin sodanige stelsel geïnstalleer word, moet verseker dat—
- (a) dit ontwerp, gebou en geïnstalleer word op 'n wyse wat voorsiening maak vir duidelike afgebakende, voldoende en maklike toegang vir inspeksie, onderhoud en herstelwerk; en

- (b) the conduit and outlet of any such system is installed in a manner that does not result in a fire hazard to any person or property.
- (2) Every owner or person in charge of a building in which an extractor fan system, any related ducts or any similar chimney system has been installed, must ensure that every filter, damper, screen or conduit forming an integral part of the system is regularly inspected, cleaned and maintained to ensure that fatty residues or any other combustible residues do not accumulate.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

30. Requirements for emergency exits

- (1) Every owner of a building must ensure that any escape door in that building—
 - (a) is fitted with hinges that open in the direction of escape; and
 - (b) is equipped with a fail-safe locking device or devices that do not require a key in order to exit.
- (2) Every owner of a building must ensure that any door in a feeder route
 - (a) is a double swing-type door;
 - (b) is not equipped with any locking mechanism.
- (3) Notwithstanding the provisions of subsection (2), if it is necessary that a door in a feeder route be locked for security reasons, the owner or person in charge of the building must provide an alternative means of escape approved by the chief fire officer.
- (4) No person may obstruct or allow the obstruction of any escape route from any premises that may prevent or hinder the escape of any person or animal from the premises in an emergency.
- (5) Where required by the chief fire officer, an escape route must be clearly indicated with signage, which complies with SANS 1186, indicating the direction of travel in the event of fire or any other emergency.
- (6) Any person who contravenes subsections (1), (2), (3), (4) and (5) commits an offence.

31. Requirement regarding fire doors and assemblies

- (1) Subject to the provisions of SANS 1253, a fire door and assembly must be maintained in such a manner that in the event of a fire it retains its integrity, insulation and stability for the time period required for that particular class of door.
- (2) A fire door may be kept open, only when it is equipped with an automatic releasing hold-open device approved by the chief fire officer.
- (3) A fire door and assembly may not be rendered less effective through the following actions—
 - (a) altering the integrity, insulation or stability of a particular class of door;
 - (b) disconnecting the self-closing mechanism;
 - (c) wedging, blocking or obstructing the door so that it cannot close;
 - (d) painting the fusible link actuating mechanism of a door;
 - (e) disconnecting or rendering less effective an electric or electronic release mechanism, or

- (b) die geleiding en uitlaat van enige sodanige stelsel geïnstalleer is op 'n wyse wat nie 'n brandgevaar vir enige persoon of eiendom tot gevolg sal hê nie.
- (2) Elke eienaar of persoon in beheer van 'n gebou waarin 'n uittrekwaaierstelsel, enige verbandhoudende geleidings of enige soortgelyke skoorsteenstelsel geïnstalleer is, moet verseker dat enige filter, demper, skerm of geleiding wat 'n integrale deel van die stelsel vorm gereeld geïnspekteer, skoongemaak en onderhou word ten einde te verseker dat vetterige oorblyfsels of enige ander brandbare oorblyfsels nie akkumuleer nie.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

30. Vereistes vir nooduitgange

- (1) Elke eienaar van 'n gebou moet verseker dat enige ontsnapdeur in die gebou—
 - (a) gemonteer is met skarniere wat in die rigting van ontsnapping oopmaak; en
 - (b) toegerus is met 'n faalvrye sluitingsapparaat of apparaat wat nie 'n sleutel benodig om uit te gaan nie.
- (2) Elke eienaar van 'n gebou moet verseker dat enige deur in 'n toevoerroe—
 - (a) 'n dubbel swaai-tipe deur is; en
 - (b) nie toegerus is met enige sluitmeganisme nie.
- (3) Nieteenstaande die bepalings van subartikel (2), indien dit nodig is dat 'n deur in 'n toevoerroe gesluit word vir veiligheidsredes, moet die eienaar of persoon in beheer van die gebou 'n alternatiewe ontsnapwyse goedgekeur deur die brandweerhoof, voorsien.
- (4) Geen persoon mag enige ontsnaproe van enige perseel belemmer of toelaat dat dit belemmer word sodat dit die ontsnapping van enige persoon of dier van die perseel tydens 'n noodgeval voorkom of hinder nie.
- (5) Waar vereis deur die brandweerhoof moet 'n ontsnaproe duidelik aangedui word met tekeninge wat aan SANS 1186 voldoen, tonende die rigting van ontsnap in die geval van vuur of ander noodgeval.
- (6) Enige persoon wat subartikels (1), (2), (3), (4) of (5) oortree begaan 'n misdryf.

31. Vereistes vir branddeure en toebehore

- (1) Onderworpe aan SANS 1253, moet 'n branddeur en toebehore op so 'n wyse onderhou word dat dit in die geval van 'n brand sy integriteit, insulasie en stabiliteit vir die tydperk vereis vir die besondere klas van deur, behou.
- (2) 'n Branddeur mag oopgehou word slegs wanneer dit toegerus is met 'n outomatiese ontsluiting oop-hou apparaat goedgekeur deur die brandweerhoof.
- (3) 'n Branddeur en toebehore mag nie minder effektief gemaak word deur die volgende aksies nie—
 - (a) verandering van die integriteit, insulasie of stabiliteit van 'n besondere klas van deur;
 - (b) diskonnektering van die selfsluitingsmeganisme;
 - (c) vasknelling, blokkering of belemmering van die deur sodat dit nie kan toemaak nie;
 - (d) verf van die sekeringskakel werkmeganisme van 'n deur;
 - (e) diskonnektering of minder effektief making van 'n elektriese of elektroniese losmeganisme; of

(f) any other action that renders a fire door or assembly less effective.

(4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

32. Design, identification and access for fire-fighting and rescue purposes

(1) Subject to the requirements of any applicable zoning scheme regulations or the conditions of establishment of any township, every person who plans, designs or constructs a building, excluding a dwelling house, must ensure that the premises on which the building is situated, are planned, designed and constructed so that—

(a) at least one elevation of the building fronts onto a street;

(b) if the premises do not front onto a street, an access road is provided with dimensions and carrying capacity approved in writing by the chief fire officer;

(c) a motorised or electronically operated gate is equipped in such a manner that access to the premises can be gained without the use of a motor or any other electronic device or any other assistance;

(d) there is a climate-proof and weather-proof parking surface for parking and operating fire brigade machines and equipment in an emergency—

(i) of dimensions at least 10 metres wide;

(ii) that runs the full length of the side elevation of the building that borders the surface; and

(iii) with a carrying capacity of at least 70 metric tons; and

(iv) any entrance arch to the premises provides an opening with dimensions at least 4 metres wide × 4,2 metres high, unless there is an alternative and easy access route to the premises of at least the same dimensions.

(2) For purposes of easy identification by any member in an emergency, every owner or person in charge of the premises must ensure that the correct street number of the premises—

(a) is displayed clearly on the street boundary of the premises in numbers at least 75 millimetres high;

(b) is visible from the street; and

(c) is maintained in a legible condition at all times.

(3) Any person who contravenes subsections (1) and (2) commits an offence.

33. Accessibility of fire-fighting equipment and fire installations

(1) Any fire-fighting equipment or fire protection installations installed on any premises must be accessible to the Service at all times.

(2) Any person, who causes or permits any fire-fighting equipment or fire protection installations to be obstructed or impedes such accessibility or operation, commits an offence.

34. Barricading of vacant buildings

(1) Every owner or person in charge of a building or portion of a building that is vacant must, to the satisfaction of the chief fire officer—

(f) enige ander aksie wat 'n branddeur of toebere minder effektief sal maak.

(4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan 'n misdryf.

32. Ontwerp, identifisering en toegang vir brandbestryding en reddingsdoeleindes

(1) Onderworpe aan die vereistes van enige toepaslike soneringskema regulasies of die stigtingsvoorwaardes van enige dorpsgebied, moet elke persoon wat 'n gebou, uitgesonder 'n woonhuis, beplan, ontwerp of bou verseker dat die perseel waarop die gebou geleë is, bepaal, ontwerp en gebou word sodat—

(a) ten minste een aansig van die gebou aan 'n straat front;

(b) indien die perseel nie aan 'n straat front nie, 'n toegangspad voorsien word met afmetings en drakapasiteit skriftelik goedgekeur deur die brandweerhoof;

(c) 'n gemotoriseerde of elektronies beheerde hek toegerus is op so 'n wyse dat toegang na die perseel verkry kan word sonder die gebruik van motoriese of enige ander elektroniese toestel of enige ander hulp;

(d) daar 'n klimaat-Proof en weer-Proof parkeeroppervlakte vir parkering en bedryf van brandweermasjiene en toerusting in 'n noodgeval is—

(i) met afmetings van ten minste 10 meter wyd;

(ii) wat die volle lengte van die syaansig van die gebou wat aan die oppervlak grens, behels; en

(iii) met 'n drakapasiteit van ten minste 70 metrieke ton; en

(iv) enige toegangsgewelf tot die perseel 'n opening voorsien met afmetings van ten minste 4 meter wyd × 4,2 meter hoog, tensy daar 'n alternatiewe en maklike toegangstroete na die perseel is met ten minste dieselfde afmetings.

(2) Vir doeleindes van maklike identifikasie deur enige lid tydens 'n noodgeval, moet elke eienaar of persoon in beheer van die perseel verseker dat die korrekte straatnommer van die perseel—

(a) duidelik op die straatgrens van die perseel vertoon word in nommers ten minste 75 millimeter hoog;

(b) sigbaar is van die straat; en

(c) in 'n leesbare toestand te alle tye onderhou word.

(3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

33. Toeganklikheid vir brandbestrydingstoerusting en brandinstallasies

(1) Enige brandbestrydingstoerusting of brandbeskermingsinstallasies geïnstalleer op enige perseel moet te alle tye vir die diens toeganklik wees.

(2) Enige persoon wat veroorsaak of toelaat dat enige brandbestrydingstoerusting of brandbeskermingsinstallasies belemmer word of sodanige toeganklikheid of bedryf strem, begaan 'n misdryf.

34. Versperring van leë geboue

(1) Enige eienaar of persoon in beheer van 'n gebou of gedeelte van 'n gebou wat leeg is, moet tot bevrediging van die brandweerhoof—

- (a) remove all combustible waste and refuse from the building; and
 - (b) block, barricade or otherwise secure all windows, doors and other openings in the building in a manner that will prevent the creation of any fire hazard caused by entering of the building by any unauthorised person.
- (2) Any person who contravenes subsection (1) commits an offence.

35. Fire protection for thatch roof structures

- (1) Any thatch roof construction with a span not exceeding 6 metres and which is supported by structural walls must comply with the provisions of SANS 10407: 2004.
- (2) A rational design must be provided for any thatch roof construction with a span exceeding 6 metres or where such construction is not supported by structural walls.
- (3) Where a new or replacement thatch structure is to be constructed for any building, the following must be incorporated into the design and construction of such thatch roof:
 - (a) The thatch density should not be less than 35 to 50 kg/m² for a thickness of 175 mm to 200 mm;
 - (b) Sisal binding twine shall be used;
 - (c) Construction of any thatch roof must be sound and all materials used therein must be of good quality;
 - (d) Where electrical wiring passes through the roof space of any thatch roof, all wiring shall be run in continuous conduit and all junction boxes shall be properly sealed;
 - (e) Where, in the opinion of the chief fire officer, the risk of lightning may pose a hazard, it may direct that certain occupancies, as he may determine, be protected by the installation of lightning conductors in accordance with SABS 03: 1985;
 - (f) All wooden components and all exposed surfaces of thatch must be treated with an approved fire retardant and the thatching must be rodent proofed;
 - (g) Upon completion of any thatch construction, the owner must provide the Chief Fire Officer with written certification of compliance with all of the provisions of regulation 21(3).
- (4) Where, in the opinion of the Chief Fire Officer, any fire in a thatched building will pose an unacceptable risk to any adjacent buildings or property or where its location will result in an increased risk from an external fire, the Chief Fire Officer may prescribe the installation of a sprinkler or drencher system, provided that such system may be manual or automatic in operation.
- (5) Any chimney passing through a thatch roof must be constructed so that:
 - (a) only full 220 mm bricks are used and laid so that the unexposed faces in contact with thatch do not become hot;
 - (b) all joints and spaces are properly filled with mortar;
 - (c) no wooden building component or decoration is built into or through any chimney;
 - (d) the top of any chimney stack must extend at least 1 metre above the highest point of the roof;

- (a) alle brandbare afval en vullis uit die gebou verwyder; en
 - (b) alle vensters, deure en ander openinge in die gebou blokkeer, versper of andersins beveilig op 'n wyse wat die skepping van enige brandgevaar veroorsaak deur toegang tot die gebou deur enige ongemagtigde persoon, voorkom.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

35. Brandbeskerming vir strooidakstrukture

- (1) Enige strooidakstruktuur met 'n omvang wat nie 6 meter oorskry nie en wat ondersteun word deur strukturele mure moet aan die bepalings van SANS 10407: 2004 voldoen.
- (2) 'n Rationele ontwerp moet voorsien word vir enige strooidakkonstruksie met 'n omvang van meer as 6 meter of waar sodanige konstruksie nie deur strukturele mure ondersteun word nie.
- (3) Waar 'n nuwe of vervangende dekstruktuur vir enige gebou gebou word, moet die volgende in die ontwerp en konstruksie van sodanige strooidak geïnkorporeer word—
 - (a) die dekdensiteit moet nie minder as 35 tot 50 kg/m² vir 'n dikte van 175 mm tot 200 mm wees nie;
 - (b) sisal bindingstou moet gebruik word;
 - (c) konstruksie van enige dekdak moet stewig wees en alle materiaal wat daarin gebruik word moet van goeie kwaliteit wees;
 - (d) waar elektriese bedrading deur die dakspasie van enige dekdak gelei word, moet alle bedrading in 'n aaneenlopende geleiding geplaas wees en alle aansluitingskaste moet behoorlik geseël wees;
 - (e) waar na die mening van die brandweerhoof die risiko van weerlig 'n gevaar mag inhou, mag opdrag gegee word dat sekere bewonings soos deur hom bepaal, beskerm word deur die installering van weerligafleiers ooreenkomstig SABS 03: 1985;
 - (f) alle houtkomponente en alle blootgestelde dekoppervlaktes moet behandel word met 'n goedgekeurde brandvertraging en die dek moet plaagbestand wees;
 - (g) by voltooiing van enige dekkonstruksie moet die eienaar die brandweerhoof van 'n skriftelike sertifikaat van voldoening aan al die bepalings van regulasie 21(3) voorsien.
- (4) Waar na die mening van die brandweerhoof enige brand in 'n strooidakgebou 'n onaanvaarbare gevaar vir enige aangrensende geboue of eiendom inhou of waar sy ligging 'n verhoogde gevaar van 'n eksterne brand kan veroorsaak, mag die brandweerhoof die installasie van 'n sprinkelblus of stortstelsel voorskryf; met dien verstande dat sodanige stelsel hand- of outomaties geopereer kan wees.
- (5) Enige skoorsteen deur 'n strooidak moet so gebou wees dat—
 - (a) slegs heel 220 mm bakstene gebruik en so gelê word dat die nie-blootgestelde dele wat in kontak met die dek is nie te warm raak nie;
 - (b) alle laste en spasies behoorlik gevul is met messelpleister;
 - (c) geen houtgebou komponent of dekorasie in of deur 'n skoorsteen gebou is nie;
 - (d) die punt van enige skoorsteenpyp moet ten minste 1 meter bokant die hoogste punt van die dak verbystee;

- (e) a spark arrestor comprising a stainless steel wire mesh measuring $10 \times 10 \times 1$ mm across the full width of the flue shall be fitted not less than 700 mm from the top of the stack.

- (6) Any person who contravenes subsections (1) to (5) commits an offence.

Part B: Fire-fighting equipment

36. Installation and maintenance of fire-fighting equipment

- (1) Every owner of a building must ensure that—
- all fire-fighting equipment and service installations on the premises are installed in a manner and condition ready for use in an emergency;
 - all portable and mobile fire-extinguishers and all hose reels on the premises are serviced and maintained in accordance with SANS 0105 and SANS 1475; and
 - all fire-fighting equipment and service installations on the premises are—
 - maintained in a good working condition by a competent person;
 - inspected and serviced in accordance with manufacturer specifications; and
 - are inspected by an appropriately registered and competent person at least once every 12 months; and
 - a comprehensive service record of all fire-fighting equipment and service installations on the premises is maintained and furnished to the chief fire officer every 12 months or as otherwise directed.
- (2) Every person who inspects, services or repairs any fire-fighting equipment or service installation must—
- on completing the inspection, service or repairs, as the case may be—
 - certify in writing that the equipment or installation concerned is fully functional; and
 - furnish that certificate to the owner of the premises; or
 - if the equipment or installation cannot readily be repaired to a functional state, notify the chief fire officer of this fact in writing without delay.
- (3) Except for purposes of inspection, service, repair or fire-fighting, no person may remove or interfere with any fire-fighting equipment or service installation at any premises.
- (4) No person may alter, damage, misuse or render ineffective any fire-fighting equipment or service installation at any premises.
- (5) Any person who contravenes subsections (1), (2), (3) and (4) commits an offence.

37. Fire alarms and fire hydrants

- (1) Without compensation to the owner of the premises concerned, the chief fire officer may cause:—
- a fire alarm;
 - a transmission instrument for calls of fire or other emergency, or

- (e) 'n vonkopvanger bestaande uit 'n vlekvrystaal maasdraad met afmetings $10 \times 10 \times 1$ mm oor die volle wydte van die skoorsteenkanaal moet aangebring word nie minder nie as 700mm van die punt van die skoorsteenpyp.

- (6) Enige persoon wat subartikels (1) tot (5) oortree begaan 'n misdryf.

Deel B: Brandbestrydingstoerusting

36. Installering en onderhoud van brandbestrydingstoerusting

- (1) Elke eienaar van 'n gebou moet verseker dat—
- alle brandbestrydingstoerusting en diensinstallasies op die perseel geïnstalleer is op 'n wyse en toestand gereed vir gebruik tydens 'n noodsituasie;
 - alle draagbare en mobiele brandblussers en alle waterslangtolle op die perseel gediens en onderhou word ooreenkomstig SANS 0105 en SANS 1475; en
 - alle brandbestrydingstoerusting en diensinstallasies op die perseel word—
 - in 'n goeie werkende toestand deur 'n bevoegde persoon onderhou;
 - geïnspekteer en gediens ooreenkomstig vervaardigerspesifikasies;
 - deur 'n toepaslik geregistreerde en bevoegde persoon ten minste elke 12 maande geïnspekteer; en
 - 'n volledige diensrekord van alle brandbestrydingstoerusting en diensinstallasies op die perseel onderhou en elke 12 maande of soos andersins opgedra, aan die brandweerhoof voorsien word.
- (2) Elke persoon wat enige brandbestrydingstoerusting of diensinstallasies inspekteer, diens of herstel moet—
- by voltooiing van die inspeksie, diens of herstelwerk, soos die geval mag wees—
 - skriftelik sertifiseer dat die betrokke toerusting of installasie ten volle funksioneel is; en
 - sodanige sertifikaat aan die eienaar van die perseel voorsien; of
 - indien die toerusting of installasie nie gereedelik tot 'n funksionele toestand herstel kan word nie, die brandweerhoof sonder vertraging skriftelik van sodanige feit in kennis stel.
- (3) Behalwe vir doeleindes van inspeksie, diens, herstel of brandbestryding mag geen persoon enige brandbestrydingstoerusting of diensinstallasie op enige perseel verwyder of mee inmeng nie.
- (4) Geen persoon mag enige brandbestrydingstoerusting of diensinstallasie op enige perseel verander, beskadig, misbruik of oneffektief maak nie.
- (5) Enige persoon wat subartikels (1), (2), (3) en (4) oortree begaan 'n misdryf.

37. Brandalarms en brandkrane

- (1) Sonder vergoeding aan die eienaar van die perseel betrokke mag die brandweerhoof bewerkstellig dat—
- 'n brandalarm;
 - 'n transmissie instrument vir brand oproepe of ander noodgeval; of

- (c) a transmission instrument for warning residents of a fire or other emergency,

to be affixed to any building, wall, fence, pole or tree.

- (2) Without compensation to the owner of the premises concerned, the chief fire officer may cause the position of a fire hydrant and fire alarm or any other fire protection information to be marked on any building, wall, fence, pole, tree, road, pavement or hydrant cover with a board, metal plate or painted marker or by any other means, as prescribed.
- (3) The chief fire officer may at any time cause a fire alarm, other transmission instrument mentioned in subsection (1), board, metal plate or painted marker to be removed from the premises concerned.
- (4) An unauthorised person is prohibited from removing, defacing, altering, tampering or damaging a fire alarm, other transmission instrument mentioned in subsection (1), board, metal plate or painted marker.
- (5) No person may render less effective, inoperative, inaccessible, obstruct or tamper and interfere with a fire hydrant.
- (6) Any person who contravenes subsections (1), (2), (3), (4) and (5) commits an offence.

Part C: Emergency evacuation plans

38. Chief fire officer may designate premises for emergency evacuation plans

- (1) The chief fire officer may by written notice designate any premises as premises requiring an emergency evacuation plan.
- (2) The notice contemplated in subsection (1), must be served on the premises concerned and addressed to the owner or person in charge of the premises.

39. Duties of owner or occupier of designated premises

- (1) The owner, or with the approval of the chief fire officer, the occupier, of any premises designated in terms of section 38 must—
- (a) prepare a comprehensive emergency evacuation plan for the premises in accordance with the guideline contained in Schedule 1 and submit it to the chief fire officer in triplicate within 30 days of service of the designation notice;
- (b) establish a fire protection committee comprised of occupiers of the premises to assist the owner or person in charge of the premises to organise a fire protection programme and regular and scheduled fire evacuation drills;
- (c) ensure that the emergency evacuation plan is reviewed—
- (i) at least every 12 months;
- (ii) whenever the floor layout of the premises is changed; and
- (iii) whenever the Chief Fire Officer requires revision of the plan;
- (d) ensure that an up-to-date emergency evacuation plan, any fire protection programmes, evacuation drills and any related documents are kept, maintained and at all times available in a control room on the premises for inspection by any member;
- (e) display the emergency evacuation plan at conspicuous positions inside the premises; and

- (c) 'n transmissie instrument vir waarskuwing aan inwoners van 'n brand of ander noodgeval,

bevestig word aan enige gebou, heining, paal of boom.

- (2) Sonder vergoeding aan die eienaar van die perseel betrokke mag die brandweerhoof bewerkstellig dat die posisie van 'n brandkraan en brandalarm of enige ander brandbeskerm inligting gemerk word op enige gebou, muur, heining, paal, boom, pad, sypaadjie of kraandeksel met 'n bord, metaalplaat of geverfde merker of op enige ander wyse, soos voorgeskryf.
- (3) Die brandweerhoof mag te enige tyd bewerkstellig dat 'n brandalarm, ander transmissie instrument gemeld in subartikel (1), bord, metaalplaat of geverfde merker verwyder word deur die eienaar van die perseel betrokke.
- (4) 'n Ongemagtigde persoon word verbied om 'n brandkraan, ander transmissie instrument gemeld in subartikel (1), bord, metaalplaat of geverfde merker te verwyder, skend, verander, peuter of te beskadig.
- (5) Geen persoon mag 'n brandkraan minder effektief, ondiensbaar of ontoeganklik maak of dit belemmer of daarmee peuter of inmeng nie.
- (6) Enige persoon wat subartikels (1), (2), (3), (4) en (5) oortree begaan 'n misdryf.

Deel C: Noodontruimingsplanne

38. Brandweerhoof mag perseel aanwys vir noodontruimingsplanne

- (1) Die brandweerhoof mag deur skriftelike kennisgewing enige perseel aanwys as perseel wat 'n noodontruimingsplan vereis.
- (2) Die kennisgewing beoog in subartikel (1) moet beteken word op die perseel betrokke en geadresseer wees aan die eienaar of persoon in beheer van die perseel.

39. Pligte van eienaar of okkupeerder van aangewysde perseel

- (1) Die eienaar, of met die goedkeuring van die brandweerhoof, die okkupeerder, van enige perseel aangewys ingevolge artikel 38 moet—
- (a) 'n volledige noodontruimingsplan vir die perseel voorberei ooreenkomstig die riglyn vervat in Bylae 1 en dit in drievoud aan die brandweerhoof voorlê binne 30 dae van betekening van die aanwysingskennisgewing;
- (b) 'n brandbeskermingskomitee instel bestaande uit bewoners van die perseel om die eienaar of persoon in beheer van die perseel by te staan om 'n brandbeskermingsprogram en gereelde en geskeduleerde brandontruimingsoefeninge te organiseer;
- (c) verseker dat die noodontruimingsplan hersien word—
- (i) ten minste elke 12 maande;
- (ii) wanneer die vloeruitleg van die perseel verander; en
- (iii) wanneer die brandweerhoof hersiening van die plan vereis.
- (d) verseker dat 'n opgedateerde noodontruimingsplan, enige brandbeskermingsprogram, brandontruimingsoefeninge en verbandhoudende dokumente gehou, onderhou en te alle tye in 'n beheerkamer op die perseel beskikbaar is vir inspeksie deur enige lid;
- (e) die noodontruimingsplan op 'n opsigtelike plek binne die perseel vertoon word; en

- (f) identify a place of safety off the designated premises, but in the immediate vicinity of the premises, where persons who reside or work on the premises may gather during an emergency for the purpose of compiling a list of survivors.
- (2) The chief fire officer may in respect of premises designated in terms of section 38—
- (a) require the review of any emergency evacuation plan by the owner or person in charge of the premises and may provide directions in this regard;
- (b) instruct the owner or person in charge of the premises to implement a fire protection program that the chief fire officer believes is necessary to ensure the safety of persons and property on the premises; and
- (c) require the owner or person in charge of the premises to provide the chief fire officer with a certified copy of the emergency evacuation plan and any associated documents at a specified time and place.

Part D: Public gatherings

40. Prohibition of public gatherings in certain circumstances

- (1) No person may hold a public gathering or allow a public gathering to be held in any building or temporary structure unless a certificate of fitness has been issued by the chief fire officer in respect of that building or temporary structure, unless a certificate of fitness previously issued in terms of this subsection, has not yet expired.
- (2) Subsection (1) does not apply in respect of a building or temporary structure which existed at the commencement of this by-laws, unless after that date—
- (a) the building or temporary structure is rebuilt, altered, extended or its floor layout is changed; or
- (b) ownership or control of the building or structure changes.
- (3) Any person who contravenes subsection (1) commits an offence.

41. Application for certificate of fitness

- (1) Every owner of a building or temporary structure intended for the holding of a public gathering must complete and submit to the chief fire officer an application form for a certificate of fitness in the form and manner as contemplated in section 43.
- (2) An application contemplated in subsection (1) must be submitted at least 30 days before any intended public gathering.
- (3) Any person who contravenes subsection (1) commits an offence.

42. Requirements for certificate of fitness

- (1) The chief fire officer may not issue a certificate of fitness in respect of a building or temporary structure—
- (a) unless the municipality is in possession of an up-to-date set of building plans for the premises;
- (b) unless the building or temporary structure complies with the requirements of this by-law; and
- (c) for a period of validity exceeding 12 months.

- (f) 'n plek van veiligheid buite die aangewese perseel, maar in die onmiddellike omgewing van die perseel, identifiseer waar persone wat op die perseel werk of woon kan byeenkom gedurende 'n noodsituasie vir doeleindes van samestelling van 'n lys van oorlewendes.

- (2) Die brandweerhoof mag ten opsigte van 'n perseel aangewys ingevolge artikel 38—
- (a) die hersiening van die noodontruimingsplan deur die eienaar of persoon in beheer van die perseel vereis en mag opdragte in hierdie verband gee;
- (b) die eienaar of persoon in beheer van die perseel opdrag gee om 'n brandbeskermingsprogram te implementeer wat na die mening van die brandweerhoof nodig is om die veiligheid van persone en eiendom te verseker; en
- (c) van die eienaar of persoon in beheer van die perseel vereis om die brandweerhoof op 'n gespesifiseerde tyd en plek te voorsien van 'n gesertifiseerde afskrif van die noodontruimingsplan en enige verbandhoudende dokumente.

Deel D: Publieke byeenkomste

40. Verbod op publieke byeenkomste in sekere omstandighede

- (1) Geen persoon mag 'n publieke byeenkoms hou of toelaat dat dit in enige gebou of tydelike struktuur gehou word tensy 'n sertifikaat van geskiktheid deur die brandweerhoof ten opsigte van die gebou of tydelike struktuur uitgereik is nie of tensy 'n sertifikaat van geskiktheid voorheen uitgereik ingevolge hierdie subartikel nog nie verval het nie.
- (2) Subartikel (1) is nie van toepassing ten opsigte van 'n gebou of tydelike struktuur wat ten tye van die inwerkingtreding van hierdie verordening bestaan het nie, tensy na sodanige datum—
- (a) die gebou of tydelike struktuur herbou, verander, verleng of sy vloeruitleg verander is; of
- (b) eienaarskap of beheer van die gebou of struktuur verander.
- (3) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

41. Aansoek vir sertifikaat van geskiktheid

- (1) Elke eienaar van 'n gebou of tydelike struktuur wat beoog word vir die hou van 'n publieke byeenkoms moet 'n aansoekvorm vir 'n sertifikaat van geskiktheid voltooi en aan die brandweerhoof voorlê in die formaat en wyse soos beoog in artikel 43.
- (2) 'n Aansoek beoog in subartikel (1) moet voorgelê word ten minste 30 dae voor enige beoogde publieke byeenkoms.
- (3) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

42. Vereistes vir sertifikaat van geskiktheid

- Die brandweerhoof mag nie 'n sertifikaat van geskiktheid ten opsigte van 'n gebou of tydelike struktuur uitreik nie—
- (a) tensy die munisipaliteit in besit is van 'n opgedateerde stel bouplanne vir die perseel;
- (b) tensy die gebou of tydelike struktuur aan die vereistes van hierdie verordening voldoen; en
- (c) met 'n geldigheidsperiode wat 12 maande oorskry nie.

43. Form and content of certificate of fitness

- (1) A certificate of fitness must be in the form as prescribed and must at least record the following information, where applicable—
 - (a) the trade name and street address of each occupier of the building or temporary structure;
 - (b) a description of the type of activity carried on by each occupier of the building or structure;
 - (c) the full names and addresses of the persons who serve on the governing or similar body of each occupier;
 - (d) the maximum permissible number of people who may be admitted to the useable floor area of the building or structure;
 - (e) the number of emergency exits and their dimensions; and
 - (f) the dates of issue and expiry of the certificate and its serial number.
- (2) Notwithstanding subsection (1), the chief fire officer may request additional information from the applicant.

44. Duties of holder of certificate of fitness

- (1) The holder of a certificate of fitness must—
 - (a) comply with the provisions of the certificate of fitness;
 - (b) at all times—
 - (i) display the certificate prominently on the premises; and
 - (ii) maintain the certificate in a legible condition;
 - (c) immediately notify the chief fire officer in writing of any change to the trade name, activity or governing or similar body of any occupier of the building or structure;
 - (d) submit any application for renewal of the certificate of fitness at least 30 days before its expiry in the form and manner prescribed.
- (2) Any person who contravenes subsection (1) commits an offence.

45. Cancellation of certificate of fitness

- (1) The chief fire officer may cancel any certificate of fitness in respect of premises or temporary structure if he has reason to believe that—
 - (a) the owner or person in charge of the premises concerned contravenes or fails to comply with any provision of this by-law; or
 - (b) the building or structure contravenes or does not comply with the requirements of this by-law.
- (2) Subject to subsection (3), before the chief fire officer cancels a certificate of fitness as contemplated in subsection (1), he must—
 - (a) give the owner or person in charge of the premises written notice of the intention to cancel the certificate of fitness and the reasons for such cancellation;

43. Vorm en inhoud van sertifikaat van geskiktheid

- (1) 'n Sertifikaat van geskiktheid moet in die voorgeskrewe formaat wees en moet ten minste die volgende inligting, waar toepaslik, bevat—
 - (a) die handelsnaam en straat adres van elke okkuperder van die gebou of tydelike struktuur;
 - (b) 'n beskrywing van die soort aktiwiteit wat deur elke okkuperder van die gebou of tydelike struktuur beoefen word;
 - (c) die volle name en adresse van die persone wat in die beheer- of soortgelyke liggaam van elke okkuperder dien;
 - (d) die maksimum toelaatbare getal persone wat toegang verleen mag word tot die bruikbare vloeroppervlak van die gebou of tydelike struktuur;
 - (e) die aantal nooduitgange en die afmetings daarvan; en
 - (f) die datums van uitreiking en verval van die sertifikaat en sy reeksnommer.
- (2) Nieteenstaande subartikel (1) mag die brandweerhoof addisionele inligting van die aansoeker versoek.

44. Pligte van houer van sertifikaat van geskiktheid

- (1) die houer van 'n sertifikaat van geskiktheid moet—
 - (a) voldoen aan die bepalings van die sertifikaat van geskiktheid;
 - (b) te alle tye—
 - (i) die sertifikaat prominent op die perseel vertoon; en
 - (ii) die sertifikaat in 'n leesbare toestand onderhou;
 - (c) die brandweerhoof onmiddellik skriftelik in kennis stel van enige verandering in die handelsnaam, aktiwiteit of beheer- of soortgelyke liggaam van enige okkuperder van die gebou of struktuur;
 - (d) enige aansoek vir hernuwing van die sertifikaat van geskiktheid ten minste 30 dae voor sy verval voorlê in die voorgeskrewe formaat en wyse.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

45. Kansellering van sertifikaat van geskiktheid

- (1) Die brandweerhoof mag enige sertifikaat van geskiktheid ten opsigte van persele of tydelike strukture kanselleer indien hy rede het om te glo dat—
 - (a) die eienaar of persoon in beheer van die perseel betrokke enige bepaling van hierdie verordening oortree of versuim om daaraan te voldoen; of
 - (b) die gebou of struktuur die vereistes van hierdie verordening oortree of nie daaraan voldoen nie.
- (2) Onderhewig aan subartikel (3), moet die brandweerhoof voordat hy 'n sertifikaat van geskiktheid kanselleer—
 - (a) aan die eienaar of persoon in beheer van die perseel skriftelike kennis gee van die voorneme om die sertifikaat van geskiktheid te kanselleer asook die redes vir sodanige kansellering;

- (b) give the owner or person in charge of the premises a period of at least 21 days to make written representations regarding the matter to the municipality.
- (3) If the chief fire officer has reason to believe that the failure to cancel a certificate of fitness may endanger any person or property, he may cancel a certificate of fitness without prior notice to the owner or person in charge of the premises as contemplated in subsection (2).
- (4) If the chief fire officer cancels a certificate of fitness in terms of subsection (3), he must—
 - (a) furnish the owner or person in charge of the premises or temporary structure concerned with written notice of the cancellation;
 - (b) give the owner or person in charge of the premises a period of at least 21 days to make written representations regarding the matter to the municipality.

Part E: Water supply for fire-fighting purposes

46. Township development water supply requirements

- (1) Every person who develops or redevelops a township must design and develop that township with a sufficient water supply, minimum fire flow and hydrant requirements as contemplated in section 11 of SANS 10090 and must furnish written proof of such compliance to the chief fire officer.
- (2) Every person who develops or redevelops a township must ensure that—
 - (a) the storage capacity and rate of replenishment of the reservoirs supplying water to the township are sufficient for the fire-fighting purposes contemplated in this by-law;
 - (b) the water supply from these reservoirs is reticulated in a manner that ensures that the water supply to any area in the township can be provided from at least two directions; and
 - (c) double supply mains are installed from the water supply source to the distribution reservoirs and double pumps are installed for the delivery of the water supply.
- (3) Subsection (2)(c) is deemed to be satisfied, if—
 - (a) the water is supplied to the township from more than one reservoir;
 - (b) each reservoir receives water from a separate supply main and pump; and
 - (c) the reservoirs are connected to each other.
- (4) Every person who develops or redevelops a township must ensure that—
 - (a) the water distribution system is designed and equipped with control valves positioned so that it is not necessary to close off any branch or any portion of the distribution system for more than 150 metres in any high risk area or for more than 300 metres in any moderate or low risk area in the event that the system, excluding any of the branches, is damaged or requires repair; and
 - (b) if the redevelopment of any township alters the fire risk category of any area in the township as contemplated in section 49, the water reticulation system is adapted without delay so as to comply with the requirements of sections 47 and 48.

- (b) aan die eienaar of persoon in beheer van die perseel ten minste 'n periode van 21 dae tyd gee om skriftelike vertoë oor die aangeleentheid aan die munisipliteit te maak.
- (3) Indien die brandweerhoof rede het om te glo dat versuim om 'n sertifikaat van geskiktheid te kanselleer enige persoon of eiendom in gevaar mag stel, mag hy 'n sertifikaat van geskiktheid sonder vooraf skriftelike kennis aan die eienaar of persoon in beheer van die perseel soos beoog in subartikel (2), kanselleer.
- (4) Indien die brandweerhoof 'n sertifikaat van geskiktheid ingevolge subartikel (3) kanselleer, moet hy—
 - (a) die eienaar of persoon in beheer van die perseel of tydelike struktuur betrokke van skriftelike kennis van die kansellasië voorsien;
 - (b) aan die eienaar of persoon in beheer van die perseel ten minste 'n periode van 21 dae tyd gee om skriftelike vertoë oor die aangeleentheid aan die munisipliteit te maak.

Deel E: Watervoorsiening vir brandbestrydingsdoeleindes

46. Dorpsontwikkeling watervoorsieningsvereistes

- (1) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet daardie dorpsgebied ontwerp en ontwikkel met 'n voldoende voorsiening van water, minimum brandvloei en brandkraan vereistes soos beoog in artikel 11 van SANS 10090 en moet skriftelike bewys van sodanige nakoming aan die brandweerhoof voorsien.
- (2) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat—
 - (a) die bergingskapasiteit en tempo van aanvulling van die reservoirs wat water aan die dorpsgebied voorsien voldoende is vir die brandbestrydingsdoeleindes beoog in hierdie verordening;
 - (b) die watervoorsiening vanaf hierdie reservoirs op 'n wyse geretikuleer word wat verseker dat die watervoorsiening aan enige gebied in die dorpsgebied van ten minste twee rigtings voorsien kan word; en
 - (c) dubbel hoofvoorsieningsgeleidings geïnstalleer is vanaf die watervoorsieningsbron na die distribusie reservoirs en dubbel pompe geïnstalleer is vir die lewering van die watervoorsiening.
- (3) Subartikel (2)(c) word geag bevredigend te wees indien—
 - (a) die water aan die dorpsgebied voorsien word vanaf meer as een reservoir;
 - (b) elke reservoir water ontvang vanaf 'n aparte hoofvoorsieningsgeleiding en pomp; en
 - (c) die reservoirs met mekaar verbind is.
- (4) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat—
 - (a) die water distribusiestelsel ontwerp en toegerus is met kontrolekleppe wat so geëposisioneer is dat dit onnodig is om enige tak of enige deel van die distribusiestelsel af te sluit vir meer as 150 meter in enige hoë risiko gebied of vir meer as 300 meter in enige matige of lae risiko gebied in geval die stelsel, uitgesluit enige van die takke, beskadig is of herstel vereis; en
 - (b) indien die herontwikkeling van enige dorpsgebied die brand risiko kategorie van enige gebied in die dorpsgebied verander soos beoog in artikel 49, die water retikulasiestelsel sonder vertraging aangepas word om te voldoen aan die vereistes van artikels 47 en 48.

- (5) The chief fire officer must inspect fire hydrants and conduct flow and pressure tests as contemplated in SANS 10090.
- (6) Any person who contravenes subsections (1), (2), (3) and (4) commits an offence.

47. Township development fire-extinguishing stream requirements

- (1) Every person who develops or redevelops a township must ensure that the water supply provides a fire-extinguishing stream that is immediately available to the municipality in an emergency, of the following volume and duration:

Fire risk category	Minimum volume of extinguishing stream (litres per minute)	Minimum duration of extinguishing stream (hours)
High risk	11 500	6
Moderate risk	5 750	4
Low risk	2 300	2

- (2) Any person who contravenes subsection (1) commits an offence.

48. Township development fire hydrant requirements

- (1) Every person who develops or redevelops a township must ensure that fire hydrants are plotted on a plan and installed in accordance with the following minimum delivery volumes and distance frequencies:

Fire risk category	Minimum fire hydrant delivery volume measured at peak consumption (litres per minute)	Minimum distance between fire hydrants (metres)
High risk	1 980	120
Moderate risk	1 150	180
Low risk	900	240

- (2) Every person who develops or redevelops a township must ensure that the position of fire hydrants is plotted accurately on a plan that is furnished to the chief fire officer for operational fire-fighting purposes.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

49. Fire risk categories

- (1) For purposes of sections 47 and 48, the following areas of a township must be regarded—
- (a) as high risk—
- (i) any factory area, high density shopping area, warehouse or commercial building;
 - (ii) any plantation, timber yard or wooden building;
 - (iii) any building higher than three storeys;
 - (iv) any building in which hazardous substances are used, handled or stored or in which hazardous processes are conducted; and
 - (v) any other area that has a high fire risk or high fire spread risk;
- (b) as moderate risk—
- (i) any area in which—
 - (aa) factories, commercial buildings or residential buildings are generally detached from each other and do not exceed three storeys; and

- (5) Die brandweerhoof moet brandkrane inspekteer en vloei en druktoetse uitvoer soos beoog in SANS 10090.
- (6) Enige persoon wat subartikels (1), (2), (3) en (4) oortree begaan 'n misdryf.

47. Dorpsontwikkeling brandblusser stroomvereistes

- (1) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat die watervoorsiening 'n brandbestrydingstroom voorsien wat onmiddellik vir die munisipaliteit beskikbaar is in 'n noodgeval, van die volgende volume en duur:

Brandrisiko kategorie	Minimum volume van blusstroom (liter per minuut)	Minimum duur van blusstroom (ure)
Hoë risiko	11 500	6
Matige risiko	5 750	4
Lae risiko	2 300	2

- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

48. Dorpsontwikkeling brandkraan vereistes

- (1) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat brandkrane op 'n plan aangebring en geïnstalleer word ooreenkomstig die volgende minimum lewering volumes en afstand frekwensies:

Brand risiko kategorie	Minimum brandkraan lewering volume gemeet tydens spitsverbruik (liter per minuut)	Minimum afstand tussen brandkrane (meter)
Hoë risiko	1 980	120
Matige risiko	1 150	180
Lae risiko	900	240

- (2) Elke persoon wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat die posisie van brandkrane akkuraat op 'n plan aangebring is en dat dit voorsien word aan die brandweerhoof vir operasionele brandbestrydingsdoeleindes.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

49. Brandrisiko kategorieë

- (1) Vir doeleindes van artikles 47 en 48, moet die volgende gebiede van 'n dorpsgebied geag word—
- (a) as 'n hoë risiko—
- (i) enige fabrieksgebied, hoë digtheidsinkopiegebied, pakhuis of kommersiële gebou;
 - (ii) enige plantasie, timmerwerf of houtgebou;
 - (iii) enige gebou hoër as 3 verdiepings;
 - (iv) enige gebou waarin gevaarhoudende stowwe gebruik, hanteer of geberg of waarin gevaarhoudende prosesse uitgevoer word; en
 - (v) enige ander gebied wat 'n hoë brand risiko of hoë brand verspreidingsrisiko het;
- (b) as matige risiko—
- (i) enige gebied waarin—
 - (aa) fabriek, kommersiële geboue of residensiële geboue in die algemeen losstaande van mekaar is en nie 3 verdiepings oorskry nie;

- (bb) the chief fire officer has not declared the materials processed or stored in these buildings as highly dangerous;
- (ii) any area where the fire risk and spread risk of fire is moderate; and
- (iii) any other area that is not a high or low risk area; and
- (c) as low risk—
 - (i) any area that is mainly residential or semi-rural;
 - (ii) any area that has predominantly detached, duet, cluster or town house developments; and
 - (iii) any area where the fire risk or risk of spread of fire is slight or insignificant.

50. Connections to water reticulation system

- (1) No person may obtain a water connection to the water reticulation system of the municipality unless the fire protection plans for the premises to be connected have been approved by the chief fire officer.
- (2) Every person or owner of premises who requires a water connection to the water reticulation system of the municipality must—
 - (a) if the premises to be connected are protected by a sprinkler installation, ensure that—
 - (i) the connection is calculated and designed for each sprinkler installation in accordance with a rational design as contemplated in the National Building Regulations, and
 - (ii) the size, delivery pressure and flow of the water connection is calculated in advance by the responsible engineer;
 - (b) if the chief fire officer requires a larger water connection for purposes of fire-fighting, provide the larger water connection;
 - (c) ensure that the size, work pressure and delivery flow, except in the case of a water connection to a sprinkler installation, is calculated and designed in accordance with SANS 0400 (Part W); and
 - (d) ensure that the water installation upon completion complies with the provisions of SANS-1:1994.
- (3) Any person who contravenes subsection (1) commits an offence.

Part F: Prevention of fire hazards

51. Applicable legislation

The municipality, taking cognisance of the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989), the National Veld and Forest Fires Act, 1998 (Act No. 101 of 1998), and the regulations made under these acts, adopts the provisions thereof in this part.

52. Certain fires prohibited

- (1) Subject to annual notices published by the Minister of Water Affairs and Forestry, no person may make or allow any other person to make a fire that may endanger any person, animal or property.
- (2) No person may burn or allow any other person to burn any refuse or combustible material—

- (bb) die brandweerhoof nie die materiaal wat in hierdie geboue geprosesseer of geberg word as hoogs gevaarlik verklaar het nie;
- (ii) enige gebied waar die brand risiko en brand verspreidingsrisiko matig is;
- (iii) enige ander gebied wat nie 'n hoë of lae risiko gebied is nie; en
- (c) as lae risiko—
 - (i) enige gebied wat hoofsaaklik residensieël of semi-landelik is;
 - (ii) enige gebied wat oorheersend losstaande, duet, groep of meenthuis ontwikkelings het; en
 - (iii) enige gebied waar die brand risiko of brand verspreidingsrisiko gering of onbeduidend is.

50. Aansluitings tot waternetwerkstelsel

- (1) Geen persoon mag 'n wateraansluiting tot die waternetwerkstelsel van die munisipaliteit verkry nie tensy die brandbeskermingsplanne vir die perseel wat aangesluit moet word, deur die brandweerhoof goedgekeur is.
- (2) Elke persoon of eienaar van persele wat 'n wateraansluiting tot die waternetwerkstelsel van die munisipaliteit verlang moet—
 - (a) indien die perseel wat aangesluit moet word beskerm word deur 'n sprinkelstelsel, verseker dat—
 - (i) die aansluiting bereken en ontwerp is vir elke sprinkelstelsel in ooreenstemming met 'n rasionele ontwerp soos beoog in die Nasionale Bouregulasies; en
 - (ii) die grootte, leweringsdruk en vloei van die wateraansluiting vooraf bereken is deur die verantwoordelike ingenieur;
 - (b) 'n groter wateraansluiting voorsien is indien vereis deur die brandweerhoof vir doeleindes van brandbestryding;
 - (c) verseker dat die grootte, werksdruk en leweringsvloei, behalwe in die geval van 'n wateraansluiting tot 'n sprinkelstelsel, bereken en ontwerp is ooreenkomstig SANS 0400 (Deel W); en
 - (d) verseker dat die wateraansluiting by voltooiing aan die bepalings van SANS 1 : 1994 voldoen.
- (3) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

Deel F: Voorkoming van brandgevaar

51. Toepaslike wetgewing

Die munisipaliteit, met kennisneming van die bepalings van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989), die Nasionale Wet op Veld- en Bosbrande, 1998 (Wet No 101 van 1998), en die regulasies gemaak ingevolge hierdie wetgewing, aanvaar die bepalings daarvan in hierdie deel.

52. Sekere vure verbode

- (1) Onderworpe aan die jaarlikse kennisgewings gepubliseer deur die Minister van Waterwese en Bosbou, mag geen persoon 'n vuur maak of 'n ander persoon toelaat om 'n vuur te maak wat enige persoon, dier of eiendom in gevaar mag stel nie.
- (2) Geen persoon mag, of enige ander persoon toelaat om, enige vullis of brandbare materiaal te verbrand nie—

- (a) without the prior written permission of the chief fire officer; or
 - (b) unless the refuse or combustible material is burnt in an approved incinerating device.
- (3) Any person, who makes a fire or allows any other person to make a fire, must take reasonable steps to ensure that the fire does not endanger any person, animal or property.
- (4) The prohibition in subsection (2) does not apply to any fire made—
- (a) in an approved and purpose-made stove, fireplace or hearth that forms an integrated part of a building or structure;
 - (b) for the purpose of preparing food on private premises set aside for that purpose; or
 - (c) in any device for preparing food which—
 - (i) is heated by electricity or liquefied petroleum gas; and
 - (ii) is so positioned that the fire does not endanger any person, animal or property.
- (5) Any person who contravenes subsections (1), (2), (3) and (4) commits an offence.

53. Storage and accumulation of combustible material prohibited

- (1) No person may store any combustible material or allow it to be stored, at any place or in any manner that may pose a fire hazard to any person, animal or property.
- (2) No person may allow the accumulation of dust at any place in quantities sufficient to pose a fire hazard to any person, animal or property.
- (3) No person may use or allow to be used any sawdust or similar combustible material to soak up any flammable liquid.
- (4) No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such quantities or in any manner that may pose a fire hazard to any person or property.
- (5) No person may allow any vegetation to become overgrown at any place under that person's control that may pose a fire hazard to any person, animal or property.
- (6) If a fire hazard contemplated in subsection (5) arises, the owner or person in charge of the premises must without delay eliminate the hazard or cause the hazard to be eliminated by—
 - (a) cutting any grass, leaves or weeds associated with the fire hazard to a maximum height of 150 millimetres;
 - (b) pruning, chopping down or sawing any shrub or tree; and
 - (c) removing any resulting combustible residue from the property.
- (7) Any person who contravenes subsections (1), (2), (3), (4), (5) and (6) commits an offence.

54. Electrical fittings, equipment and appliances

- (1) No person may cause or allow—
 - (a) any electrical supply outlet to be overloaded; or

- (a) sonder die vooraf skriftelike toestemming van die brandweerhoof; of
 - (b) tensy die vullis of brandbare matriaal in 'n goedgekeurde verbrandingsapparaat verbrand word.
- (3) Enige persoon wat 'n vuur maak of 'n ander persoon toelaat om 'n vuur te maak, moet redelike stappe neem om te verseker dat die vuur nie enige persoon, dier of eiendom in gevaar stel nie.
- (4) Die verbod in subartikel (2) is nie van toepassing op enige vuur wat gemaak word—
- (a) in 'n goedgekeurde en doelgemaakte stoof, vuurmaakplek of kaggel wat 'n integrale deel van 'n gebou of struktuur vorm nie;
 - (b) vir die doel om voedsel voor te berei op private persele wat vir daardie doel geormerk is; of
 - (c) in enige apparaat vir voorbereiding van voedsel wat—
 - (i) warm gemaak word deur elektrisiteit of vloeibare petroleumgas; en
 - (ii) so geposisioneer is dat die vuur nie enige persoon, dier of eiendom in gevaar stel nie.
- (5) Enige persoon wat subartikels (1), (2), (3) en (4) oortree begaan 'n misdryf.

53. Stoor en opberging van ontvlambare materiaal verbode

- (1) Geen persoon mag enige brandbare materiaal opberg of toelaat dat dit opgeberg word, op enige plek of op so 'n wyse dat dit 'n brandgevaar vir enige persoon, dier of eiendom inhou nie.
- (2) Geen persoon mag toelaat dat stof op enige plek in voldoende hoeveelhede ophoop om 'n brandgevaar vir enige persoon, dier of eiendom in te hou nie.
- (3) Geen persoon mag enige saagstof of soortgelyke brandbare materiaal gebruik of toelaat om gebruik te word om enige brandbare vloeistof op te week nie.
- (4) Geen persoon mag toelaat dat roet of ander brandbare materiaal in enige skoorsteen, rookgaskanaal of -gange in sodanige hoeveelhede ophoop of op enige wyse om 'n brandgevaar vir enige persoon of eiendom in te hou nie.
- (5) Geen persoon mag toelaat dat enige plantegroei op enige plek onder daardie persoon se beheer oorgroei sodat dit 'n brandgevaar vir enige persoon, dier of eiendom inhou nie.
- (6) Indien 'n brandgevaar soos bedoel in subartikel (5) ontstaan, moet die eienaar of persoon in beheer van die perseel sonder versuim die gevaar elimineer of bewerkstellig dat die gevaar geëlimineer word deur—
 - (a) enige gras, blare of onkruid geassosieer met die gevaar tot 'n maksimum hoogte van 150 millimeter sny;
 - (b) enige struik of boom snoei, afkap of afsaag; en
 - (c) enige oorsakende brandbare oorblyfsels van die eiendom verwyder.
- (7) Enige persoon wat subartikels (1), (2), (3), (4), (5) en (6) oortree begaan 'n misdryf.

54. Elektriese toebehore, toerusting en toestelle

- (1) Geen persoon mag veroorsaak of toelaat—
 - (a) dat enige elektriese kragpunt oorlaai word nie; of

(b) any electrical appliance or extension lead to be used in any manner that may pose a fire hazard to any person or property.

(2) Any person who contravenes subsection (1) commits an offence.

55. Flame-emitting devices

(1) No person may use or cause or allow the use of any flame-emitting device, including but not limited to any candle, lantern or torch, in any manner that may pose a fire hazard to any person or property.

(2) Any person who contravenes subsection (1) commits an offence.

56. Discard of flammable liquid or substance in sewers or drains

(1) No person may discard into, or cause, permit or allow a flammable liquid or flammable substance to enter any waste or foul water or storm water sewer or drain whether underground or on the surface.

(2) A person who becomes aware of any escape, whether accidental or otherwise, of any quantity of flammable liquid or flammable substance which is likely to constitute a fire hazard, from any premises or vehicle into any sewer or drain or any inlet or drain linking with such sewer or drain, must immediately report such escape to the chief fire officer.

(3) Any person who contravenes subsections (1) and (2) commits an offence.

57. Flammable gas

(1) No person may fill any balloon or other device with flammable gas without the written authority of the chief fire officer, and subject to such conditions as he may require after having regard to the circumstances of the specific case.

(2) Any person who contravenes subsection (1) commits an offence.

58. Smoking restrictions and discarding of combustibles

(1) If conditions exist where smoking may create a fire hazard on any premises, smoking must be prohibited and "No Smoking" signs complying with SANS 1186: Part 1, must be prominently displayed in positions as directed by the controlling authority.

(2) A person may not remove or damage a "No Smoking" sign.

(3) No person may light or smoke a cigarette or any other smoking materials or ignite or otherwise set fire to other material, nor hold or discard any lit or smouldering substance in any place where expressly prohibited.

(4) The owner or person in charge of any premises may not allow or permit any person to light or smoke a cigarette or any other smoking materials or ignite or otherwise set fire to any other material, nor hold or discard any lit or smouldering substance in any place where expressly prohibited.

(5) Where smoking is permitted, adequate provision must be made for the safe disposal of any smoking materials and matches.

(6) No person may discard or otherwise dispose of a burning cigarette or any other burning materials or objects including materials capable of self-ignition or capable of spontaneous combustion, on any road, in any road reserve or in any other public place.

(b) enige elektriese toestel of verlengkoord op enige wyse gebruik word wat 'n brandgevaar vir enige persoon of eiendom inhou nie.

(2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

55. Oopvlamtoestelle

(1) Geen persoon mag nie 'n oopvlamtoestel, ingesluit maar nie daartoe beperk nie, enige kers, lantern of fakkel gebruik of veroorsaak of toelaat dat dit gebruik word op enige wyse wat 'n brandgevaar vir enige persoon of eiendom kan inhou nie.

(2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

56. Wegdoen van vlambare vloeistof of stof in riole of dreine

(1) Geen persoon mag 'n vlambare vloeistof of vlambare stof wegdoen in, of veroorsaak, toestaan of toelaat dat dit enige afval- of besoedelde water of stormwaterriool of drein, hetsy ondergronds of op die oppervlakte, binnegaan nie.

(2) 'n Persoon wat bewus word van enige ontsnapping, hetsy toevallig of andersins, van enige hoeveelheid vlambare vloeistof of vlambare stof wat moontlik 'n brandgevaar kan inhou vanuit enige perseel of voertuig in enige riool of drein of enige inlaat of drein verbind met met sodanige riool of drein, moet onmiddellik sodanige ontsnapping aan die brandweerhoof rapporteer.

(3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

57. Vlambare gas

(1) Geen persoon mag enige ballon of ander apparaat met vlambare gas vul sonder die skriftelike magtiging van die brandweerhoof nie, en onderworpe aan sodanige voorwaardes soos hy mag vereis nadat ag geneem is van die omstandighede van die spesifieke aangeleentheid.

(2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

58. Rookbeperkings en wegdoen van ontvlambares

(1) Indien toestande bestaan waar rook 'n brandgevaar op enige perseel mag veroorsaak, moet rook verbied word en "Rook Verbode"-tekens wat aan SANS 1186: Deel 1 voldoen prominent vertoon word soos gelas deur die beheerowerheid.

(2) 'n Persoon mag nie 'n "Rook Verbode"-teken verwyder of beskadig nie.

(3) Geen persoon mag 'n sigaret of enige ander rookmateriale aansteek of rook nie, of andersins ander materiaal aansteek of aan die brand steek nie, of andersins enige aangesteekte of smeulende stof vashou of weggooi op enige plek waar dit uitdruklik verbode is.

(4) Die eenaar of persoon in beheer van enige perseel mag nie toelaat of toestaan dat enige persoon 'n sigaret of enige ander rookmateriale aansteek of rook nie, of andersins ander materiaal aansteek of aan die brand steek nie, of andersins enige aangesteekte of smeulende stof vashou of weggooi op enige plek waar dit uitdruklik verbode is.

(5) Waar rook toegelaat word, moet voldoende voorsiening gemaak word vir die veilige wegdoening van enige rookmateriale en vuurhoutjies.

(6) Geen persoon mag nie 'n brandende sigaret of enige ander brandende materiale of voorwerpe ingesluit materiale vatbaar vir self-aansteeking of vatbaar vir spontane ontbranding, op enige pad, in enige padreserwe of in enige ander openbare plek wegdoen of andersins wegmaak nie.

- (7) Where any cigarette, smoking materials or other burning materials, including materials capable of self-ignition or spontaneous combustion are discarded from a vehicle onto a road, or in any road reserve or any other place, it shall be presumed, in the absence of evidence to the contrary, that such action was performed by the driver of such vehicle.
- (8) Any person who contravenes the provisions of this section commits an offence.

59. Safety requirements for informal settlement areas

In the event of establishment of any informal settlement, inclusive of any temporary settlement area, the following minimum requirements shall apply:

- (a) a safety distance of 3 metres between structures shall be maintained;
- (b) the settlement must be divided into blocks of not more than 20 structures per block, with a minimum distance of 6 metres between blocks.

CHAPTER 5: REGULATION OF FIREWORKS

60. Designation of places and conditions

- (1) The municipality may designate any public place or street or any part thereof within the municipal area as the only place at which fireworks may be discharged.
- (2) The municipality may, on application of the owner or lawful occupier of any private open space as defined in the applicable zoning scheme regulations in its area of jurisdiction, designate such private open space as a place where fireworks may be discharged.
- (3) The list of places designated in terms of subsections (1) and (2) or any amendment thereof must be published by the municipality in terms of its communication strategy.
- (4) The municipality may impose conditions as to the dates on which, periods or time and hours when the discharge of fireworks may take place on any designated area and may further impose conditions as to the manner of discharge.
- (5) A person who fails to comply with any condition imposed in terms of subsection (4) commits an offence.

61. Discharge of fireworks

- (1) No person may discharge any fireworks outside an area designated by the municipality in terms of section 60.
- (2) Any person who wishes to present a fireworks display must apply to the Chief Fire Officer for authorisation by completing and submitting an application in the form and manner determined by the municipality together with the prescribed fee and a sketch plan of the proposed venue for the fireworks display, including the demarcated area for the discharge and fallout of the fireworks.
- (3) The application, prescribed fee and accompanying documentation must be submitted to the Chief Fire Officer at least 14 days before the date of the proposed fireworks display.

62. Dealing in fireworks

- (1) No person may deal in fireworks unless—
- (a) that person holds the required fireworks licence in terms of the Explosives Act; and
- (b) has written authority from the Chief Fire Officer.

- (7) Waar enige sigaret, rookmateriale of ander brandende materiale, ingesluit materiale vatbaar vir self-aansteeking of vatbaar vir spontane ontbranding, weggedoen word vanuit 'n voertuig op 'n pad, in enige padreserwe of enige ander plek, sal veronderstel word in die afwesigheid van bewys tot die teendeel, dat sodanige aksie deur die bestuurder van sodanige voertuig geneem is.
- (8) Enige persoon wat die bepalings van hierdie artikel oortree begaan 'n misdryf.

59. Veiligheidsvereistes vir informele nedersettingsareas

In die geval van die stigting van enige informele nedersetting, ingesluit enige tydelike nedersettingsarea, is die volgende minimum vereistes van toepassing—

- (a) 'n veiligheidsafstand van 3 meter tussen strukture sal gehandhaaf word;
- (b) die nedersetting moet verdeel word in blokke van nie meer as 20 strukture per blok, met 'n minimum afstand van 6 meter tussen blokke.

HOOFSTUK 5: REGULERING VAN VUURWERKE

60. Aanwys van plekke en voorwaardes

- (1) Die munisipaliteit mag enige openbare plek of straat of enige deel daarvan binne die munisipale gebied aanwys as die enigste plek waar vuurwerke afgevuur mag word.
- (2) Die munisipaliteit mag, by aansoek van die eienaar of wettige okkupeerder van enige private openbare plek soos omskryf in die toepaslike soneringskema regulasies in sy jurisdiksie gebied, sodanige private openbare plek aanwys as 'n plek waar vuurwerke afgevuur mag word.
- (3) Die lys van plekke aangewys ingevolge subartikels (1) en (2) of enige wysiging daarvan moet deur die munisipaliteit ingevolge sy kommunikasie strategie gepubliseer word.
- (4) Die munisipaliteit mag voorwaardes opleë ten opsigte van die datums waarop, periodes of tye en ure wanneer die afvuur van vuurwerke op enige aangewese gebied mag plaasvind en mag verder voorwaardes opleë ten aansien van die wyse van ontbranding.
- (5) 'n Persoon wat versuim om te voldoen aan enige voorwaarde opgelê ingevolge subartikel (4) begaan 'n misdryf.

61. Afvuur van vuurwerke

- (1) Geen persoon mag enige vuurwerke afvuur buite die gebied aangewys deur die munisipaliteit ingevolge artikel 60.
- (2) Enige persoon wat 'n vuurwerke vertoning wil aanbied moet by die brandweerhoof om magtiging aansoek doen deur 'n aansoekvorm in die formaat en wyse bepaal deur die munisipaliteit te voltooi en voor te lê tesame met die voorgeskrewe gelde en 'n sketsplan van die voorgename plek van die vuurwerke vertoning, ingesluit die afgebakende gebied vir die afvuur en uitval van die vuurwerke.
- (3) Die aansoek, voorgeskrewe gelde en gepaardgaande dokumente moet aan die brandweerhoof voorgelê word ten minste 14 dae voor die datum van die voorgestelde vuurwerke vertoning.

62. Handel in vuurwerke

- (1) Geen persoon mag met vuurwerk handel nie tensy—
- (a) daardie persoon in besit is van die vereiste vuurwerke lisensie ingevolge die Wet op Ontploffbare Stowwe; en
- (b) skriftelike magtiging van die brandweerhoof het.

- (2) Any person who wishes to obtain the written authority of the Chief Fire Officer to deal in fireworks as contemplated in subsection (1) must—
- complete an application in the form and manner determined by the municipality; and
 - submit it to the Chief Fire Officer together with the prescribed fee at least 30 days before the authority is required by the applicant.
- (3) The Chief Fire Officer may cancel any written authority to deal in fireworks if the holder of the authority contravenes any provision of this by-law.

63. Seizure of fireworks

A member of the Service may take into his possession any fireworks found by him in contravention of section 61(1) and such fireworks must be dealt with in terms of the relevant provisions of the Criminal Procedure Act relating to seizure and disposal.

CHAPTER 6: CERTIFICATE OF REGISTRATION FOR USE, HANDLING AND STORAGE OF FLAMMABLE SUBSTANCES

64. Use, handling and storage of flammable substances prohibited in certain circumstances

- (1) Subject to the provisions of subsection (3), no person may use, handle or store any flammable substance or allow such substance to be used, handled or stored on any premises unless that person is the holder of a certificate of registration issued by the chief fire officer in respect of the flammable substance and the premises concerned.
- (2) A certificate of registration contemplated in subsection (1) is not required if the flammable substance concerned is of any class and does not exceed the quantity stipulated in Schedule 2.
- (3) No person may use, handle or store any flammable substance in respect of which no certificate of registration is required or allow such substance to be used, handled or stored on any premises, unless the flammable substance—
- is used, handled or stored in a manner that ensures that—
 - no flammable substance nor any flammable substance fumes come into contact with any source of ignition that may cause the flammable substance or fumes to ignite;
 - in the event of a fire or other emergency, the escape of any person or animal is not hindered or obstructed in any way; or
 - is used, handled or stored—
 - in a naturally ventilated room that prevents the accumulation of fumes or gas;
 - in a suitable place outdoors that ensures the safe disposal of fumes or gas; or
 - is stored in strong, gas-tight containers and labelled as such.
- (4) Any person who contravenes subsections (1) and (3) commits an offence.

65. Application for certificate of registration for flammable substances

An application for a certificate of registration contemplated in section 64(1) must be completed and submitted in the form and manner prescribed.

- (2) Enige persoon wat die skriftelike magteging van die brandweerhoof wil verkry om met vuurwerke te handel soos beoog in subartikel (1) moet—
- 'n aansoekvorm voltooi in die formaat en wyse bepaal deur die munisipaliteit; en
 - dit aan die brandweerhoof tesame met die voorgeskrewe gelde voorlê ten minste 30 dae voordat die magtiging deur die aansoeker benodig word.
- (3) Die brandweerhoof mag enige magtiging om met vuurwerke te handel kanselleer indien die houer van die magtiging enige bepaling van hierdie verordening oortree.

63. Beslaglegging op vuurwerke

'n Lid van die diens mag enige vuurwerke wat deur hom gevind word in stryd met artikel 61(1) in sy besit neem en sodanige vuurwerke moet mee gehandel word ingevolge die betrokke gedeeltes van die Straffprosedewet met betrekking tot beslaglegging en weddoening.

HOOFSTUK 6: SERTIFIKAAT VAN REGISTRASIE VIR GEBRUIK, HANTERING EN OPBERGING VAN VLAMBARE STOWWE

64. Gebruik, hantering en opberging van vlambare stowwe verbode in sekere omstandighede

- (1) Onderhewig aan die bepalings van subartikel (3) mag geen persoon enige vlambare stof op enige perseel gebruik, hanteer of opberg nie of toelaat dat sodanige stof gebruik, hanteer of opgeberg word tensy sodanige persoon die houer is van 'n sertifikaat van registrasie ten opsigte van vlambare stowwe en die perseel betrokke uitgereik deur die brandweerhoof.
- (2) 'n Sertifikaat van registrasie beoog in subartikel (1) word nie benodig nie indien die vlambare stof betrokke van 'n klas is en nie die hoeveelheid aangedui in Bylae 2 oorskry nie.
- (3) Geen persoon mag enige vlambare stof op enige perseel gebruik, hanteer of opberg nie of toelaat dat sodanige stof gebruik, hanteer of opgeberg word tensy die vlambare stof—
- gebruik, hanteer of opgeberg word op 'n wyse wat verseker dat—
 - geen vlambare stof of enige vlambare stof dampe in aanraking kom met enige bron van aansteking wat mag veroorsaak dat die vlambare stof of dampe ontbrand nie;
 - in die geval van 'n brand of ander noodgeval, die ontsnapping van enige persoon of dier nie belemmer of gehinder word nie.
 - gebruik, hanteer of opgeberg word—
 - in 'n natuurlik geventileerde vertrek wat die versameling van dampe of gas;
 - in 'n geskikte plek buite wat die veilige wegdoening van dampe of gas verseker; of
 - die vlambare stof opgeberg word in sterk, gasdigte en geëtiketteerde houers.
- (4) Enige persoon wat subartikels (1) en (3) oortree begaan 'n misdryf.

65. Aansoek om sertifikaat van registrasie vir vlambare stowwe

'n Aansoek vir 'n sertifikaat van registrasie beoog in artikel 64(1) moet voltooi en voorgelê word in die formaat en wyse voorgeskryf.

66. Issue of certificate of registration

- (1) If the chief fire officer issues a certificate of registration to any person, he must endorse on the certificate—
 - (a) the class and quantity of the flammable substance for which the premises have been registered;
 - (b) the number of storage tanks or storage facilities on the premises and their capacities;
 - (c) the number of flammable substance storerooms on the premises and their capacities;
 - (d) the number of liquefied petroleum gas installations, types of installations and the combined capacity of all cylinders that may be stored on the premises;
 - (e) the number of storage facilities for any other flammable substance and the volume of each such facility;
 - (f) the period of validity and expiry date of the certificate; and
 - (g) the physical address of the premises and the name and postal address of the occupant.
- (2) A certificate of registration—
 - (a) is not transferable between premises;
 - (b) may not be issued by the chief fire officer for a period exceeding 12 months;
 - (c) may be transferred to the new owner of the premises in respect of which it was issued, only if an application for such transfer is approved by the chief fire officer in writing.
- (3) A certificate of registration is valid only for—
 - (a) the installation for which it was issued;
 - (b) the state of the premises at the time of issue; and
 - (c) for the quantities of flammable substance stated on the certificate.

67. Availability of certificate of registration at premises

The holder of a certificate of registration must ensure that the certificate is available on the premises concerned at all times for inspection by any member.

68. Fire-fighting equipment

- (1) Any person who holds a certificate of registration or other authorisation contemplated in this by-law must ensure that the premises to which the authorisation applies, are equipped with—
 - (a) subject to the provisions of subsection (6), portable fire extinguishers—
 - (i) as specified in SANS 1567 (carbon dioxide-type), SANS 810 (dry chemical-type), SANS 1573 (foam-type) and SANS 1571 (transportable-type);
 - (ii) in such numbers as is appropriate in each section of the premises in accordance with the SANS codes applicable to the flammable substance and risk concerned;
 - (b) if applicable, hose reels as specified in SANS 453 (hose reels), that are connected to a water supply—
 - (i) as contemplated in SANS 0400 (Part W); and

66. Uitreiking van sertifikaat van registrasie

- (1) Indien die brandweerhoof 'n sertifikaat van registrasie aan enige persoon uitreik, moet hy op die sertifikaat endosseer—
 - (a) die klas en hoeveelheid van die vlambare stof waarvoor die perseel geregistreer is;
 - (b) die getal opbergingsstenks of opbergingsfasiliteite op die perseel en hul kapasiteite;
 - (c) die getal van vlambare stof stoorkamers op die perseel en hul kapasiteite;
 - (d) die getal vloeibare petroleumgas installasies, soorte van installasies en die gekombineerde kapasiteit van al die silinders wat op die perseel geberg mag word;
 - (e) die getal opbergingsfasiliteite vir enige ander vlambare stof en die volume van elke sodanige fasiliteit;
 - (f) die geldigheidstydperk en vervaldatum van die sertifikaat; en
 - (g) die fisiese adres van die perseel en die naam en posadres van die okkupeerder.
- (2) 'n Sertifikaat van registrasie—
 - (a) is nie oordraagbaar tussen persele nie;
 - (b) mag nie deur die brandweerhoof uitgereik word vir 'n tydperk wat 12 maande oorskry nie;
 - (c) mag aan die nuwe eienaar van die perseel ten opsigte waarvan dit uitgereik is, oorgedra word slegs indien 'n aansoek vir sodanige oordrag skriftelik deur die brandweerhoof goedgekeur is.
- (3) 'n Sertifikaat van registrasie is slegs geldig vir—
 - (a) die installasie waarvoor dit uitgereik is;
 - (b) die toestand van die perseel ten tye van uitreiking; en
 - (c) die hoeveelheid van vlambare stof gemeld in die sertifikaat.

67. Besikbaarheid van sertifikaat van registrasie by persele

Die houër van 'n sertifikaat van registrasie moet verseker dat die sertifikaat te alle tye op die perseel betrokke beskikbaar is vir inspeksie deur enige lid.

68. Brandbestrydingstoerusting

- (1) Enige persoon wat die houër is van 'n sertifikaat van registrasie of ander magtiging beoog in hierdie verordening moet verseker dat die perseel waarop die magtiging van toepassing is, toegerus is met—
 - (a) Onderhewig aan die bepalings van subartikel (6), draagbare brandblussers—
 - (i) soos gespesifiseer is SANS 1567 (koolstof dioksied-soort), SANS 810 (droë chemiese-soort), SANS 1573 (skuim-soort) en SANS 1571 (vervoerbare-soort);
 - (ii) in sodanige getalle soos wat toepaslik is in elke afdeling van die perseel in ooreenstemming met die SANS kodes van toepassing op die vlambare stof en risiko betrokke;
 - (b) indien van toepassing, slangtolle soos gespesifiseer in SANS 453 (slangtolle), wat verbind is met 'n watervoorsiening—
 - (i) soos beoog in SANS 0400 (Deel W); en

- (ii) that enables each hose reel to maintain a minimum flow of 0,5 litres per second at a minimum work pressure of 300 kPa;
- (c) if applicable, fire hydrants—
 - (i) with couplings as specified in SANS 1128 (Part II) (fire-fighting equipment- couplings); and
 - (ii) in a ratio of at 1 to every 1 000 square metres or part thereof.
- (d) if applicable, in relation to any above-ground facility, a sprinkler system or dilute system that—
 - (i) is approved by the chief fire officer; and
 - (ii) with the exception of temporary storage facilities, is installed in a position indicated in the building plans for the premises.
- (2) Notwithstanding the provisions of subsection (1), if the chief fire officer believes that there is any exceptional hazard or risk in respect of the premises concerned, he may—
 - (a) specify the type of fire extinguisher to be installed;
 - (b) require that a greater number of fire extinguishers be installed; and
 - (c) require that a fire detection or warning system be installed.
- (3) The holder of any certificate of registration or other authorisation contemplated in this by-law must ensure that all fire-fighting equipment contemplated in subsection (1)—
 - (a) is inspected, maintained and serviced to the satisfaction of the chief fire officer—
 - (i) by a competent, registered and appropriately qualified tradesman in accordance with the provisions of SANS 1015 and SANS 1475;
 - (ii) at least every 12 months;
 - (b) if installed outside the premises, is adequately protected from the weather; and
 - (c) is positioned prominently or where this is not possible, the position of the fire-fighting equipment is clearly indicated by a symbolic safety sign—
 - (i) in accordance with the specifications of SANS 1186; and
 - (ii) to the satisfaction of the chief fire officer.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

69. Amendment to certificate of registration

The chief fire officer may amend any certificate of registration on application by the holder.

70. Cancellation of certificate of registration

The provisions of section 45, read with the necessary changes, apply to any cancellation by the chief fire officer of a certificate of registration.

71. Renewal of certificate of registration

Any application for the renewal of a certificate of registration must be submitted to the chief fire officer at least 30 days prior to the expiry date of the certificate.

- (ii) wat elke slangtol in staat stel om 'n maksimum vloeï van 0,5 liter per sekonde teen 'n minimum werksdruk van 300kPa te handhaaf;
- (c) indien van toepassing, brandkrane—
 - (i) met koppelings soos gespesifiseer in SANS 1128 (Deel II) (brandbestrydingstoerusting-koppelings); en
 - (ii) in 'n ratio van 1 vir elke 1 000 vierkante meter of deel daarvan; en
- (d) indien van toepassing, in verhouding tot enige bogronde fasiliteit, 'n sprinkelblusstelsel of verdunningstelsel wat—
 - (i) goedgekeur is deur die brandweerhoof; en
 - (ii) met uitsondering van tydelike opbergings-fasiliteite, geïnstalleer is in 'n posisie aangetoon op die bouplanne van die perseel.
- (2) Nieteenstaande die bepalings van subartikel (1), indien die brandweerhoof glo dat daar 'n buitengewone gevaar of risiko is ten opsigte van die perseel betrokke mag hy—
 - (a) die soort brandblusser wat geïnstalleer moet word spesifiseer;
 - (b) vereis dat 'n groter getal brandblussers geïnstalleer word; en
 - (c) vereis dat 'n brandbespeuring of waarskuwingstelsel geïnstalleer word.
- (3) Die houër van enige sertifikaat van registrasie of ander magtiging beoog in hierdie verordening moet verseker dat alle brandbestrydingstoerusting beoog in subartikel (1)—
 - (a) tot bevrediging van die brandweerhoof geïnspekteer, onderhou en gediens word—
 - (i) deur 'n bevoegde, geregistreerde en toepaslik gekwalifiseerde ambagsman ooreenkomstig SANS 1015 en SANS 1475;
 - (ii) ten minste elke 12 maande;
 - (b) indien geïnstalleer buite die perseel, voldoende beskerm word teen die weer; en
 - (c) prominent geposisioneer is, en indien dit nie moontlik is nie, die posisie van die brandbestrydingstoerusting duidelik aangetoon word deur 'n simboliese veiligheidstekens—
 - (i) in ooreenstemming met die spesifikasies van SANS 1186; en
 - (ii) tot bevrediging van die brandweerhoof.
- (4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan 'n misdryf.

69. Wysiging van sertifikaat van registrasie

Die brandweerhoof mag op aansoek van die houër enige sertifikaat van registrasie wysig.

70. Kansellasië van sertifikaat van registrasie

Die bepalings van artikel 45, saamgelees met die nodige wysigings, is van toepassing op enige kansellasië van 'n sertifikaat van registrasie deur die brandweerhoof.

71. Hernuwing van sertifikaat van registrasie

Enige aansoek vir die hernuwing van 'n sertifikaat van registrasie moet aan die brandweerhoof voorgelê word ten minste 30 dae voor die vervaldatum van die sertifikaat.

72. No authorisation required for certain motor vehicle fuel tanks

No certificate of registration contemplated in section 64(1) or any other authorisation contemplated in this by-law is required in respect of flammable liquids in a fuel tank—

- (a) of any motor vehicle; and
- (b) of any stationary engine if the volume of the fuel tank does not exceed 1 000 litres.

73. Record of certificates of registration

The chief fire officer must keep updated records of all premises in respect of which a certificate of registration has been issued, amended or renewed.

CHAPTER 7: DECLARATION OF FIRE CONTROL ZONES**74. Fire control zones**

- (1) Where the Chief Fire Officer is of opinion that a fire control zone should be declared in an area or that a fire control zone should be disestablished, he or she must, after consultation with the Fire Protection Association for its area of jurisdiction, cause such intention to be published in terms of the municipality's public participation policy.
- (2) If the municipality is of opinion that any objection or comment should be investigated, it may decide to hold a public enquiry.
- (3) If the municipality decides to hold a public inquiry, it must:
 - (a) appoint a suitably qualified person or panel of persons to hold such enquiry; and
 - (b) determine the procedure for the public inquiry, which may include a public hearing.
- (4) The person or panel of persons appointed to hold such enquiry must conduct the inquiry in accordance with the procedure prescribed and compile a written report to the relevant portfolio committee on the inquiry and give reasons for any administrative action recommended.
- (5) Where practical, the municipality shall as soon as possible after the submission of the report to the relevant portfolio committee, publish a concise summary of such report and the particulars of the places and times at which the report may be inspected and copied; and
- (6) After the municipality has taken into account any comment or objection in respect of such proposed declaration or disestablishment it may declare a fire control zone or disestablish any such fire control zone concerned.
- (7) The municipality must publish such zone or amended zone.

CHAPTER 8: GENERAL PROVISIONS REGARDING THE USE, HANDLING AND STORAGE OF FLAMMABLE SUBSTANCES**75. General prohibitions regarding the use, handling and storage of flammable substances**

- (1) No person who uses, handles or stores a flammable substance or allows them to be used, handled or stored on any premises may—
 - (a) do anything or allow anything to be done that may result in or cause a fire or explosion;
 - (b) do anything or allow anything to be done that may obstruct the escape to safety of any person or animal during an emergency.

72. Geen magtiging benodig vir sekere motorvoertuig brandstoftanks

Geen sertifikaat van registrasie beoog in artikel 64(1) of enige ander magtiging beoog in hierdie verordening word vereis ten opsigte van vlambare vloeistowwe in 'n brandstoftank—

- (a) van enige motorvoertuig; en
- (b) van enige vaste enjin indien die volume van die brandstoftank nie 1 000 liter oorskry nie.

73. Rekord van sertifikate van registrasie

Die brandweerhoof moet opgedateerde rekords van alle persele ten opsigte waarvan 'n sertifikaat van registrasie uitgereik, gewysig of hernu is, hou.

HOOFSTUK 7: VERKLARING VAN BRANDBEHEERSONES**74. Brandbeheersone**

- (1) Waar die brandweerhoof van mening is dat 'n brandbeheersone verklaar moet word in 'n gebied of dat 'n brandbeheersone afgeskaf moet word, moet hy of sy na oorlegpleging met die Brandbeskermingsvereniging vir sy jurisdiksie gebied, bewerkstellig dat sodanige voorneme gepubliseer word ingevolge die munisipaliteit se openbare deelname beleid.
- (2) Indien die munisipaliteit van mening is dat enige beswaar of kommentaar ondersoek moet word, mag dit die hou van 'n openbare ondersoek oorweeg.
- (3) Indien die munisipaliteit besluit om 'n openbare ondersoek te hou, moet dit—
 - (a) 'n toepaslik gekwalifiseerde persoon of paneel van persone aanstel om sodanige ondersoek te hou; en
 - (b) die prosedure vir die openbare ondersoek bepaal, wat 'n openbare verhoor mag insluit.
- (4) Die persoon of paneel persone aangestel om sodanige ondersoek te hou moet die ondersoek ooreenkomstig die voorgeskrewe prosedure uitvoer en 'n geskrewe verslag oor die ondersoek aan die portefeulje komitee opstel en redes verskaf vir enige administratiewe aksie wat aanbeveel word.
- (5) Waar prakties, sal die munisipaliteit so spoedig moontlik na voorlegging van die verslag aan die betrokke portefeulje komitee, 'n bondige opsomming van sodanige verslag en die besonderhede en plekke en tye waarop die verslag geïnspekteer en gekopieër mag word, publiseer; en
- (6) Nadat die munisipaliteit enige kommentaar of beswaar ten opsigte van sodanige verklaring of afskaffing in ag geneem het, mag dit 'n brandbeheersone verklaar of enige sodanige brandbeheersone betrokke afskaf.
- (7) Die munisipaliteit moet sodanige sone of gewysigde sone publiseer.

HOOFSTUK 8: ALGEMENE BEPALINGS MET BETREKKING TOT GEBRUIK, HANTERING EN OPBERGING VAN VLAMBARE STOWWE**75. Algemene verbodbepalings vir die gebruik, hantering en opberging van vlambare stowwe**

- (1) Geen persoon wat 'n vlambare stof gebruik, hanteer of opberg of die gebruik, hantering of opberging daarvan op enige perseel toelaat, mag—
 - (a) enigiets doen of toelaat dat enigiets gedoen word wat 'n brand of ontploffing mag veroorsaak nie;
 - (b) enigiets doen of toelaat dat enigiets gedoen word wat die ontsnapping na veiligheid van enige persoon of dier tydens 'n noodgeval mag belemmer nie.

- (2) No person may—
- (a) dump or spill or allow the dumping or spilling of any flammable substance into any borehole, sewer, drain system or surface water;
 - (b) discard or allow the discarding of any flammable substance from any premises in any way other than by a competent person who is properly equipped and authorised to do in terms of this by-law;
 - (c) make or bring any fire or device capable of producing an open flame or allow any other person to do so, within 5 metres of any place where a flammable substance is stored;
 - (d) use or allow to be used any device in connection with a flammable substance in any basement level of a building, other than a gas welding or cutting device, used for the sole purpose of maintenance of the building;
 - (e) while any person, except the driver or any other person responsible for a bus contemplated in the National Road Traffic Act, is in or on the bus—
 - (i) fill or allow the filling of its fuel tank; or
 - (ii) transport or allow the transport of any flammable substance on the bus, except in its fuel tank; and
 - (f) deliver or supply or allow to be delivered or supplied, any flammable substance to any premises unless the owner or person in charge of the premises is in possession of a valid certificate of registration.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

76. Use, handling and storage of liquefied petroleum gas

- (1) No person may use, handle or store liquefied petroleum gas in any quantity exceeding that stipulated in Schedule 2 unless—
 - (a) the person is in possession of a certificate of registration contemplated in section 64; and
 - (b) the use, handling and storage of the liquefied petroleum gas complies with the requirements of SANS 087, Parts 1, 3, 7 and 10.
- (2) Liquid petroleum gas may only be used, handled or stored within property boundaries and in compliance with safety distances stipulated in SANS 087, Parts 1, 3, 7 and 10.
- (3) Any storage of liquid petroleum gas cylinders at any service station for retail purposes must comply with SANS 087, Part 7.
- (4) No liquid petroleum gas cylinder may be used, handled or stored at any public exhibition or demonstration without the prior written permission of the chief fire officer.
- (5) An application for permission contemplated in subsection (4) must be made in writing at least 14 days before the event concerned.
- (6) The chief fire officer may impose any reasonable condition on the use, handling and storage of liquid petroleum gas cylinders at a public exhibition or demonstration, including but not limited to, the number of cylinders, the manner of storage, safety distances and other safety requirements.

- (2) Geen persoon mag—
- (a) enige vlambare stof stort of uitgooi of toelaat dat dit gestort of uitgegooi word in enige boorgat, riool, dreinstelsel of oppervlakwater nie;
 - (b) enige vlambare stof wegdoen of toelaat dat dit weggedoen word van enige perseel op enige wyse anders as deur 'n bevoegde persoon wat behoorlik toegerus en gemagtig is om dit ingevolge hierdie verordening te doen;
 - (c) enige vuur of apparaat wat geskik is om 'n oop vlam te produseer binne 5 meter van enige plek waar 'n vlambare stof opgeberg word, maak of bring of enige ander persoon toelaat om dit te doen nie;
 - (d) enige apparaat in verband met 'n vlambare stof, anders as 'n gassweis of snyapparaat, wat uitsluitlik gebruik word vir onderhoud van die gebou, in enige keldervlak van 'n gebou gebruik of die gebruik daarvan toelaat nie;
 - (e) terwyl enige persoon, behalwe die bestuurder of enige ander persoon verantwoordelik vir 'n bus beoog in die Nasionale Padverkeerswet, in of op die bus is—
 - (i) die brandstoftenk volmaak of die volmaak daarvan toelaat; of
 - (ii) op die bus enige vlambare stof, behalwe in sy brandstoftenk, vervoer of die vervoer toelaat; en
 - (f) enige vlambare stof aan enige perseel aflewer of voorsien of die aflewering of voorsiening toelaat nie tensy die eienaar of persoon in beheer van die perseel in besit is van 'n geldige sertifikaat van registrasie.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

76. Gebruik, hantering en opberging van vloeibare petroleumgas

- (1) Geen persoon mag vloeibare petroleumgas in enige hoeveelheid wat dié aangedui in Bylae 2 oorskry, gebruik, hanteer of opberg nie tensy—
 - (a) die persoon in besit is van 'n sertifikaat van registrasie beoog in artikel 64; en
 - (b) die gebruik, hantering en opberging van die vloeibare petroleumgas aan die vereistes van SANS 087, Dele 1, 3, 7 en 10 voldoen.
- (2) Vloeibare petroleumgas mag slegs gebruik, hanteer en opgeberg word binne perseelgrense en met voldoening aan die veiligheidsafstande bepaal in SANS 087, Dele 1, 3, 7 en 10.
- (3) Enige opberging van vloeibare petroleumgassilinders by enige diensstasie vir kleinhandeldoeleindes moet aan SANS 087, Deel 7, voldoen.
- (4) Geen petroleumgassilinder mag by enige openbare uitstalling of demonstrasie sonder die vooraf skriftelike toestemming van die brandweerhoof gebruik, hanteer of opgeberg word nie.
- (5) 'n Aansoek om toestemming beoog in subartikel (4) moet skriftelik gedoen word ten minste 14 dae voor die betrokke gebeurtenis.
- (6) Die brandweerhoof mag enige redelike voorwaardes oplê vir die gebruik, hantering of opberging van vloeibare petroleumgassilinders by enige openbare uitstalling of demonstrasie, ingesluit maar nie daartoe beperk nie, tot die getal silinders, wyse van opberging, veiligheidsafstande en ander veiligheidsvereistes.

(7) Any person using, handling or storing any liquid petroleum gas cylinder at any public exhibition or demonstration must comply with any condition imposed in terms of subsection (6).

(8) Any person who contravenes subsections (1), (2), (3), (4), (5), (6) and (7) commits an offence.

77. Display of symbolic warning signs required

(1) The owner or person in charge of any premises where any flammable or explosive substance is used, handled or stored must, in the affected area of the premises, display symbolic signs—

- (a) prohibiting smoking and open flames;
- (b) of a size and number determined by the chief fire officer; and
- (c) prominently in places where the signs can be clearly observed.

(2) No person may disregard or allow to be disregarded any prohibition on a symbolic sign displayed in terms of subsection (1).

(3) Any person who contravenes subsections (1) and (2) commits an offence.

78. Duty to report fires, accidents and dumping

(1) If any fire, accident or dumping involving a flammable substance has caused damage to any person, animal, property or the environment on any premises, the owner or occupier of the premises must immediately report it to the chief fire officer.

(2) Any person who contravenes subsection (1) commits an offence.

CHAPTER 9: STORAGE OF FLAMMABLE SUBSTANCES

79. Storage of flammable substances prohibited in certain circumstances

(1) No person may store or allow the storage of any flammable substance in any storeroom unless—

- (a) that person has a certificate of registration contemplated in section 64(1); and
- (b) the storeroom complies with the requirements of this by-law and any other applicable law.

(2) Any person who contravenes subsection (1) commits an offence.

80. Taking of samples in respect of flammable substances

(1) Whenever a member inspects any premises and suspects that a flammable substance is used, handled or stored on such premises without a certificate of registration or other authority as contemplated in this by-law, such member must take a sample of such substance for the purposes of analysis or examination.

(2) Any sample as contemplated in subsection (1) must be taken in the presence of the owner or person in charge of the premises and must—

- (a) be divided into two equal parts;
- (b) be sealed in similar containers; and
- (c) such containers must be marked with the following information—
 - (i) the address of the premises;

(7) Enige persoon wat enige vloeibare petroleumgassilinder gebruik, hanteer of opberg by enige openbare uitstalling of demonstrasie moet aan enige voorwaarde opgelê ingevolge subartikel (6) voldoen.

(8) Enige persoon wat subartikels (1), (2), (3), (4), (5), (6) en (7) oortree begaan 'n misdryf.

77. Vertoon van simboliese waarskuwingtekens vereis

(1) Die eienaar of enige persoon in beheer van enige perseel waar enige vlambare of ontplofbare stof gebruik, hanteer of opgeberg word moet in die geaffekteerde gedeelte van die perseel, simboliese tekens vertoon—

- (a) wat rook en oop vlamme verbied;
- (b) van 'n grootte en getal bepaal deur die brandweerhoof; en
- (c) prominent op plekke waar die tekens duidelik waarneembaar is.

(2) Geen persoon mag enige verbod op 'n simboliese teken vertoon ingevolge subartikel (1) verontagsaam of toelaat dat dit verontagsaam word nie.

(3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

78. Plig om brande, ongelukke en storting aan te meld

(1) Indien enige brand, ongeluk of storting van 'n vlambare stof enige skade aan enige persoon, dier, eiendom of die omgewing op enige perseel berokken het, moet die eienaar of okkupeerder van die perseel dit onmiddellik by die brandweerhoof aanmeld.

(2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

HOOFSTUK 9: OPBERGING VAN VLAMBARE STOWWE

79. Opberging van vlambare stowwe verbode in sekere omstandighede

(1) Geen persoon mag enige vlambare stof in enige stookkamer opberg of die opberging toelaat nie tensy—

- (a) daardie persoon 'n serifikaat van registrasie beoog in artikel 64 besit; en
- (b) die stookkamer aan die vereistes van hierdie verordening en enige ander toepaslike wetgewing voldoen.

(2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

80. Neem van monsters ten opsigte van vlambare stowwe

(1) Wanneer ookal 'n lid enige perseel inspekteer en vermoed dat 'n vlambare stof gebruik, hanteer of opgeberg word op sodanige perseel sonder 'n sertifikaat van registrasie of ander magtiging soos geoog in hierdie verordening, moet sodanige lid 'n monster van sodanige stof neem vir doeleindes van analise of ondersoek.

(2) Enige monster beoog in subartikel (1) moet in die teenwoordigheid van die eienaar of persoon in beheer van die perseel geneem word en moet—

- (a) in twee gelyke dele verdeel word;
- (b) in soortgelyke houers geseël word; en
- (c) sodanige houers moet gemerk word met die volgende inligting—
 - (i) die adres van die perseel;

- (ii) the trade name of the premises or concern;
- (iii) the name and signature of the person in whose presence the sample was taken;
- (iv) the date and time the sample was taken; and
- (v) a description of the location on the premises where the sample was taken.

- (3) The chief fire officer must within reasonable time submit any sample taken as contemplated in subsection (1) to an accredited institution for an analysis or examination and written report on the findings.

81. Symbolic safety signs must be displayed

- (1) The holder of a certificate of registration for a storeroom to be used for any flammable substance must ensure that—
- (a) symbolic safety signs prohibiting open flames and smoking are displayed in the storeroom—
 - (i) of a number determined by the chief fire officer;
 - (ii) of dimensions at least 290 millimetres by 200 millimetres; and
 - (iii) manufactured in accordance with SANS 1186;
 - (b) the groups of flammable substances and their corresponding quantities which may be stored in the storeroom are indicated on the outside of every door to the storeroom in red letters at least 75 millimetres high, against a white background.
- (2) Any person who contravenes subsection (1) commits an offence.

82. Construction of flammable substance storerooms

- (1) Every storeroom must be designed and constructed according to the following criteria—
- (a) the storeroom floor must consist of concrete;
 - (b) the storeroom walls must consist of material that has a fire resistance of at least 120 minutes;
 - (c) the storeroom roof must consist of—
 - (i) reinforced concrete with a fire resistance of at least 120 minutes; or
 - (ii) any other non-combustible material, if the storeroom—
 - (aa) is not situated within 5 metres of any adjacent building or boundary of the premises; or
 - (bb) adjoins a higher wall with no opening within 10 metres of any adjacent building.
- (2) Any person who contravenes subsection (1) commits an offence.

83. Requirements for storeroom doors

- (1) Every storeroom must be equipped with a fire rated fire door that—
- (a) is manufactured and installed in accordance with SANS 1253;
 - (b) opens to the outside;

- (ii) die handelsnaam van die perseel of besigheid;
- (iii) die naam en handtekening van die persoon in wie se teenwoordigheid die monster geneem is;
- (iv) die datum en tyd waarop die monster geneem is; en
- (v) 'n beskrywing van die ligging op die perseel waar die monster geneem is.

- (3) Die brandweerhoof moet binne redelike tyd enige monster geneem soos beoog in subartikel (1) voorlê aan 'n geakkrediteerde instelling vir 'n analise of ondersoek en skriftelike verslag oor die bevindings.

81. Simboliese veiligheidstekens moet vertoon word

- (1) Die houer van 'n sertifikaat van registrasie vir 'n stoorkamer wat gebruik word vir enige vlambare stof moet verseker dat—
- (a) simboliese veiligheidstekens wat oop vlamme en rook verbied in die stoorkamer vertoon word—
 - (i) van 'n getal bepaal deur die brandweerhoof;
 - (ii) van afmetings van ten minste 290 millimeter by 200 millimeter; en
 - (iii) vervaardig ooreenkomstig SANS 1186;
 - (b) die groepe van vlambare stowwe en hul ooreenstemmende hoeveelhede wat in die stoorkamer opgeberg mag word aan die buitekant van elke deur na die stoorkamer in rooi letters van ten minste 75 millimeter hoog, teen 'n wit agtergrond, vertoon word.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

82. Konstruksie van vlambare stof stoorkamers

- (1) Elke stoorkamer moet ontwerp en gebou word ooreenkomstig die volgende kriteria—
- (a) die stoorkamer vloer moet van beton wees;
 - (b) die stoorkamer mure moet van materiaal wees wat 'n brandweerstand het van ten minste 120 minute;
 - (c) die stoorkamer dak moet bestaan uit—
 - (i) gewapende beton met 'n brandweerstand van ten minste 120 minute; of
 - (ii) enige ander nie-brandbare materiaal, indien die stoorkamer—
 - (aa) nie binne 5 meter vanaf enige aangrensende gebou of die erfgrens geleë is nie; of
 - (bb) geleë is binne 10 meter vanaf 'n aangrensende gebou met 'n hoër muur met geen opening nie.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

83. Vereistes vir stoorkamer deure

- (1) Elke stoorkamer moet toegerus wees met 'n vuurtempo branddeur wat—
- (a) vervaardig en geïnstalleer is ooreenkomstig SANS 1253;
 - (b) na die buiekant oopmaak;

- (c) is equipped with a lock or locks approved by the chief fire officer; and
- (d) is at all times capable of being opened from the inside of the storeroom without the use of a key.

- (2) A storeroom must be equipped with two or more fire doors if the distance to be covered from any part in that storeroom to a door is 4 metres or more, in which case, the fire doors must be installed as far from each other as is practicable in the circumstances.
- (3) Fire doors contemplated in subsections (1) and (2) must if installed on—
 - (a) external walls, be “B” class fire doors; and
 - (b) internal walls in communication within a building, be “D” class fire doors.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

84. Requirements for storeroom windows

- (1) Every storeroom window frame must—
 - (a) consist of steel;
 - (b) have window panels of dimensions not exceeding 450 millimetres × 450 millimetres; and
 - (c) be fitted with wire glass of a thickness not less than 8 millimetres.
- (2) No storeroom window must be capable of being opened.
- (3) Every storeroom window must be fitted to the external wall of a building.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

85. Requirements for storeroom catch pits

- (1) Every storeroom must be designed and constructed so that its floor is recessed below the level of the door sill to form a catch pit—
 - (a) with a holding capacity at least equal to the total volume of hazardous substances capable of being stored in the storeroom, plus 10%; and
 - (b) if required by the chief fire officer—
 - (i) covered at door sill level by a strong, stable, non-combustible and oxidation free floor grill; and
 - (ii) equipped, at its lowest level, with a non-corrosive drainage valve for cleaning purposes and product recovery.
- (2) The floor grill contemplated in subsection (i) must contain a suitably positioned access hatch for cleaning purposes.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

86. Ventilation of storerooms

- (1) Every storeroom must be designed and constructed to ensure—
 - (a) the effective ventilation of flammable substance fumes;
 - (b) that fumes released from the storeroom into the open air will not come into contact with any source of ignition.

(c) toegerus is met ’n slot of slotte goedgekeur deur die brandweerhoof; en

(d) te alle tye geskik is om van die binnekant van die stoorkamer sonder gebruik van ’n sleutel oopgemaak te word.

(2) ’n Stoorkamer moet toegerus wees met twee of muur branddeure indien die afstand wat van enige deel in daardie stoorkamer na ’n deur gedek moet word 4 meter of meer is, in welke geval die branddeure so ver as prakties moontlik in die omstandighede van mekaar geïnstalleer moet word.

(3) Brandeure beoog in subartikels (1) en (2) moet indien geïnstalleer in—

(a) eksterne mure, “B” klas deure wees; en

(b) interne mure in verbinding binne ’n gebou, “D” klas deure wees.

(4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan ’n misdryf.

84. Vereistes vir stoorkamer vensters

(1) Elke stoorkamer venster raam moet—

(a) uit staal bestaan;

(b) vensterpanele met afmetings wat nie 450 millimeter × 450 millimeter oorskry nie, hê; en

(c) gemonteer wees met draadglas van ’n dikte van nie minder as 8 millimeter nie.

(2) Geen stoorkamer venster mag geskik wees om oopgemaak te word nie.

(3) Elke stoorkamer venster moet teen die eksterne muur van ’n gebou gemonteer wees.

(4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan ’n misdryf.

85. Vereistes vir stoorkamer opvangputte

(1) Elke stoorkamer moet ontwerp en gebou wees sodat sy vloer ingelaat is onder die vlak van die deurdrumpel om ’n opvangput te vorm—

(a) met ’n houerkapasiteit wat ten minste gelyk is aan die totale volume van gevaarhoudende stowwe wat geskik is om in die stoorkamer opgeberg te word, plus 10%; en

(b) indien vereis deur die brandweerhoof—

(i) by die deurdrumpel bedek is met ’n sterk, stabiele, nie-brandbare en suurstofvrye vloer-rooster; en

(ii) op sy laagste vlak toegerus is met ’n korrosie-bestande dreineringsklep vir skoonmaak-doeleindes en produk herwinning.

(2) Die vloer-rooster beoog in subartikel (1) moet ’n paslik geposisioneerde toegangsluik vir skoonmaak-doeleindes bevat.

(3) Enige persoon wat subartikels (1) en (2) oortree begaan ’n misdryf.

86. Ventilasië van stoorkamers

(1) Elke stoorkamer moet ontwerp en gebou wees om te verseker—

(a) dat vlambare stof dampe effektief ventileer;

(b) dat dampe wat van die stoorkamer in die ope lug vrygestel word nie in aanraking kom met enig bron van aansteking nie.

- (2) If the storeroom is designed and constructed for natural ventilation, the owner or person in charge of the storeroom must ventilate the storeroom at a minimum cycle of 30 air changes per hour by installing non-combustible airbricks—
- (a) that are not less than 140 millimetres by 250 millimetres in extent, with non-corrosive gauze wire with a minimum opening diameter of 0,5 millimetres;
 - (b) that are provided in at least three external walls of the storeroom; and
 - (c) that are positioned 100 millimetres above the level of the sill and 100 millimetres below the level of the roof and not more than 450 millimetres apart.
- (3) If the storeroom is designed and constructed for mechanical ventilation, the owner or person in charge of the storeroom must equip it with a mechanical ventilation system—
- (a) designed and installed for this purpose;
 - (b) with a flow rate of 0,5 metres/second across the store;
 - (c) with vanes that consist of a static-free material;
 - (d) that discharges through a vertical metal duct into the open air—
 - (i) not situated within 5 metres of any opening of a building or erf boundary; and
 - (ii) terminating at least 1 metre above roof height or at least 3,6 metres above ground level, whichever is the greater;
 - (e) equipped with ventilators that are firmly attached to the inside of the walls of the storeroom and, in the case of bottom ventilators, as close as possible to the level of the sill;
 - (f) with all ventilation or air duct openings in the external wall opposite the mechanical ventilator installed 100 millimetres above the level of the sill to ensure effective cross-ventilation; and
 - (g) equipped with ducting material that—
 - (i) is as short as possible in the circumstances and does not have sharp bends; and
 - (ii) is fitted with a fire damper of at least 120 minutes fire resistance at any point where the ducting exits the storeroom, if ducting material is installed external to the storeroom in communication with the remainder of the building.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

87. Electrical equipment in storerooms

- (1) The owner or person in charge of any storeroom must ensure that—
- (a) all electrical apparatus, fittings or switch gear used or installed in the storeroom are used or installed as contemplated in SANS 0108;
 - (b) no switch gear, distribution box, fuse or other electrical equipment, except electrical equipment as contemplated in SANS 0108, is situated—
 - (i) inside the storeroom; or
 - (ii) in any position where it may come into contact with any flammable substance fumes leaving the storeroom;

- (2) Indien die stoorkamer ontwerp en gebou is vir natuurlike ventilasie, moet die eenaar of persoon in beheer van die stoorkamer die stoorkamer ventileer teen 'n minimum siklus van 30 lugveranderinge per uur deur nie-brandbare lugstene te installeer—
- (a) wat nie minder as 140 millimeter by 250 millimeter in grootte is nie, met korrosievrye gaasdraad met 'n minimum diameter opening van 0,5 millimeter;
 - (b) wat in ten minste 3 eksterne mure van die stoorkamer voorsien is; en
 - (c) wat geëposisioneer is 100 millimeter bo die vlak van die drumpel en 100 millimeter onder die vlak van die dak en nie meer as 450 millimeter van mekaar.
- (3) Indien die stoorkamer ontwerp en gebou is vir meganiese ventilasie, moet die eenaar of persoon in beheer van die stoorkamer dit toerus met 'n meganiese ventilasiestelsel—
- (a) ontwerp en gebou vir daardie doel;
 - (b) met 'n vloeitempo van 0,5 meter/sekonde deur die stoor;
 - (c) met weerhane bestaande uit statiesvrye materiaal;
 - (d) wat deur 'n vertikale metaalgeleiding in die ope lug wegdoen—
 - (i) nie geleë binne 5 meter van enige opening in 'n gebou of erfrens; en
 - (ii) eindig ten minste 1 meter bo die dakhoogte of ten minste 3,6 meter bo grondvlak, wat ookal die grootste is;
 - (e) toegerus met ventilators wat stewig aan die binnemure van die stoorkamer vas is en, in die geval van onderste ventilators, so naby moontlik aan die drumpelvlak;
 - (f) met alle ventilators of lugopeninge in die eksterne muur oorkant die meganiese ventilator geïnstalleer 100 millimeter bo die drumpelvlak om effektiewe kruisventilasie te verseker; en
 - (g) toegerus met geleidingsmateriaal wat—
 - (i) so kort as moontlik in die omstandighede is en nie skerp buigings het nie; en
 - (ii) toegerus is met 'n branddemper van ten minste 120 minute brandweerstand by enige punt waar die geleidings die stoorkamer verlaat, indien die geleidingsmateriaal eksterne tot die stoorkamer in verbinding met die res van die gebou geïnstalleer is.
- (4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan 'n misdryf.

87. Elektriese toerusting in stoorkamers

- (1) Die eenaar of persoon in beheer van enige stoorkamer moet verseker dat—
- (a) alle elektriese toestelle, hegmiddels of skakelgerei in die stoorkamer gebruik of geïnstalleer ooreenkomstig SANS 0108 gebruik of geïnstalleer is;
 - (b) geen skakelgerei, verdelingskas, sekering of ander elektriese toerusting, behalwe elektriese toerusting beoog in SANS 0108, geleë is—
 - (i) binne die stoorkamer; of
 - (ii) in enige posisie waar dit in aanraking kan kom met enige vlambare stof dampe wat die stoorkamer verlaat nie;

- (c) any metal part, electrical fittings and device used in or in connection with the storeroom are earthed effectively to each other and to the ground;
 - (d) any mechanical ventilation system switch is situated outside the storeroom;
 - (e) any mechanical ventilation system is on at all times, except when the system is being repaired or replaced, in which case the system must be repaired or replaced without delay; and
 - (f) all electrical apparatus and fittings, except the mechanical ventilation system, are switched off when the storeroom is unattended.
- (2) Any electrical installation in a storeroom may be installed and certified only by an electrician who is qualified and competent by virtue of his or her training and experience.
- (3) The owner or person in charge of a storeroom must submit the certificate contemplated in subsection (2) to the chief fire officer for record purposes immediately after installation contemplated in such subsection.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

88. Foam inlets required for certain storerooms

- (1) The owner or person in charge of a storeroom that is used or intended to be used for storing more than 5 000 litres of flammable substance must ensure—
- (a) that the storeroom is provided with a foam inlet consisting of a 65 mm male instantaneous coupling and mild steel pipe work leading to the inside thereof; and
 - (b) that the foam inlet is identified by a sign in block letters at least 100 millimetres high, displaying the words “foam inlet”.
- (2) Any person who contravenes subsection (1) commits an offence.

89. Shelving in storerooms

- (1) The owner or person in charge of a flammable storeroom must ensure that any racking of shelving erected or installed in the storeroom is of non-combustible material.
- (2) Any person who contravenes subsection (1) commits an offence.

90. Unauthorised use and entry of storerooms prohibited

- (1) No person may—
- (a) without the authority of the owner or person in charge, enter or allow any other person to enter any flammable storeroom;
 - (b) use any storeroom or allow it to be used for any purpose other than for the use, handling or storage of flammable substances;
 - (c) allow any person to work in a storeroom unless all the doors of the storeroom are wide open or the mechanical ventilation system is switched on; or
 - (d) place or allow to be placed any obstruction or hindrance in a passage of any storeroom or in front of any storeroom door.
- (2) Any person who contravenes subsection (1) commits an offence.

- (c) enige metaaldeel, elektriese hegmiddels en apparate in of in verbinding met die stoorkamer behoorlik aan mekaar en aan die grond gegrond is;
 - (d) enige meganiese ventilasiestelsel skakelaar buite die stoorkamer geleë is;
 - (e) enige meganiese ventilasiestelsel te alle tye aan is, behalwe wanneer die stelsel herstel of vervang word, in welke geval die stelsel onmiddellik herstel of vervang moet word; en
 - (f) alle elektriese toerusting en hegmiddels, behalwe die meganiese ventilasiestelsel, afgeskakel is wanneer die stoorkamer onbewaak is.
- (2) Enige elektriese installasie in 'n stoorkamer mag slegs deur 'n elektrisiën wat gekwalifiseer en bevoeg is uit hoofde van sy of haar opleiding en ondervinding, geïnstalleer en gesertifiseer word.
- (3) Die eienaar of persoon in beheer van 'n stoorkamer moet die sertifikaat beoog in subartikel (2) aan die brandweerhoof vir rekorddoeleindes voorsien onmiddellik na installasie beoog in sodanige subartikel.
- (4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan 'n misdryf.

88. Skuiminlate benodig vir sekere stoorkamers

- (1) Die eienaar of persoon 'n beheer van 'n stoorkamer wat gebruik of beoog om gebruik te word vir opberging van meer as 5 000 liter vlambare stof moet verseker—
- (a) dat die stoorkamer voorsien is van 'n skuiminlaat bestaande uit 'n 65 mm klitsklare inpasstuk en sagte staalpylwerk wat na die binnekant daarvan lei; en
 - (b) dat die skuiminlaat geïdentifiseer word deur 'n teken in hoofletters van ten minste 100 millimeter hoog wat die woorde “skuiminlaat” vertoon.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

89. Rakke in stoorkamer

- (1) Die eienaar of persoon in beheer van 'n vlambare stof stoorkamer moet verseker dat enige rakke of rakwerk opgerig of geïnstalleer in 'n stoorkamer van nie-brandbare materiaal is.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

90. Ongemagtigde gebruik en binnegaan van stoorkamers verbode

- (1) Geen persoon mag—
- (a) sonder die toestemming van die eienaar of persoon in beheer enige vlambare stoorkamer binnegaan of toelaat dat enige ander persoon dit binnegaan nie;
 - (b) enige stoorkamer gebruik of toelaat dat dit gebruik word vir enige doel anders as vir die gebruik, hantering en opberging van vlambare stowwe;
 - (c) enige persoon toelaat om in 'n stoorkamer te werk nie tensy alle deure van die stoorkamer wyd oop is of die meganiese ventilasiestelsel aangeskakel is; of
 - (d) plaas of toelaat dat enige obstruksie of hindernis geplaas word in 'n gang van enige stoorkamer of voor enige stoorkamer deur nie.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

91. Mixing and decanting rooms

- (1) The owner or person in charge of any premises where quantities of flammable liquids exceeding those stipulated in Schedule 2 are decanted or mixed, must ensure that any room where decanting or mixing takes place complies with all requirements of this by-law applicable to storerooms.
- (2) Any person who contravenes subsection (1) commits an offence.

92. Temporary above ground storage of flammable substances

- (1) Any person, who wishes to store any flammable substance on premises on a temporary basis, must apply to the chief fire officer for a temporary certificate of registration.
- (2) A temporary certificate of registration may be issued by the chief fire officer—
 - (a) for a period not exceeding 12 months;
 - (b) if the flammable substance concerned is required—
 - (i) in respect of excavation work, construction work or road construction if the volume of the flammable substance does not exceed 9 000 litres;
 - (ii) in respect of small fleet maintenance or research purposes, if the volume of the flammable substance does not exceed 4 400 litres; and
 - (iii) the application complies with the requirements of SANS 0131 and this Chapter.
- (3) Every holder of a temporary certificate of registration contemplated in subsection (1) must ensure that—
 - (a) a storage tank for the flammable substance is not erected within 3,5 metres of any erf boundary, building, excavation, road, driveway or any other flammable substances or combustible material;
 - (b) adequate provision is made for rainwater run-off from retaining walls or embankments;
 - (c) no source of ignition or potential source of ignition exists within 5 metres of a storage tank;
 - (d) a symbolic sign of dimensions at least 300 millimetres by 300 millimetres prohibiting smoking and open flames is displayed on every side of a temporary storage tank; and
 - (e) at least two 9 kilogram dry chemical fire extinguishers are installed and kept in good working condition, within 10 metres of a temporary storage tank.
- (4) Any person who contravenes subsections (1), (2) and (3) commits an offence.

93. Hand tools must be intrinsically safe

- (1) The owner or person in charge of any flammable substance storeroom must ensure that any hand tool used in the storeroom is intrinsically safe.
- (2) Any person who contravenes subsection (1) commits an offence.

94. Permanent above ground storage tanks for flammable liquids

- (1) In addition to any other requirement of this Chapter, the owner or person in charge of an above ground storage tank for flammable liquids must ensure—
 - (a) that the tank is erected or installed—

91. Meng en oorgieting kamers

- (1) Die eienaar of persoon in beheer van enige perseel waar vlambare stowwe geskei of gemeng word wat die hoeveelhede bepaal in Skedule 2 oorskry, moet verseker dat die stoorkamer waar die skeiding en menging plaasvind, aan alle vereistes van hierdie verordening van toepassing op stoorkamers voldoen.
- (2) Enige persoon wat subartikels (1) oortree begaan 'n misdryf.

92. Tydelike boggrondse opberging van vlambare stowwe

- (1) Enige persoon wat enige vlambare stof op 'n perseel tydelik wil opberg, moet by die brandweerhoof aansoek doen om 'n tydelike sertifikaat van registrasie.
- (2) 'n Tydelike sertifikaat van registrasie mag deur die brandweerhoof uitgereik word—
 - (a) vir 'n periode wat nie 12 maande oorskry nie;
 - (b) indien die vlambare stof betrokke vereis word—
 - (i) ten opsigte van uitgrawingswerk, konstruksie-werk of padkonstruksie indien die volume van die vlambare stof nie 9 000 liter oorskry nie;
 - (ii) ten opsigte van klein vlootonderhoud of navorsingsdoeleindes, indien die volume van die vlambare stof nie 4 400 liter oorskry nie; en
 - (iii) die aansoek voldoen aan die vereistes van SANS 0131 en hierdie Hoofstuk.
- (3) Elke houder van 'n tydelike sertifikaat van registrasie beoog in subartikel (1) moet verseker dat—
 - (a) 'n opbergingstenk vir die vlambare stof nie opgerig word binne 3,5 meter van enige erfrens, gebou, uitgrawing, pad, rylaan of enige ander vlambare stof of brandbare materiaal;
 - (b) voldoende voorsiening gemaak is vir reënwater wegvloei van keermure of walle;
 - (c) geen bron of potensiële bron van aansteking binne 5 meter van 'n opbergingstenk bestaan nie;
 - (d) 'n simboliese teken met afmetings van ten minste 300 millimeter by 300 millimeter wat rook en oop vlamme verbied vertoon word op elke kant van 'n tydelike opbergingstenk; en
 - (e) ten minste 2 kilogram droë chemiese brandblussers geïnstalleer is binne 10 meter van 'n tydelike opbergingstenk en in werkende toestand gehou word.
- (4) Enige persoon wat subartikels (1), (2) en (3) oortree begaan 'n misdryf.

93. Handgereedskap moet intrinsiek veilig wees

- (1) Die eienaar of persoon in beheer van 'n vlambare stof stoorkamer moet verseker dat alle handgereedskap wat in die stoorkamer gebruik word intrinsiek veilig is.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

94. Permanente boggrondse opbergingstenks vir vlambare vloeistowwe

- (1) Addisioneel tot enige ander vereistes van hierdie Hoofstuk, moet die eienaar of persoon in beheer van 'n boggrondse opbergingstenk vir vlambare vloeistof verseker dat—
 - (a) die opgerig en geïnstalleer word—

- (i) in accordance with SANS 0131 and SANS 089, Part 1;
 - (ii) at least 3,5 metres from any erf boundary, building, excavation, road, driveway or any other flammable substance, combustible substance or combustible material;
- (b) that the flammable liquid stored in the tank must be clearly identified by means of Hazchem placards contemplated in SANS 0232, Part 1.

- (2) Any electrical installation associated with the storage tank must comply with SANS 0108 and SANS 089, Part 2.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

95. Underground storage tanks for flammable liquids

- (1) The owner or person in charge of any premises used or intended to be used for the underground storage of any flammable liquid must ensure that any underground storage tank, pump, dispenser and pipe work is erected or installed in accordance with SANS 0400, SANS 089, Part 3 and SANS 0131.
- (2) Any person who contravenes subsection (1) commits an offence.

96. Installing, erecting, removing and demolishing prohibited without prior notice

- (1) No person may, in respect of registered premises, erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement or floor layout unless that person has given the chief fire officer at least 3 working days prior written notice of the intention to do so, in the form and manner as prescribed.
- (2) The notice in term of subsection (1) must include the intended commencement date and estimated completion date of the proposed work.
- (3) The provisions of subsection (1) do not apply to—
 - (a) the temporary removal of equipment for the purpose of effecting necessary repairs;
 - (b) the necessary replacement of equipment or their parts; and
 - (c) the replacement of any storage tank with a tank of the same capacity.
- (4) Any person who contravenes subsections (1) and (2) commits an offence.

97. Repair and maintenance of access to storage tanks

- (1) No person may enter or allow any other person to enter any storage tank that has at any time contained a flammable substance—
 - (a) until such tank has been de-aerated and made free of gas and fumes as contemplated in SANS 089 (Part 1); or
 - (b) unless that person—
 - (i) is wearing an effective self-supporting breathing apparatus; and
 - (ii) is attached to a rescue rope under the control of a competent and responsible person.
- (2) Any person who contravenes subsection (1) commits an offence.

- (i) ooreenkomstig SANS 0131 en SANS 089, Deel 1;
 - (ii) ten minste 3,5 meter van enige erfrens, gebou, uitgraving, pad, rylaan of enige ander vlambare stof, brandbare stof of vlambare materiaal;
- (b) dat die vlambare vloeistof wat in die tenk geberg word duidelik geïdentifiseer is by wyse van Hazchem plakkers beoog in SANS 0232, Deel 1.

- (2) Enige elektriese installasie geassosieer met die opbergings-tenk moet voldoen aan SANS 0108 en SANS 089, Deel 2.
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

95. Ondergrondse opbergingsstanks vir vlambare vloeistowwe

- (1) Die eienaar of persoon in beheer van enige perseel wat gebruik of beoog om gebruik te word vir die ondergrondse opberging van enige vlambare vloeistof moet verseker dat enige ondergrondse opbergingsstank, pomp, houër of pypwerk opgerig en geïnstalleer word ooreenkomstig SANS 0400, SANS 089, Deel 3 en SANS 0131.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

96. Installering, oprigting, verwydering en afbreek verbode sonder vooraf kennisgewing

- (1) Geen persoon mag ten opsigte van geregistreerde persele, enige afleweringpomp, opbergingsstank, stoorkamer, spuitkamer, gasinstallasie, storingsfasiliteit, brandbeskermingsreël of vloeruitleg oprig, installeer, verwyder, afbreek, verleng of verander nie tensy daardie persoon ten minste 3 werksdae vooraf skriftelike kennis van sodanige voorneme aan die brandweerhoof gegee het in die formaat en wyse soos voorgeskryf.
- (2) Die kennisgewing ingevolge subartikel (1) moet die beoogde begindatum en verwagte voltooiingsdatum van die voorgestelde werk insluit.
- (3) die bepalings van subartikel (1) is nie van toepassing nie op—
 - (a) die tydelike verwydering van toerusting vir die doel om nodige herstelwerk te verrig;
 - (b) die nodige vervanging van toerusting of onderdele; en
 - (c) die vervanging van enige opbergingsstank met 'n tenk van dieselfde kapasiteit.
- (4) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

97. Herstel en onderhoud van toegang tot opbergingsstanks

- (1) Geen persoon mag enige opbergingsstank wat op enige tyd 'n vlambare stof bevat het, binnegaan of enige persoon toelaat om dit binne te gaan nie—
 - (a) totdat sodanige tenk herbelug en vry van gas en dampe gemaak is soos beoog in SANS 089 (Deel I); of
 - (b) tensy daardie persoon—
 - (i) behoorlike selfondersteunende asemhalingsapparaat dra; en
 - (ii) vernind is aan 'n reddingsstou onder beheer van 'n bevoegde en verantwoordelike persoon.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

98. Termination of storage and use of flammable substances

- (1) If an aboveground or underground tank installation, liquid petroleum gas installation or associated pipe work is no longer required for the storage or use of a flammable substance, the owner or person in charge of the premises on which the installation is located, must—
 - (a) notify the chief fire officer in writing within seven days of such storage or use ceasing;
 - (b) ensure that the flammable substance is removed from the installation and the premises are rendered safe within 30 days of the cessation;
 - (c) unless the chief fire officer directs otherwise, remove the installation including any associated pipe work from the premises within 180 days of the cessation; and
 - (d) to the satisfaction of the chief fire officer, restore any public foot path or roadway that has been disturbed by the removal of the installation within a period of 7 days of completing such removal.
- (2) Notwithstanding the provisions of subsection (1) if the removal of any underground tank installation for the storage of a flammable substance will detrimentally affect the stability of the premises concerned, the owner or person in charge of the installation may, with the prior written permission of the chief fire officer, fill the underground tank with liquid cement slurry.
- (3) Any person who contravenes subsection (1) commits an offence.

99. Container handling and storage

- (1) Every flammable substance container must—
 - (a) be kept closed when not in use;
 - (b) be declared gas- or vapour-free by a competent person before any modification or repairs are undertaken;
 - (c) be manufactured and maintained in such condition as to be reasonably safe from damage and to prevent leakage of any flammable substance or vapour from the container.
- (2) Every flammable liquid container must be labelled and marked with words and details indicating the flammable liquid contained in the container as well as any hazard associated with the flammable liquid.
- (3) No person may extract flammable liquid from a container of a capacity exceeding 200 litres, unless the container is fitted with an adequately sealed pump or tap.
- (4) Any empty flammable liquid container must be stored in a storeroom.
- (5) Notwithstanding the provisions of subsection (4) the chief fire officer may permit the storage of any empty flammable liquid container in the open air if no storeroom is available and if he is satisfied that—
 - (a) the storage area is in a position and of sufficient size that a fire hazard or other threatening danger will not be caused;
 - (b) the storage area is well ventilated and enclosed by a wire mesh fence;
 - (c) the fence supports are of steel or reinforced concrete;
 - (d) the storage area has an outward opening gate that is kept locked when not in use;

98. Beëindiging van opberging en gebruik van ontvlambare stowwe

- (1) Wanneer 'n bogrondse of ondergrondse tenkinstallasie, vloeibare petroleumgasinstallasie of geassosieerde pypwerk nie meer benodig word vir die opberging of gebruik van 'n vlambare stof nie, moet die eienaar of persoon in beheer van die perseel waarop die installasie geleë is—
 - (a) die brandweerhoof skriftelik binne 7 dae van sodanige opberging- of gebruikstaking in kennis stel;
 - (b) verseker dat die vlambare stof van die installasie verwyder en die perseel veilig gelaat word binne 30 dae van die staking;
 - (c) tensy die brandweerhoof anders bepaal, die installasie en enige geassosieerde pypwerk ingesluit, van die perseel verwyder binne 180 dae van die staking; en
 - (d) tot bevrediging van die brandweerhoof, enige openbare voetpad of rylaan wat deur die verwydering van die installasie veroorsaak is, binne 'n tydperk van 7 dae vanaf voltooiing van die verwydering, herstel.
- (2) Nieteenstaande die bepalings van subartikel (1), indien die verwydering van enige ondergrondse tenkinstallasie vir die opberging van vlambare stof die stabiliteit van die perseel betrokke nadelig sal affekteer, mag die eienaar of persoon in beheer van die installasie met die vooraf skriftelike toestemming van die brandweerhoof, die ondergrondse tenk met vloeibare sementslyk opvul.
- (3) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

99. Houer hantering en opberging

- (1) Enige vlambare stof houer moet—
 - (a) toegehou word wanneer nie in gebruik;
 - (b) gas- of dampvry verklaar word deur 'n bevoegde persoon voordat enige modifikasie of herstelwerk uitgevoer word;
 - (c) vervaardig en onderhou word in sodanige toestand om redelik veilig te wees van beskadiging en om lekkasie van enige vlambare stof of dampe vanuit die houer te voorkom.
- (2) Elke vlambare vloeistof houer moet geëtiketteer en gemerk wees met woorde en besonderhede wat die vlambare vloeistof in die houer aantoon sowel as enige gevaar geassosieer met die vlambare vloeistof.
- (3) Geen persoon mag vlambare stof met 'n kapasiteit wat 200 liter oorskry uit 'n houer onttrek nie, tensy die houer toegerus is met 'n voldoende geseëldde pomp of kraan.
- (4) Enige leë vlambare stof houer moet in 'n stoorkamer gestoor word.
- (5) Nieteenstaande die bepalings van subartikel (4) mag die brandweerhoof toestemming verleen vir die storing van 'n enige leë vlambare stof houer in die oop lug indien geen stoorkamer beskikbaar is nie en hy tevrede is dat—
 - (a) die storingsarea in 'n posisie en van voldoende grootte is sodat 'n brandgevaar of enige ander dreigende gevaar nie veroorsaak sal word nie;
 - (b) die storingsarea goed geventileer en met 'n maasdraad heining omhein is;
 - (c) die heiningondersteunings van staal of versterkte beton is;
 - (d) die hek van die storingsarea na buite oopmaak en dit toegesluit is wanneer nie in gebruik;

- (e) when the floor area exceeds 10 m² an additional escape gate is installed and fitted with a sliding bolt or other similar locking device that can be opened from the inside without the use of a key; and
 - (f) the storage area is free of vegetation and has a non-combustible, firm and level base.
- (6) When the quantity of flammable and combustible liquids to be stored is more than 100 litres of Class I and/ or more than 210 litres of Class II and Class III A combined, such flammable and combustible liquids must be stored in a store room.
- (7) Any person who contravenes subsections (1), (2), (3), (4) and (6) commits an offence.

CHAPTER 10: HAZARDOUS SUBSTANCES

100. Application for the approval of plans

- (1) Notwithstanding the provisions of the National Building Regulations and Building Standards Act, 1977, every owner of premises on or in which any layout or structural change is envisaged, or on which any facility for or in connection with the use, storage or handling of hazardous substances is to be erected or installed, must submit plans in triplicate to the municipality on the prescribed form.
- (2) The fees for the scrutiny of plans are as stipulated in the municipality's Tariff Policy, which fees exclude the plan submission fees levied by the Building Control Officer.
- (3) Other than plans determined to be minor building work, all plans submitted to the Chief Fire Officer must bear the official stamp or mark of the Building Control Officer.
- (4) No construction work or installation may be commenced unless the building contractor is in possession of officially approved plans, which approval shall include the comments of the Chief Fire Officer. The plans must be available on the premises for inspection for the duration of construction or installation work.
- (5) The provisions of section 23 of the National Building Regulations and Building Standards Act, 1977, are applicable to the approval of all plans as contemplated in this section.
- (6) The approval of any plan by the municipality will be null and void if, within one year of the date of such approval, the buildings, constructions or installations have not been erected in accordance with the approved plans.
- (7) Any owner of premises or any other person who engages in any activity contemplated in this section on behalf of the owner and who fails to comply with the provisions of this section commits an offence.

101. Issuing of certificates of registration

- (1) No person may use or permit hazardous substances to be used, handled or stored on any premises in excess of the quantities as stipulated in Table 1 below unless such person is in possession of a certificate of registration, provided that this section shall not apply to premises where only one group of hazardous substance is kept or used and where the maximum permissible quantity of such substance is not exceeded.
- (2) Where in terms of subsection (1), premises are not required to be registered, no person may use or permit any hazardous substance to be used, handled or stored except in such place or in such manner so as to ensure that:
 - (a) no hazardous substance or fumes come into contact or are likely to come into contact with any fire, flame, naked light or other source of ignition;

(e) wanneer die vloeroppervlakte 10 m² oorskry, 'n addisionele ontsnappingshek toegerus met 'n skuifgrendel of ander soortgelyke sluitapparaat wat van die binnekant sonder die gebruik van 'n sleutel ooggemaak kan word, geïnstalleer is; en

(f) die storingsarea vry is van plantegroei en 'n onbrandbare, stewige en gelyk basis het.

(6) Wanneer die hoeveelheid van vlambare en brandbare vloeistowwe wat opgeberg word meer is as 100 liter van klas I en/of meer as 200 liter van klas II en IIIA gekombineerd, moet sodanige vlambare en brandbare vloeistowwe in 'n stoorkamer gestoor word.

(7) Enige persoon wat subartikels (1), (2), (3), (4) en (6) oortree begaan 'n misdryf.

HOOFSTUK 10: GEVAARHOUDENDE STOWWE

100. Aansoek vir goedkeuring van planne

- (1) Nieteenstaande die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 moet elke eienaar van persele op of waarin enige uitleg of strukturele verandering beoog word, of waarop enige fasiliteit vir of in verband met die gebruik, opberging of hantering van gevaarhoudende stowwe opgerig of geïnstalleer word, planne in drievoud op die voorgeskrewe vorm aan die munisipaliteit voorlê.
- (2) Die gelde vir die ondersoek van planne is soos bepaal in die munisipaliteit se Tariefbeleid, welke gelde die plan indieningsgelde gehef deur die boubeskerbeampte uitsluit.
- (3) Behalwe planne wat geag word klein bouwerk te behels, moet alle planne voorgelê aan die brandweerhoof die amptelike stempel of merk van die boubeskerbeampte bevat.
- (4) Geen konstruksiewerk of installering mag 'n aanvang neem nie tensy die boukontraakteur in besit is van amptelik goedgekeurde planne, welke planne die kommentaar van die brandweerhoof moet insluit. Die planne moet vir die duur van konstruksie of installeringswerk op die perseel vir inspeksie beskikbaar wees.
- (5) Die bepalings van artikel 23 van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 is van toepassing op die goedleuring van alle planne soos beoog in hierdie artikel.
- (6) Die goedkeuring van enige plan deur die munisipaliteit sal ongeldig wees indien die geboue, konstruksies of installerings nie binne een jaar van die datum van sodanige goedkeuring, ooreenkomstig die goedgekeurde planne opgerig is nie.
- (7) Enige eienaar van persele of enige ander persoon wat betrokke is by enige aktiwiteit soos beoog in hierdie artikel namens die eienaar en wat versuim om aan die bepalings van hierdie artikel te voldoen, begaan 'n misdryf.

101. Uitreiking van sertifikaat van registrasie

- (1) Geen persoon mag op enige perseel gevaarhoudende stowwe gebruik of toelaat dat dit gebruik, hanteer of opgeberg word in hoeveelhede wat meer is as aangedui in Tabel 1 hieronder nie, tensy sodanige persoon in besit is van 'n sertifikaat van registrasie; met dien verstande dat hierdie artikel nie van toepassing is nie op persele waar slegs een groep gevaarhoudende stof gehou of gebruik word en waar die maksimum toelaatbare hoeveelheid van sodanige stof nie oorskry word nie.
- (2) Waar ingevolge subartikel (1) dit nie vereis word dat persele geregistreer word nie, mag geen persoon enige gevaarhoudende stof gebruik of toelaat dat dit gebruik, hanteer of opgeberg word nie behalwe in sodanige plek of op so 'n wyse wat sal verseker dat—
 - (a) geen gevaarhoudende stof of dampe in aanraking kom of moontlik in aanraking sal kom met enige vlam, oop lig of ander bron van aansteking;

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| <p>(b) hazardous substances are stored in strong, labelled and tightly sealed containers whilst not in use.</p> <p>(c) the escape of human beings or animals will not be hindered or obstructed in the event of a fire or an emergency situation; and</p> <p>(d) no person on any such premises may use or handle hazardous substances or cause or permit them to be used or handled, except in a suitable place out of doors or in a properly ventilated room.</p> <p>(3) No certificate of registration for the use, handling or storage of hazardous substances may be issued in respect of premises, unless all the applicable provisions of this by-law have been complied with and a written application for registration, on the prescribed form has been submitted to the municipality, together with the prescribed fees.</p> <p>(4) A certificate of registration:</p> <p>(a) must be displayed in a weatherproof container at all times in a conspicuous place on the premises as designated by a member of the municipality;</p> <p>(b) must be maintained in a legible condition;</p> <p>(c) must reflect the groups and the quantities of hazardous substances for which the premises have been registered;</p> <p>(d) must reflect the number of above-ground and/or under-ground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility; and/or</p> <p>(e) must reflect the number of storerooms and the total capacity of each storeroom; and/or</p> <p>(f) must reflect the number of gas installations, the type of gas installation and the total volume and/or delivery capacity of each installation; and/or</p> <p>(g) must specify the number of storage facilities for other hazardous substances and reflect the volumes intended for each facility;</p> <p>(h) must reflect a serial number;</p> <p>(i) must indicate whether the issue of such certificate is permanent or temporary;</p> <p>(j) must reflect the period of validity and the expiry date of the certificate: Provided that:</p> <p style="padding-left: 20px;">(i) the period of validity shall be for a maximum of twelve calendar months, calculated from the date of issue,</p> <p style="padding-left: 20px;">(ii) written application for renewal of such certificate must reach the municipality at least one calendar month prior to the expiry date.</p> <p>(5) A certificate of registration is not transferable from one premises to another.</p> <p>(6) A certificate of registration may, subject to the provisions of section 30, be transferable from one owner to another or from one control to another on the same premises: Provided that:</p> <p>(a) an application for such transfer is made to the municipality on the prescribed form; and</p> | <p>(b) gevaarhoudende stowwe opgeberg word in sterk, geëtiketteerde en digsluitende geseëde houers terwyl nie in gebruik;</p> <p>(c) die ontsnapping van mense of diere nie gehinder of belemmer sal word in die geval van 'n brand of noodsituasie nie; en</p> <p>(d) geen persoon op enige sodanige perseel gevaarhoudende stowwe mag gebruik of hanteer word, behalwe in 'n paslike plek buite-deurs of in 'n behoorlik geventileerde vertrek.</p> <p>(3) Geen sertifikaat van registrasie vir die gebruik, hantering of opberging van gevaarhoudende stowwe mag ten opsigte van persele uitgereik word nie, tensy al die toepaslike bepalings van hierdie verordening nagekom is en 'n skriftelike aansoek om registrasie op die voorgeskrewe vorm aan die munisipaliteit voorgelê is, tesame met die voorgeskrewe gelde.</p> <p>(4) 'n Sertifikaat van registrasie—</p> <p>(a) moet te alle tye in 'n waterdigte houër op 'n opsigtelike plek op die perseel vertoon word soos aangewys deur 'n lid van die munisipaliteit;</p> <p>(b) moet in 'n leesbare toestand gehou word;</p> <p>(c) moet die groepe en hoeveelhede van gevaarhoudende stowwe waarvoor die perseel geregistreer is, reflekteer;</p> <p>(d) moet die getal bopgrondse en/of ondergrondse opbergingstenks of bergingsfasiliteite, en die kapasiteit van elke sodanige opbergingstenk of bergingsfasiliteit, reflekteer; en/of</p> <p>(e) moet die getal stoorkamers en die totale kapasiteit van elke stoorkamer reflekteer; en/of</p> <p>(f) moet die getal gasinstallasies, die soort gasinstallasie en die totale volume en/of leweringskapasiteit van elke gasinstallasie reflekteer; en/of</p> <p>(g) moet die getal opbergingsfasiliteite vir ander gevaarhoudende stowwe spesifiseer en die volumes beoog vir elke fasiliteit reflekteer;</p> <p>(h) moet die reeksnommer reflekteer;</p> <p>(i) moet aantoon of die uitreiking van sodanige sertifikaat permanent of tydelik is;</p> <p>(j) moet die tydperk van geldigheid en vervaldatum van die sertifikaat reflekteer: Met dien verstande dat:</p> <p style="padding-left: 20px;">(i) die tydperk van geldigheid vir 'n maksimum van twaalf kalendermaande sal wees, bereken vanaf die datum van uitreiking;</p> <p style="padding-left: 20px;">(ii) skriftelike aansoek vir hernuwing van sodanige sertifikaat die munisipaliteit moet bereik ten minste een kalendermaand voor die vervaldatum.</p> <p>(5) 'n Sertifikaat van registrasie is nie oordraagbaar van een perseel na 'n ander nie.</p> <p>(6) 'n Sertifikaat van registrasie mag, onderhewig aan die bepalings van artikel 30, oordraagbaar wees van een eienaar na 'n ander of van een beheer na 'n ander op dieselfde perseel: Met dien verstande dat:</p> <p>(a) 'n aansoek vir sodanige oordrag op die voorgeskrewe vorm aan die munisipaliteit gemaak word; 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- (b) if the trade name of the premises changes, the holder of the spraying permit or certificate of registration must ensure that the municipality is immediately notified of such change in writing.
- (7) A certificate of registration will not be issued or renewed unless:
- (a) the municipality is in possession of a set of approved plans as contemplated in section 30 of this by-law; and
- (b) the prescribed application form has been completed in full and has been submitted to the municipality.
- (8) Any person who is in possession of a valid certificate of registration may apply to the municipality in writing on the prescribed form to have the total quantity of hazardous substances or the number of under-ground tanks, storerooms, gas installations or other storage areas amended, according to need, provided that:
- (a) any application must be accompanied by the prescribed fee;
- (b) an application will only be approved if the proposed amendments comply with the provisions of this by-law;
- (c) if an application is approved, the applicant must submit the original certificate of registration to the municipality for amendment.
- (9) The municipality may send the holder of a certificate of registration a reminder for renewal of registration. A holder of a certificate who has not received a reminder is not indemnified from possible prosecution.
- (10) The holder of a certificate of registration must ensure the validity of a certificate of registration.
- (11) Nothing in this section prevents the Chief Fire Officer from requiring any person who is storing, manufacturing, selling, using or handling on any premises any flammable liquid or flammable substance not falling within a Class I, Class II or Class III flammable liquid, to register such premises in terms of this by-law.
- (12) Where any person has a quantity of any notifiable substance which is equal or greater than that specified in the Occupational Health and Safety Act, No 85 of 1993: General Machinery Regulations, 1988: Schedule A, such person shall immediately notify the municipality and shall forthwith comply with the provisions of the Major Hazard Installation Regulations, 2001.
- (13) Notwithstanding the provisions of subsection (12), where the nature or quantities of hazardous substances on any premises are deemed by the Chief Fire Officer to constitute a major hazard, with particular reference to separation distances, he may direct the owner or user of such hazardous substance(s) to conduct a risk assessment in terms of Section 5 of the Major Hazard Installation Regulations published under Government Notice R 692 of 30 July 2001 and submit such findings to the municipality.
- (14) Where any premises are determined to be a major hazard installation, the municipality shall forthwith prepare an off-site emergency plan in respect thereof.
- (15) Any person who fails to comply with the provisions of this section or who alters a certificate of registration or who attempts to alter a certificate or permits a certificate to be altered is guilty of an offence.
- (b) indien die handelsnaam van die perseel verander, moet die houër van 'n spuitpermit of sertifikaat van registrasie verseker dat die munisipaliteit onmiddellik skriftelik van sodanige verandering in kennis gestel word.
- (7) 'n Sertifikaat van registrasie sal nie uitgereik of hernu word nie tensy:
- (a) die munisipaliteit in besit is van stel goedgekeurde planne soos beoog in artikel 30 van hierdie verordening; en
- (b) die voorgeskrewe aansoekvorm volledig voltooi en aan die munisipaliteit voorgelê is.
- (8) Enige persoon wat in besit is van 'n geldige sertifikaat van registrasie mag by die munisipaliteit skriftelik op die voorgeskrewe vorm aansoek doen om die totale hoeveelheid gevaarhoudende stowwe of die getal ondergrondse tenks, stookkamers, gasinstallasies of ander opbergingsareas na gelang van behoefte te wysig, op voorwaarde dat:
- (a) die aansoek vergesel moet wees van die voorgeskrewe gelde;
- (b) die aansoek slegs goedgekeur sal word indien die voorgestelde wysigings aan die bepalings van hierdie verordening voldoen; en
- (c) indien die aansoek goedgekeur word, die aansoeker die oorspronklike sertifikaat van registrasie aan die munisipaliteit moet voorsien vir wysiging.
- (9) Die munisipaliteit mag aan die houër van 'n sertifikaat van registrasie 'n herinnering stuur vir hernuwing van registrasie. 'n Houër van 'n sertifikaat wat nie 'n herinnering ontvang het nie is nie van moontlike vervolging gevrywaar nie.
- (10) Die houër van 'n sertifikaat van registrasie moet die geldigheid van 'n sertifikaat van registrasie verseker.
- (11) Niks in hierdie artikel verhinder die brandweerhoof om van enige persoon te vereis wat enige gevaarhoudende vloeistof of vlambare stof wat nie in 'n Klas I, Klas II of Klas II vlambare vloeistof val nie op enige perseel opberg, vervaardig, verkoop, gebruik of hanteer sodanige perseel ingevolge hierdie verordening te registreer nie.
- (12) Waar enige persoon enige merkbare hoeveelheid stof het wat gelyk of meer is as dié gespesifiseer in die Wet op Beroepsgeondheid en Veiligheid, No 85 van 1993: Algemene Masjienerie Regulasies, 1988: Skedule A, sal sodanige persoon onmiddellik die munisipaliteit in kennis stel en sal onverwyld voldoen aan die bepalings van die Hoofgevaar Installasie Regulasies, 2001.
- (13) Nieteenstaande die bepalings van subartikel (12), waar die aard of hoeveelheid van gevaarhoudende stowwe op enige perseel deur die brandweerhoof geag word 'n hoofgevaar in te hou, met besondere verwysing na skeidingsafstande, mag hy die eienaar of gebruiker van sodanige gevaarhoudende stof of stowwe gelas om 'n risiko evaluering ingevolge Afdeling 5 van die Hoofgevaar Installasie Regulasies gepubliseer ingevolge Goewermentskennisgewing R 692 van 30 Julie 2001 te onderneem en sodanige bevindings aan die munisipaliteit te voorsien.
- (14) Waar enige perseel as 'n hoofgevaar installasie bepaal is, moet die munisipaliteit onverwyld 'n buiteperseel noodplan ten opsigte daarvan opstel.
- (15) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen of wat 'n sertifikaat van registrasie verander of poog om 'n sertifikaat te verander of toelaat dat 'n sertifikaat verander word, is skuldig aan 'n misdryf.

102. Supply of hazardous substances

- (1) No person may:
 - (a) supply, have supplied or permit to be supplied to any unregistered premises, greater quantities of any hazardous substance than referred to in table 1 of this by-law;
 - (b) deliver or supply, have supplied or permit the supply of any other group of hazardous substance or greater quantities thereof than are specified in the applicable certificate of registration for any premises or person;
 - (c) handle or permit any container containing a hazardous substance to be handled in such a manner that will damage or may cause damage to such container;
- (2) Any person who fails to comply with the provisions of this section commits an offence.

103. Exemptions

- (1) Notwithstanding anything to the contrary in this by-law and for the purpose of the registration of premises, flammable liquid is not deemed to be stored, handled or transported provided:
 - (a) it is contained in the fuel tank of a motor vehicle for normal use;
 - (b) it is contained in the fuel tank of a stationary engine: Provided that the volume of the fuel tank does not exceed 1 000 litres and it is surrounded by an impervious bund wall, volumetrically capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank.
- (2) Any person who fails to comply with the provisions of this section commits an offence.

104. Renewal of spraying permits and/or certificates of registration

- (1) Any holder of a certificate of registration or spraying permit must submit an application for renewal of the certificate or permit to the municipality on the prescribed form before the first working day of December each year, which form must be accompanied by the prescribed fees; provided that the municipality may require further, additional or amended plans of registered premises for the purposes of renewal.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

105. Temporary storage of hazardous substances

- (1) The municipality may grant a temporary certificate of registration for a period of not more than six months to any person who, for *bona fide* reasons, requires more hazardous substances on the premises than the quantities contemplated in section 101(12) of this by-law: Provided that:
 - (a) if the hazardous substances are required for, or in connection with, excavations, construction work and road construction, the quantity must be limited to 14 000 litres;
 - (b) an application is submitted on the prescribed form, accompanied by the prescribed fees together with the plans required under section 100 of this by-law; and
 - (c) the duration of the temporary storage is at the discretion of the Chief Fire Officer.

102. Voorsiening van gevaarhoudende stowwe

- (1) Geen persoon mag:
 - (a) aan groter hoeveelhede gevaarhoudende stowwe as dié waarna in Tabel 1 van hierdie verordening verwys word aan enige ongeregisteerde perseel voorsien, reeds voorsien het of toelaat dat dit voorsien word nie;
 - (b) enige ander groep gevaarhoudende stowwe of groter hoeveelhede daarvan wat gespesifiseer word in die toepaslike sertifikaat van registrasie vir enige perseel of persoon lewer of voorsien, reeds gelewer het of die lewering toelaat nie;
 - (c) enige houer wat 'n gevaarhoudende stof bevat hanteer of toelaat dat dit hanteer word op sodanige wyse wat sodanige houer sal beskuldig of veroorsaak dat dit beskuldig word nie.
- (2) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

103. Vrystellings

- (1) Nieteenstaande enigiets tot die teendeel in hierdie verordening en vir die doel van die registrasie van persele, word brandbare vloeistof nie geag opgeberg, hanteer of vervoer te word nie met dien verstande dat:
 - (a) dit gehou word in die brandstoftenk van 'n mototvoertuig vir normale gebruik;
 - (b) dit gehou word in die brandstoftenk van 'n stilstaande enjin: Met dien verstande dat die volume van die brandstoftenk nie 1 000 liter oorskry nie en dit omring word deur 'n ondeurlatende keermeer, volumetries geskik om die maksimum voorgestelde hoeveelheid vloeistof, plus 10% van die volume van die tenk, te bevat.
- (2) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

104. Hernuwing van spuitverf permitte en/of sertifikate van registrasie

- (1) Enige houer van 'n sertifikaat van registrasie of spuitpermit moet 'n aansoek vir die hernuwing van die sertifikaat of permit op die voorgeskrewe vorm en voor die eerste werksdag van Desember elke jaar aan die munisipaliteit voorlê, welke vorm vergesel moet wees van die voorgeskrewe gelde; met dien verstande dat die munisipaliteit verdere, addisionele of gewysigde planne van geregisteerde persele mag vereis vir doeleindes van hernuwing.
- (2) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen is skuldig aan 'n misdryf.

105. Tydelike opberging van gevaarhoudende stowwe

- (1) Die munisipaliteit mag 'n tydelike sertifikaat van registrasie uitreik vir 'n periode van nie meer as ses maande nie aan enige persoon wat vir *bona fide* doeleindes meer gevaarhoudende stowwe as die hoeveelhede beoog in artikel 101 van hierdie verordening, op die perseel benodig: Met dien verstande dat:
 - (a) indien die gevaarhoudende stowwe benodig word vir of in verband met uitgrawings, konstruksiewerk en padkonstruksie moet die hoeveelheid beperk word tot 14 000 liter;
 - (b) 'n aansoek voorgelê word op die voorgeskrewe vorm, vergesel van die voorgeskrewe gelde en tesame met die planne vereis ingevolge artikel 100 van hierdie verordening; en
 - (c) die duur van tydelike opberging volgens die diskresie van die brandweerhoof sal wees.

- (2) Any person whose application for a temporary storage tank is approved must ensure that:
- the storage tank is surrounded by an impervious bund wall, volumetrically capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank;
 - provision is made for the run-off of any possible rainwater from the retaining walls or retaining embankments;
 - the storage tank is not erected within 5m of any erf boundary, building, excavation, road or driveway;
 - no source of ignition or potential ignition is brought within 5m of the storage tank;
 - symbolic signs prohibiting smoking and open flames, at least 300mm x 300mm in size, are affixed to all sides of the temporary installation; and
 - a minimum of two 9kg dry chemical fire extinguishers are installed within 10 m of the temporary installation.
- (3) Any person who fails to comply with the provisions of this section commits an offence.

106. Delivery of hazardous substances

- (1) Any person delivering hazardous substances to any supplier or user:
- may not park any delivery vehicle on or across any pavement or a public road;
 - may not place or allow any delivery hose to lie on or across any pavement, public road or other premises, or pass through or over a building;
 - must ensure that a 9kg dry chemical fire extinguisher is available and placed in the immediate readiness at all times;
 - must ensure that, during the pumped transfer of hazardous substances by pipe or hose, the delivery vehicle and all components of the transfer including the storage facility are bonded and earthed;
 - must ensure that the delivery vehicle is positioned so as to enable quick and easy removal thereof in the event of an emergency situation without exacerbating the situation; and
 - must ensure that no hazardous substance is transferred from a delivery vehicle to a facility that is leaking or broken.
- (2) The owner of any device connected with or used for the delivery of a hazardous substance must ensure that the device is designed for the intended purpose and is in a safe and good working condition.
- (3) The person in charge of any delivery process relating to any hazardous substance must take reasonable precautionary measures to ensure that no hazardous substance is spilled on any surface during delivery or the transfer thereof from a delivery vehicle to a storage facility.
- (4) No person may transfer or permit the transfer of any hazardous substance to a motor vehicle, aircraft, vessel, ship or boat whilst the power source thereof is in operation.
- (5) No person may transfer a hazardous substance to an aircraft unless and until the aircraft has been bonded to the transfer device and earthed to ground.

- (2) Elke persoon wie se aansoek vir 'n tydelike opbergingstenk goedgekeur is moet verseker dat—
- die opbergingstenk omring is deur 'n ondeurlatende keermuur, volumetries geskik om die maksimum voorgestelde hoeveelheid vloeistof, plus 10% van die volume van die tenk, te bevat;
 - voorsiening gemaak is vir die afloop van moontlike reënwater vanaf die keermure of keermure;
 - die opbergingstenk nie opgerig is binne 5m van enige erfgrens, gebou, uitgraving, pad of rylaan nie;
 - geen bron van aansteking of potensieële aansteking nader as 5m van die opbergingstenk gebring word nie;
 - simboliese tekens van ten minste 300mm x 300mm in grootte wat rook en oop vlamme verbied aangebring is op alle sye van die tydelike installasie; en
 - 'n minimum van twee 9kg droë chemiese brandblussers geïnstalleer is binne 10 m van die tydelike installasie.
- (3) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

106. Aflewering van gevaarhoudende stowwe

- (1) Enige persoon wat gevaarhoudende stowwe aan enige leweransier of gebruiker lewer:
- mag nie enige afleweringvoertuig op of oor enige sypaadjie of 'n openbare pad parkeer nie;
 - mag nie enige afleweringpyp op of oor enige sypaadjie, openbare pad of ander persele plaas of toelaat dat dit daarop of daaroor lê, of deur of oor 'n gebou gaan, nie;
 - moet verseker dat 'n 9kg droë chemiese brandblusser beskikbaar en in die onmiddellike omgewing vir gereedheid te alle tye geplaas is;
 - moet verseker dat gedurende die pompoordrag van gevaarhoudende stowwe by wyse van 'n pyp of slang, die afleweringvoertuig en alle komponente van die oordrag ingesluit die opbergingsfasiliteit, verbind en gegrond is;
 - moet verseker dat die afleweringvoertuig so geëposisioneer is sodat dit vinnig en maklik in die geval van 'n noodsituasie verwyder kan word sonder om die situasie te vererger; en
 - moet verseker dat geen gevaarhoudende stowwe oorgeplaas word van 'n afleweringvoertuig na 'n lekkende of stukkende fasiliteit.
- (2) Die eienaar van enige apparaat wat verbind is met of gebruik word vir die lewering van 'n gevaarhoudende stof moet verseker dat die apparaat ontwerp is vir die beoogde gebruik en in 'n veilige en goeie werkende toestand is.
- (3) Die persoon in beheer van enige leweringproses in verband met enige gevaarhoudende stof moet redelike voorsorgmaatreëls tref om te verseker dat geen gevaarhoudende stof op enige oppervlakte gemors word gedurende die lewering of oordrag daarvan van 'n afleweringvoertuig na 'n opbergingsfasiliteit nie.
- (4) Geen persoon mag enige gevaarhoudende stof na 'n motorvoertuig, vliegtuig, vaartuig, skip of boot oorplaas of die oorplasing daarvan toelaat terwyl die kragtoevoer daarvan in werking is nie.
- (5) Geen persoon mag 'n gevaarhoudende stof na 'n vliegtuig oorplaas nie tensy en totdat die vliegtuig met die oorplasingapparaat verbind en tot die grond gegrond is.

- (6) Any person who fails to comply with the provisions of this section commits offence.

107. Prohibition of certain actions

- (1) Any person who on any premises stores or permits, hazardous substances to be stored, handled or used, as the case may be, may not:
 - (a) perform, have performed or permit any act or action that may reasonably result in or cause a fire or an explosion; and
 - (b) perform, have performed or permit any act or action that may reasonably obstruct the escape to safety of any human being or animal during an emergency situation.
- (2) No person may dump or permit any hazardous substance to be dumped into any borehole, pit, sewer, drain system or surface water.
- (3) No person may discard hazardous substances in any manner other than by having or permitting such substances to be removed by a registered hazardous waste disposal agency that is suitably equipped to do so.
- (4) No person may light, bring or use, or permit any fire, flame or anything that produces or is capable of producing an open flame within 5m of any area where hazardous substances are stored, used or handled.
- (5) No person may use or permit any device to be used in connection with hazardous substances in any basement of a building, excluding a gas welding device and/or gas cutting device for the sole purpose of welding and/or cutting in connection with the maintenance of that building.
- (6) With the exception of the driver or other person in charge thereof, no person may fill, have filled or permit the filling of the fuel tank of a bus while there is any other person or persons on board such bus and no person may transport or permit the transportation of any hazardous substances in or on any bus, except in the fuel tank.
- (7) Any person who fails to comply with the provisions of this section commits an offence.

108. "No Smoking" signs

- (1) The owner of a building must, in areas where flammable and/or explosive hazardous substances are used, stored and handled, display SABS 1186 symbolic signs prohibiting smoking and open flames. Such signs must be of the size specified by the municipality and must be prominently displayed.
- (2) Any owner or person who fails to comply with or who permits any contravention of subsection (1) commits an offence.

TABLE 1

Maximum quantities of hazardous substances for Exemption from Certificates of Registration (Regulation 31) and Service Transport Permits (Regulation 52)

(A)	SINGLE-LOAD HAZARDOUS SUBSTANCES	QUANTITIES MAY NOT EXCEED
1.	Group I: Explosives	No exemption
2.	Group II: Gases	
2.1	Flammable gases	100kg total cylinder capacity
2.2	Non-flammable gases	333kg total cylinder capacity
2.3	Toxic gases	No exemption
3.	Group III: Flammable liquids	
3.1	Flash point ≤ 18 °C	100 litres
3.2	Flash point > 18 °C but ≤ 23 °C	420 litres

- (6) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

107. Sekere aksies verbode

- (1) Enige persoon wat op enige perseel gevaarhoudende stowwe opberg of die opberging, hantering of gebruik toelaat, na gelang van die geval, mag nie:
 - (a) enige handeling of aksie verrig, verrig het of toelaat wat redelikerwys in 'n brand of 'n ontploffing mag uitloop of veroorsaak nie; en
 - (b) enige handeling of aksie verrig, verrig het of toelaat wat redelikerwys die ontsnapping na veiligheid van enige mens of dier gedurende 'n noodgeval sal verhinder nie.
- (2) Geen persoon mag enige gevaarhoudende stowwe in enige boorgat, put, riool, dreinstelsel of oppervlaktewater stort of dit toelaat nie.
- (3) Geen persoon mag gevaarhoudende stowwe wegdoen op enige wyse anders as om sodanige stowwe deur 'n geregistreerde gevaarhoudende afvalwegdoeningsagentskap wat behoorlik toegerus is om dit te doen, te laat verwyder of sodanige verwydering daarvan toe te laat nie.
- (4) Geen persoon mag enige vuur, vlam of enigets wat 'n oop vlam voortbring of geskik is om 'n oop vlam voort te bring, aansteek, bring of gebruik of dit toelaat nie, binne 5m van enige area waar gevaarhoudende stowwe opgeberg, gebruik of hanteer word.
- (5) Geen persoon mag enige apparaat gebruik of die gebruik daarvan in verband met gevaarhoudende stowwe toelaat nie in enige kelderverdieping van enige gebou, uitgesluit 'n gassweisapparaat en/of gassnyapparaat vir die uitsluitlike doel van sweis en/of snywerk in verband met die onderhoud van daardie gebou.
- (6) Met uitsondering van die bestuurder of ander persoon in beheer daarvan, mag geen persoon die brandstoftenk van 'n bus volmaak, volgemaak het of die volmaak toelaat nie terwyl daar enige ander persoon of persone in sodanige bus is en geen persoon mag die vervoer van enige gevaarhoudende stowwe in of op enige bus, behalwe in sy brandstoftenk, vervoer of toelaat nie.
- (7) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

108. "Nie Rook"- tekens

- (1) Die eienaar van 'n gebou moet in gebiede waar vlambare en/of plofbare gevaarhoudende stowwe gebruik, opgeberg of hanteer word, SABS 1186 simboliese tekens wat rook en oop vlamme verbied vertoon. Sodanige tekens moet van die grootte soos gespesifiseer deur die munisipaliteit wees en prominent vertoon word.
- (2) Enige eienaar of persoon wat versuim om aan of enige oortreding toelaat van subartikel (1) te voldoen begaan 'n misdryf.

TABEL 1

Maksimum hoeveelheid gevaarhoudende stowwe vir vrystelling van Sertifikaat van Registrasie (Regulasie 31) en Diensvervoer Permitte (Regulasie 52)

(A)	ENKELVRAG GEVAARHOUDENDE STOF	HOEVEELHEID NIE OORSKRY TE WORD
1.	Groep I: Plofstof	Geen vrystelling
2.	Groep II: Gasse	
2.1	Vlambare gasse	100 kg totale silinder kapasiteit
2.2	Nie-vlambare gasse	333 kg totale silinder kapasiteit
2.3	Toksiese gasse	Geen vrystelling
3.	Groep III: Vlambare vloeistowwe	
3.1	Vlampunt ≤ 18°C	100 liter
3.2	Vlampunt > 18°C maar ≤ 23°C	420 liter

(A)	SINGLE-LOAD HAZARDOUS SUBSTANCES	QUANTITIES MAY NOT EXCEED
3.3	Flash point > 23 °C but ≤ 61 °C	1 100 litres
3.4	Flash point > 61 °C but ≤ 100 °C	1 100 litres
4.	Group IV: Flammable solids	
4.1	Flammable solids	Section 1.01 250kg
4.2	Pyrophoric substances	No exemption
4.3	Water-reactive substances	No exemption
5.	Group V: Oxidising agents and organic peroxides	
5.1	Oxidising agents	200kg
5.2	Group I organic peroxides in packets	No exemption
5.3	Group II organic peroxides in packets	200kg
6.	Group VI: Toxic/ Infective substances	
6.1	Group I toxic substances in packets	5kg
6.2	Group II toxic substances in packets	50kg
6.3	Group III toxic substances in packets	500kg
6.4	Infective substances	No exemption
7.	Group VII: Radioactive materials	No exemption
8.	Group VIII: Corrosive/caustic substances	
8.1	Group I acids in packets	50kg
8.2	Group II acids in packets	200kg
8.3	Group III acids in packets	1 000kg
8.4	Group I alkaline substances in packets	50kg
8.5	Group II alkaline substances in packets	200kg
8.6	Group III alkaline substances in packets	1 000kg
9.	Group IX: Miscellaneous substances	
9.1	Liquids	210 litres
9.2	Solids	210 kg
(B)	MULTIPLE-LOAD HAZARDOUS SUBSTANCES	No exemption

109. Group I hazardous substances

- (1) All Group I hazardous substances (explosives) must be handled, used, stored and transported in accordance with the provisions of SANS 0228, 0229, 0232 and 0263, the Explosives Act, 1956, and the Hazardous Substances Act, 1973, and any regulations made under these Acts, as the case may be.
- (2) Any person who by any act or omission commits a breach of any provision of this section commits an offence

110. Group II hazardous substances

- (1) Portable containers
 - (a) All portable metal containers and related devices for Group II hazardous substances must be manufactured, marked, maintained, filled and stored in accordance with the provisions of SANS 10019, SABS 0228, SABS 0229 and SABS 0238, as the case may be.
 - (b) All portable metal containers for liquid petroleum gas must be stored, filled and/or installed in accordance with the provisions of SABS 0228, SABS 0229, SABS 0238, SANS 10019 and SANS 10087, Parts 1 to 10, as the case may be.
 - (c) All portable containers for Group II hazardous substances must at all times be transported, stored and/or installed in a vertical position.
- (2) Bulk containers
 - (a) All bulk containers for Group II hazardous substances must be designed, manufactured, maintained and installed in terms of the provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), and any regulations made under the Act; SANS 10019; SANS 10087-3; and the provisions of the National Building Regulations and Building Standards Act, 1977, and any regulations made under the Act, as the case may be.
- (3) Manifold installations
 - (a) No Group II hazardous substance may, for any reason whatsoever, be used, stored, handled or installed indoors in any manifold installation or otherwise on any premises.

(A)	ENKELVRAG GEVAARHOUDENDE STOF	HOEVEELHEID NIE OORSKRY TE WORD
3.3	Vlampunt > 23°C maar ≤ 61°C	1 100 liter
3.4	Vlampunt > 61°C maar ≤ 100°C	1 100 liter
4.	Groep IV: Vlambare vaste stowwe	
4.1	Vlambare vaste stowwe	Artikel 1.01 250 kg
4.2	Pirophoriese stowwe	Geen vrystelling
4.3	Water-reaktiewe stowwe	Geen vrystelling
5.	Groep V: Oksideermiddels en organiese peroksiede	
5.1	Oksideermiddels	200kg
5.2	Groep I organiese peroksiede in pakkies	Geen vrystelling
5.3	Groep II organiese peroksiede in pakkies	200 kg
6.	Groep VI: Toksies/besmetlike stowwe	
6.1	Groep I toksiese stowwe in pakkies	5 kg
6.2	Groep II toksiese stowwe in pakkies	50 kg
6.3	Groep III toksiese stowwe in pakkies	500 kg
6.4	Besmetlike stowwe	Geen vrystelling
7.	Groep VII: Radioaktiewe materiale	Geen vrystelling
8.	Groep VIII: Korrosie/ bytmiddels	
8.1	Groep I sure in pakkies	50 kg
8.2	Groep II sure in pakkies	200 kg
8.3	Groep III sure in pakkies	1 000 kg
8.4	Groep I alkaliese stowwe in pakkies	50 kg
8.5	Groep II alkaliese stowwe in pakkies	200 kg
8.6	Groep III alkaliese stowwe in pakkies	1 000 kg
9.	Groep IX: Verskeie stowwe	
9.1	Vloeistowwe	210 liter
9.2	Vaste stowwe	210 kg
(B)	VEELVULDIGE VRAG GEVAARHOUDENDE STOWWE	Geen vrystelling

109. Groep I gevaarhoudende stowwe

- (1) Alle Groep I gevaarhoudende stowwe (ploffstof) moet hanteer, gebruik, opgeberg en vervoer word ooreenkomstig die bepaling van SANS 0228, 0229, 0232 en 0263, die Wet op Ontploffbare Stowwe, 1956 en die Wet op Gevaarhoudende Stowwe, 1973 en enige ander regulasies gemaak ingevolge hierdie wette, na gelang van die geval.
- (2) Enige persoon wat by wyse van enige handeling of versuim enige bepaling van hierdie artikel oortree begaan 'n misdryf.

110. Groep II gevaarhoudende stowwe

- (1) Draagbare houers
 - (a) Alle draagbare metaalhouers en verbandhoudende apparaat vir Groep II gevaarhoudende stowwe moet vervaardig, gemerk, onderhou, gevul en opgeberg word ooreenkomstig die bepaling van SANS 10019, SABS 0228, SABS 0229 en SABS 0238, na gelang van die geval.
 - (b) Alle draagbare metaalhouers vir vloeibare petroleumgas moet opgeberg, gevul en/of geïnstalleer word ooreenkomstig die bepaling van SABS 0228, SABS 0229, SANS 0238, SANS 10019 en SANS 10087, Dele 1 tot 10, na gelang van die geval. en SABS 0238, na gelang van die geval.
 - (c) Alle draagbare houers vir Groep II gevaarhoudende stowwe moet te alle tye vervoer, opgeberg en/of geïnstalleer word in 'n vertikale posisie.
- (2) Grootmaat houers
 - (a) Alle grootmaat houers vir Groep II gevaarhoudende stowwe moet ontwerp, vervaardig, onderhou en geïnstalleer word ingevolge die bepaling van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet 85 van 1993) en enige regulasies gemaak kragtens die Wet, SANS 10087-3 en die bepaling van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 en die vereistes van enige regulasies gemaak kragtens die Wet, na gelang van die geval.
- (3) Veelsortige installasies
 - (a) Geen Groep II gevaarhoudende stof mag vir welke rede ookal, gebruik, hanteer of geïnstalleer word binne deurs in enige veelsortige installasie of andersins op enige perseel nie.

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| <p>(b) The provisions of this section are not applicable to the storage, use, handling or installation of any portable liquid petroleum gas container with a maximum water capacity of 45 Litres inside a detached private dwelling, on condition that such container is used solely for <i>bona fide</i> residential purposes: Provided that such cylinders are installed in accordance with the requirements of SANS 10087-1.</p> <p>(i) Any person who furnishes proof, as contemplated in subsection (4)(b), must be an approved professional engineer or other registered competent person and, in terms of Regulation A19 of the National Building Regulations, be appointed by the owner or occupier of the building in question.</p> <p>(ii) Scientifically based detailed calculations and tests must form the basis of such proof.</p> <p>(4) (a) No person may, without the permission of the Chief Fire Officer, use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices and/or hydrogen balloons indoors, for whatever purpose.</p> <p>(b) In enforcing this subsection, hydrogen gas shall include any gas compound that contains hydrogen gas, unless the non-flammable nature and/or non-explosiveness of the gas compound can be scientifically certified.</p> <p>(5) Acetylene welding and/or cutting devices may only be used indoors in accordance with the provisions of SABS 0238: Provided that the Chief Fire Officer may prescribe fire protection requirements concerning the installation, storage and use of such devices.</p> <p>(6) The installation of under ground pipelines for any Group II hazardous substance within the area, including branches and manifolds of such pipelines, as the case may be, is <i>mutatis mutandis</i> subject to the provisions of sections 100 to 108 of this by-law.</p> <p>(7) Under ground pipelines:</p> <p>Any under ground pipeline for a Group II hazardous substance must comply with the following requirements:</p> <p>(a) The owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1 600l per minute at a work pressure of 300 kPa, and such fire hydrants must be parallel to the pipeline at every pump station within the area. The owner must maintain the fire hydrants in a working condition at all times.</p> <p>(b) The owner of a pipeline must provide sufficient cathodic protection for the pipeline and maintain the cathodic protection in a working condition at all times.</p> <p>(c) A pipeline must be indicated by markers approved by the Chief Fire Officer and such markers must be maintained in a functional condition at all times by the owner of the pipeline.</p> <p>(d) The installation and extension of a pipeline or branches to consumers' premises, and the maintenance of the pipeline within the area of the local authority, must <i>in toto</i> be done according to a recognised standard approved by the Chief Fire Officer.</p> <p>(e) No construction work above or below the ground may be done within 16m of the pipeline reserve, unless the construction company is in possession of written authorisation to do so, which authorisation has been issued by the controlling authority and the owner of the pipeline.</p> | <p>(b) Die bepalinge van hierdie artikel is nie van toepassing op die opberging, gebruik, hantering en installering van enige draagbare vloeibare petroleumgashouer met 'n maksimum waterkapasiteit van 24 liter binne 'n losstaande privaat woning nie, op voorwaarde dat sodanige houer uitsluitlik gebruik word vir <i>bona fide</i> residensiële doeleindes; Met dien verstande dat sodanige silinders geïnstalleer word ooreenkomstig die vereistes van SANS 10087-1.</p> <p>(i) Enige persoon wat bewys lewer, soos beoog in subartikel (4)(b), moet 'n goedgekeurde professionele ingenieur of ander geregistreerde bevoegde persoon wees en ingevolge Regulasie A19 van die Nasionale Bouregulasies aangestel wees deur die eienaar of okkupeerder van die gebou betrokke.</p> <p>(ii) Wetenskaplik gefundeerde gedetailleerde berekeninge en toetse moet die basis vorm van sodanige bewys.</p> <p>(4) (a) Geen persoon mag sonder toestemming van die brandweerhoof enige hidrogeen gevulde draagbare houers, hidrogeen apparate en/of hidrogeen ballonne binnenshuis, vir welke rede ookal, gebruik, hanteer, vertoon of aanwend nie.</p> <p>(b) By die toepassing van hierdie subartikel, sal hidrogeen gas enige gas samestelling wat hidrogeen gas bevat insluit, tensy die nie-vlambare aard en/of nie-ontploffbaarheid van die gas samestelling wetenskaplik gesertifiseer kan word.</p> <p>(5) Acetylene sweiswerk en/of snyapparate mag slegs binne deurs gebruik word ooreenkomstig die bepalinge van SANS 0238: Met dien verstande dat die brandweerhoof brandbeskermingsvereistes met betrekking tot installasie, opberging en gebruik van sodanige apparate mag voorskryf.</p> <p>(6) Die installering van ondergrondse pyplyne vir enige Groep II gevaarhoudende stof binne die area, ingesluit takke en veelsoortige van sodanige pyplyne, na gelang van die geval, is <i>mutatis mutandis</i> onderhewig aan die bepalinge van artikel 100 tot 108 van hierdie verordening.</p> <p>(7) Ondergrondse pyplyne</p> <p>Enige ondergrondse pyplyn vir 'n Groep II gevaarhoudende stof moet aan die volgende vereistes voldoen:</p> <p>(a) Die eienaar van die pyplyn moet brandkrane voorsien, waarvan die vereiste lewering van elke individuele brandkraan ten minste 1 600 liter per minuut teen 'n werksdruk van 300kPa moet wees, en sodanige brandkrane moet parallel met die pyplyn by elke pompstasie binne die area wees. Die eienaar moet die brandkrane te alle tye in 'n werkende toestand hou.</p> <p>(b) Die eienaar van 'n pyplyn moet voldoende katodiese beskerming vir die pyplyn voorsien en en die katodiese beskerming te alle tye in 'n werkende toestand hou.</p> <p>(c) Die pyplyn moet aangedui word deur merkers goedgekeur deur die brandweerhoof en sodanige merkers moet te alle tye deur die eienaar in 'n funksionele toestand gehou word.</p> <p>(d) Die installering en verlenging van 'n pyplyn of takke na persele van verbruikers en die onderhoud van die pyplyn binne die area van die munisipaliteit, moet <i>in toto</i> uitgevoer word ooreenkomstig 'n aanvaarbare standaard goedgekeur deur die brandweerhoof.</p> <p>(e) Geen konstruksiewerk bo of onder die grond mag gedoen word binne 16m van die pyplyn reserwe nie, tensy die konstruksie maatskappy in besit is van 'n skriftelike magtiging om dit te doen, welke magtiging uitgereik is deur die beherende owerheid en die eienaar van die pyplyn.</p> |
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- (8) Any person who fails to comply with the provisions of this section commits an offence.

111. Flammable liquids

Tank manufacture

- (a) No person may install, use or utilise or attempt to install, use or utilise any storage tank for the under-ground storage of flammable liquids, unless the tank has been manufactured in accordance with the provisions of SANS 1535.
- (b) Any person who installs, uses or utilises or attempts to install, use or utilise any under-ground storage tank which does not comply with the requirements of SANS 1535 commits an offence.

112. Installation of storage tanks

- (1) Any storage tank for Group III hazardous substances must be installed in accordance with the provisions of SANS 10400; SABS 1089, Parts I, II and III; SABS 10131, Parts I, II and III; SABS 0108 and SABS 086, as the case may be: Provided that:
- (a) all storage tanks installed indoors must be installed in accordance with the provisions of SANS 10131;
- (b) all pumps and filling devices installed indoors must be in purpose-built, registered premises;
- (c) all installations, as contemplated in subsection 110(1) and (2), are subject *mutatis mutandis* to the provisions of section 100 and section 101 of this by-law; and
- (d) except for storage tanks contemplated in section 112 of this by-law, all above-ground storage tanks may only be installed in bulk depots.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

CHAPTER 11: TRANSPORT, SUPPLY AND DELIVERY OF DANGEROUS GOODS

113. Transport of dangerous goods prohibited without permits

- (1) The owner of any vehicle used for transporting dangerous goods, must—
- (a) be in possession of a valid transport permit issued in accordance with the National Road Traffic Act; and
- (b) ensure that the transport permit is available in the vehicle for inspection at all times.
- (2) Any person who contravenes subsection (1) commits an offence.

114. Application for transport permits

An application for a transport permit must be completed and submitted to the chief fire officer in the form and manner prescribed.

115. Requirements of transport permits

- (1) A transport permit—
- (a) may not be issued by the chief fire officer for a period longer than 12 months; and
- (b) must—
- (i) indicate the date of issue and expiry;
- (ii) identify the issuing officer and bear that officer's signature;

- (8) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

111. Vlambare vloeistowwe

Tenk vervaardiging

- (a) Geen persoon mag enige opbergingsstenk vir ondergrondse opberging van vlambare vloeistowwe installeer, gebruik of aanwend of poog om te installeer, gebruik of aan te wend nie, tensy die tenk vervaardig is ooreenkomstig die bepalings van SANS 1535.
- (b) Enige persoon wat enige ondergrondse tenk installeer, gebruik of aanwend of poog om te installeer, gebruik of aan te wend wat nie aan die vereistes van SANS 1535 voldoen nie, begaan 'n misdryf.

112. Installering van opbergingsstenke

- (1) Enige opbergingsstenk vir Groep III gevaarhoudende stowwe moet ooreenkomstig die bepalings van SANS 10400, SABS 1089, Dele I, II en III, SANS 10131, Dele I, II en III, SABS 0108 en SABS 086, na gelang van die geval, geïnstalleer word: Mer dien verstande dat:
- (a) alle opbergingsstenks binne deurs geïnstalleer moet ooreenkomstig die bepalings van SANS 10131 geïnstalleer word;
- (b) alle pompe en vullingsapparaat binne deurs geïnstalleer moet in doelmatig geboude, geregistreerde persele wees;
- (c) alle installasies beoog in subartikels 110(1) en (2) is *mutatis mutandis* onderhewig aan die bepalings van artikel 100 en artikel 101 van hierdie verordening; en
- (d) behalwe vir opbergingsstenke beoog in artikel 112 van hierdie verordening, mag bogrondse opbergingsstenke slegs geïnstalleer word in grootmaat depots.
- (2) Enige persoon wat versuim om aan die bepalings van hierdie artikel te voldoen begaan 'n misdryf.

HOOFSTUK 11: VERVOER, VOORSIENING EN AFLEWERING VAN GEVAARLIKE GOEDERE

113. Vervoer van gevaarlike goedere verbode sonder permitte

- (1) Die eienaar van 'n voertuig wat gebruik word vir die vervoer van gevaarlike goedere moet—
- (a) in besit wees van 'n geldige vervoer permit uitgereik ingevolge die Nasionale Padverkeerswet; en
- (b) verseker dat die vervoer permit te alle tye in die voertuig beskikbaar is vir inspeksie.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

114. Aansoek om vervoer permitte

'n Aansoek om 'n vervoer permit moet voltooi en aan die brandweerhoof voorgelê word in die vorm en wyse voorgeskryf.

115. Vereistes van vervoer permitte

- (1) 'n Vervoer permit—
- (a) mag nie deur die brandweerhoof vir 'n periode langer as 12 maande uitgereik word nie; en
- (b) moet—
- (i) die datum van uitreiking en verval aantoon;
- (ii) die uitreikingsbeampte identifiseer en sy amptelike handtekening bevat;

- (iii) contain a serial number;
- (iv) indicate the group and quantity of dangerous goods that may be transported under the permit; and
- (v) contain a description of the vehicle concerned, including its registration number.

116. Cancellation of transport permit

The provisions of section 45, read with the necessary changes, apply to any cancellation of a transport permit by the chief fire officer.

117. Exemption from transport permits

A transport permit contemplated in section 113 is not required for the transportation of dangerous goods of the type and not exceeding the quantities stipulated in Schedule 3.

118. Design, construction, maintenance and repair of road tankers

- (1) Every person who designs, constructs, maintains or repairs any road tanker for the transportation of dangerous goods must:
 - (a) comply with the provisions of SANS 0189, SANS 1398, SANS 0233, SANS 087, Part 6 SANS 089, Part 1, SANS 0230 and SANS 1518, as the case may be; and
 - (b) ensure that the road tanker is labelled in a manner that complies with the provisions of SANS 0232 and any applicable law.
- (2) Any person who contravenes subsection (1) commits an offence.

119. Design, construction, maintenance and repair of other vehicles

- (1) Every person who designs, constructs, maintains or repairs any vehicle for the transportation of dangerous goods, except a road tanker, must ensure that the vehicle—
 - (a) is designed and constructed—
 - (i) to safely transport the quantity and type of dangerous goods for which the vehicle is intended to be used; and
 - (ii) with at least two independent axle systems, each with its own suspension system, excluding any trailer forming part of an articulated vehicle;
 - (b) is equipped with—
 - (i) a safety edge or safety railing—
 - (aa) at least 1 metre high when measured from the surface of the body of the vehicle; and
 - (bb) capable of securing dangerous goods containers;
 - (ii) strong and durable straps—
 - (aa) capable of fastening dangerous goods containers securely to the body of the vehicle;
 - (bb) that are anchored firmly to the bodywork of the vehicle; and
 - (cc) that are fitted with a reversible cog winch mechanism that can be locked;
 - (iii) electrical wiring that complies with SANS 314;

- (iii) 'n reeksnommer bevat;
- (iv) die groep en hoeveelheid van gevaarlike goedere wat onder die permit vervoer mag word aantoon; en
- (v) 'n beskrywing van die voertuig betrokke bevat, ingesluit sy registrasienommer.

116. Kansellasië van vervoer permitte

Die bepalings van artikel 45, gelees met die nodige veranderinge, is van toepassing op die kansellasië van 'n vervoer permit deur die brandweerhoof.

117. Vrystelling van vervoer permitte

'n Vervoer permit beoog in artikel 113 word nie benodig vir die vervoer van gevaarlike goedere van die soort en die hoeveelhede gemeld in Skedule 3 nie.

118. Ontwerp, konstruksie, onderhoud en herstel van padtenkvoertuie

- (1) Elke persoon wat enige padtenkvoertuig vir die vervoer van gevaarlike goedere ontwerp, bou, onderhou of herstel moet:
 - (a) voldoen aan die bepalings van SANS 0189, SANS 1398, SANS 0233, SANS 087, Deel 6, SANS 089, Deel 1, SANS 0230 en SANS 1518, na gelang van die geval; en
 - (b) versker dat die padtenkvoertuig geëtiketteer is op 'n wyse wat voldoen aan die bepalings van SANS 0232 en enige toepaslike wetgewing.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

119. Ontwerp, konstruksie, onderhoud en herstel van ander voertuie

- (1) Elke persoon wat enige voertuig, behalwe 'n padtenkvoertuig, vir die vervoer van gevaarlike goedere ontwerp, bou, onderhou of herstel moet verseker dat die voertuig—
 - (a) ontwerp en gebou is—
 - (i) om die hoeveelheid en soort gevaarlike goedere waarvoor die voertuig beoog om gebruik te word, veilig te vervoer; en
 - (ii) met ten minste twee onafhanklike asstelsels, elkeen met sy eie suspensiestelsel, uitgesluit enige sleepwa wat deel vorm van 'n geartikuleerde voertuig.
 - (b) toegerus is met—
 - (i) 'n veiligheidsrand of veiligheidsreeling—
 - (aa) van ten minste 1 meter hoog wanneer gemeet van die oppervlakte van die bakwerk van die voertuig; en
 - (bb) geskik is om gevaarlike goedere houers te beveilig;
 - (ii) sterk en duursame gordels—
 - (aa) geskik om gevaarlike goedere houers veilig aan die bakwerk van die voertuig vas te maak;
 - (bb) wat ferm aan die bakwerk van die voertuig geanker is; en
 - (cc) wat toegerus is met 'n omkeerbare rattand windas meganisme wat gesluit kan word;
 - (iii) elektriese bedrading wat voldoen aan SANS 314;

- (iv) at least 2 static-free wheel blocks;
- (v) a power insulating switch, excluding the ignition switch, situated in close proximity to the vehicle battery and in a position readily accessible in any emergency; and
- (vi) a spark-proof and static-free tank that is designed, constructed and equipped to protect any dangerous goods consignment from shock or ignition while in transit.

- (2) Any person who contravenes subsection (1) commits an offence.

120. General prohibitions regarding transport of dangerous goods

- (1) No person may use or allow to be used, any vehicle to transport dangerous goods, unless:
- (a) the vehicle has a valid roadworthy certificate;
 - (b) if not exempt in terms of section 117, the vehicle is equipped with at least two 9 kilogram dry chemical fire extinguishers—
 - (i) designed and manufactured in accordance with SANS 810 and maintained in accordance with SANS 0105 and SANS 1475; and
 - (ii) positioned and installed so that there is at least one fire extinguisher on each side of the vehicle that can be reached quickly and easily in the event of a fire.
- (2) No person may use or allow to be used any vehicle to transport dangerous goods unless the vehicle cabin, body, cargo space, cargo tank, fuel tank, chassis and engine are effectively and permanently earthed with each other.
- (3) Any person who contravenes subsections (1) and (2) commits an offence.

121. Supply of dangerous goods prohibited in certain circumstances

- (1) No person may deliver or supply or allow to be delivered or supplied any dangerous goods of a type and in a quantity exceeding that specified in Schedule 2 to any premises that are not registered as contemplated in section 64(1).
- (2) No person may deliver or supply or allow to be delivered or supplied any dangerous goods to any premises in contravention of any conditions of the certificate of registration applicable to those premises.
- (3) No person may handle or allow to be handled any container containing dangerous goods in a manner that may damage that container.
- (4) Every person who delivers dangerous goods must ensure that—
- (a) a 9 kilogram dry chemical fire-extinguisher is available at all times during the delivery;
 - (b) during any transfer of the dangerous goods, the delivery vehicle is physically earthed to the storage facility to which the dangerous goods are being transferred;
 - (c) while delivering—
 - (i) the delivery vehicle is placed in such a position that it can be moved easily and quickly in the event of an emergency;
 - (ii) the delivery vehicle is not parked on or across a pavement or a road;

- (iv) ten minste 2 statiesvrye wielblokke;
- (v) 'n kraggeïnsuleerde skakelaar, uitgesluit die vonkskakelaar, geleë naby die battery van die voertuig en in 'n posisie geredelik toeganklik in enige noodgeval; en
- (vi) 'n vonk-Proof en staties vrye tenk wat ontwerp, gebou en toegerus is om enige gevaarlike goedere van skok of aansteking tydens vervoer te beskerm.

- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

120. Algemene verbodbepalings met betrekking tot vervoer van gevaarlike goedere

- (1) Geen persoon mag enige voertuig gebruik of toelaat om gebruik te word vir die vervoer van gevaarlike goedere nie tensy:
- (a) die voertuig 'n geldige padwaardigheidsertifikaat het;
 - (b) indien nie vrygestel ingevolge artikel 117, die voertuig toegerus is met ten minste twee 9kg droë vhemiese brandblussers—
 - (i) ontwerp en vervaardig ooreenkomstig SANS 810 en onderhou ooreenkomstig SANS 0105 en SANS 1475; en
 - (ii) geposisioneer en geïnstalleer is sodat daar ten minste een brandblusser aan elke kant van die voertuig is wat vinnig en maklik bereikbaar is in geval van 'n brand.
- (2) Geen persoon mag enige voertuig gebruik of toelaat om gebruik te word vir die vervoer van gevaarlike goedere nie tensy die voertuigkajuit, bakwerk, vragspasie, vragtenk, brandstoftenk, onderstel en enjin effektief en permanent gegrond is met mekaar
- (3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

121. Voorsiening van gevaarlike goedere verbode in sekere omstandighede

- (1) Geen persoon mag enige gevaarlike goedere van 'n soort en in 'n hoeveelheid wat dié gemeld in Bylae 2 oorskry lewer of voorsien of toelaat om gelewer of voorsien te word aan enige perseel wat nie geregistreer is soos beoog in artikel 64(1) nie.
- (2) Geen persoon mag enige gevaarlike goedere lewer of voorsien of toelaat om gelewer of voorsien te word aan enige perseel teenstrydig met enige voorwaardes van 'n sertifikaat van registrasie van toepassing op daardie perseel.
- (3) Geen persoon mag enige houer wat gevaarlike goedere bevat hanteer of hantering toelaat op 'n wyse wat daardie houer mag beskadig nie.
- (4) Elke persoon wat gevaarlike goedere lewer moet versker dat—
- (a) 'n 9kg droë chemiese brandblusser te alle tye beskikbaar is tydens die lewering;
 - (b) gedurende enige vervoer van die gevaarlike goedere, die voertuig fisies gegrond is aan die opbergingsfasiliteit waarna die gevaarlike goedere oorgeplaas word;
 - (c) tydens lewering—
 - (i) die leweringsvoertuig so geplaas en geposisioneer is dat dit maklik en vinnig beweeg kan word in geval van 'n noodgeval;
 - (ii) die leweringsvoertuig nie op of oor 'n sypaadjie of 'n pad geparkeer is nie; en

- (iii) no delivery hose lies on or across a pavement, road or other premises;
 - (d) no dangerous goods are transferred to a storage facility that does not comply with the requirements of Chapter 8 of this by-law and the provisions of SANS 0263;
 - (e) any device connected with, or used for, the delivery of the dangerous goods—
 - (i) is designed for its purpose; and
 - (ii) is maintained in safe and good working condition; and
 - (f) no dangerous goods are spilled during delivery.
- (5) No person may transfer or allow to be transferred any dangerous goods to any motor vehicle, aircraft, vessel, ship or boat while its power source is in operation.
- (6) No person may transfer any dangerous goods to any aircraft unless the aircraft is earthed to the transferral device by means of an earth cable.
- (7) Any person who contravenes subsections (1), (2), (3), (4), (5) and (6) commits an offence.

122. Records of transport permits

The chief fire officer must keep updated records of all vehicles in respect of which a transport permit has been issued, amended or renewed.

CHAPTER 12: SPRAY PAINTING AND SPRAYING ROOMS

123. Spray rooms and booths

A spray room, booth or area designated for the application of a flammable liquid must be constructed and equipped according to the requirements in Schedule 4 of this by-law and must be operated in such a manner as to comply with the General Safety Regulations promulgated in terms of the Occupational Health and Safety Act.

124. Spraying prohibited without spraying permit

- (1) No person may spray, coat, plate or epoxy-coat any vehicle, article, object or building or part thereof or allow them to be sprayed, coated, plated or epoxy-coated with any flammable substance unless—
 - (a) that person is in possession of a spraying permit contemplated in section 125;
 - (b) the spraying, coating, plating or epoxy-coating as the case may be is conducted in a spraying room approved by the chief fire officer on premises registered for that purpose.
- (2) Any person who contravenes subsection (1) commits an offence.

125. Application for spraying permit

Any person who wishes to obtain a spraying permit must—

- (a) complete and submit to the chief fire officer an application form for such permit in the form and manner as prescribed.

126. Cancellation of spraying permit

The provisions of section 45, read with the necessary changes, apply to the cancellation by the chief fire officer of any spraying permit.

- (iii) geen leweringslang nie op of oor 'n sypaadjie, pad of onder perseel lê nie;
 - (d) geen gevaarlike goedere vervoer word na 'n opbergingsfasiliteit wat nie aan die vereistes van Hoofstuk 8 van hierdie verordening en die bepalings van SANS 0263 voldoen nie;
 - (e) enige apparaat verbind met, of gebruik vir, die lewering van die gevaarlike goedere—
 - (i) vir daardie doel ontwerp is; en
 - (ii) in 'n veilige en goeie werkende toestand onderhou is; en
 - (f) geen gevaarlike goedere tydens lewering gemors word nie.
- (5) Geen persoon mag enige gevaarlike goedere na enige motorvoertuig, vliegtuig, vaartuig, skip of boot oorplaas of oorplasing toelaat terwyl die kragbron in werking is nie.
- (6) Geen persoon mag enige gevaarlike goedere na enige vliegtuig oorplaas nie tensy die vliegtuig gegrond is aan die oorplatingsapparaat by wyse van 'n grondkabel.
- (7) Enige persoon wat subartikels (1), (2), (3), (4), (5) en (6) oortree begaan 'n misdryf.

122. Rekords van vervoer permitte

Die brandweerhoof moet opgedateerde rekords hou van alle voertuie ten opsigte waarvan 'n vervoer permit uitgereik, gewysig of hernu is.

HOOFSTUK 12: SPUITVERF EN SPUITVERF KAMERS

123. Sruikamers en hokkies

'n Sruikamer, hokkie of gebied aangewys vir die toediening van 'n vlambare vloeistof moet gebou en toegerus wees ooreenkomstig die vereistes in Bylae 4 van hierdie verordening en moet op so 'n wyse bedryf word om aan die Algemene Veiligheidsregulasies uitgevaardig ingevolge die Wet op Beroepsgeesondheid en Veiligheid te voldoen.

124. Sruikverf verbode sonder sruikpermit

- (1) Geen persoon mag enige voertuig, artikel, voorwerp of gebou of deel daarvan met 'n vlambare stof spuit, 'n verflaag gee, oorblaas of epoksieverf nie tensy—
 - (a) daardie persoon in besit is van 'n sruikpermit beoog in artikel 125;
 - (b) die spuit, verflaag, oorblaas of epoksieverf na gelang van die geval uitgevoer word in 'n sruikkamer goedgekeur deur die brandweerhoof op 'n perseel geregistreer vir daardie doel.
- (2) Enige persoon wat subartikel (1) oortree begaan 'n misdryf.

125. Aansoek om sruikpermit

Enige persoon wat 'n sruikpermit wil bekom moet—

- (a) 'n aansoekvorm vir sodanige permit in die vorm en wyse soos voorgeskryf voltooi en aan die brandweerhoof voorlê.

126. Kansellering van sruikpermit

Die bepalings van artikel 45, gelees met die nodige wysigings, is van toepassing op die kansellering van enige sruikpermit deur die brandweerhoof.

CHAPTER 13: MISCELLANEOUS**127. Handling of animals during emergencies**

- (1) The owner, occupier or person in charge of any zoological garden, feedlot, stable, research institution, veterinary practice or any place of veterinary science study, must ensure the professional handling of any animal on the premises concerned during an emergency.
- (2) Notwithstanding the provisions of subsection (1), the chief fire officer may, in respect of any premises, authorise a suitably qualified person to handle or put down any animal during an emergency.
- (3) The municipality may recover any costs incurred in relation to the professional handling or putting down of any animal during an emergency from the owner or person in charge of the premises concerned.

128. Exemption from provisions of this by-law

- (1) Any person may make application to the municipality in writing, for an exemption from any provision of this by-law, specifying the reasons for exemption in such application.
- (2) The municipality may grant an exemption—
 - (a) in general or in particular;
 - (b) for any period; and
 - (c) subject to any condition that will provide the same overall fire prevention and protection that would result from the full application of this by-law.
- (3) If an exemption is granted in terms of subsection (2), the municipality must issue a certificate of exemption to the person concerned, specifying the scope and period of the exemption and any condition imposed.
- (4) The municipality may amend or withdraw a certificate of exemption at any time.
- (5) The holder of a certificate of exemption must ensure that the certificate is available on the premises concerned at all times for inspection by any member.

129. Approval, authorisation or permission under this by-law

Any person who requires any approval, authorisation or permission contemplated in this by-law in respect of which no application procedure is provided, must apply for that approval, authorisation or permission—

- (a) by completing and submitting an application in the form and manner determined by the municipality; and
- (b) by paying the prescribed fee.

130. Cancellation of approval, authorisation or permission

The provisions of section 45, read with the necessary changes, apply to any approval, authorisation or permission contemplated in section 129.

131. By-law binds State

This by-law binds the State and any person in the municipality of the State.

HOOFSTUK 13: ALGEMEEN**127. Hantering van diere tydens noodgevalle**

- (1) Die eienaar, okkupeerder of persoon in beheer van enige dierkundige tuin, voer erf, stal, navorsingsinstituut, veeartseny praktyk of enige plek van veeartseny wetenskaplike studie moet die professionele hantering van enige dier op die perseel betrokke verseker tydens 'n noodgeval.
- (2) Nieteenstaande die bepalings van subartikel (1), mag die brandweerhoof ten opsigte van enige perseel 'n paslik gekwalifiseerde persoon magtig om enige dier tydens 'n noodgeval te hanteer of uit te sit.
- (3) Die munisipaliteit mag enige koste aangegaan in verband met die professionele hantering of uitsit van enige dier tydens 'n noodgeval van die eienaar of persoon in beheer van die perseel betrokke verhaal.

128. Vrystelling van bepalings van hierdie verordening

- (1) Enige persoon mag skriftelik by die munisipaliteit aansoek doen om vrystelling van enige bepaling van hierdie verordening, met spesifisering van die redes vir vrystelling in sodanige aansoek.
- (2) Die munisipaliteit mag 'n vrystelling toestaan—
 - (a) in algemeen of in besonder;
 - (b) vir enige periode; en
 - (c) onderhewig aan enige voorwaarde wat in alle opsigte dieselfde brandvoorkoming en beskerming wat die volle toepassing van hierdie verordening tot gevolg sou hê, sal verskaf.
- (3) Indien 'n aansoek ingevolge subartikel (2) toegestaan word, moet die munisipaliteit 'n sertifikaat van vrystelling aan die persoon betrokke uitreik, met spesifisering van die omvang en periode van die vrystelling en enige voorwaardes opgelê.
- (4) Die munisipaliteit mag 'n sertifikaat van vrystelling te enige tyd wysig of terugtrek.
- (5) Die houër van 'n sertifikaat van vrystelling moet verseker dat die sertifikaat te alle tye op die perseel betrokke beskikbaar is vir inspeksie deur enige lid.

129. Goedkeuring, magtiging of toestemming ingevolge hierdie verordening

Enige persoon wat 'n goedkeuring, magtiging of toestemming beoog in hierdie verordening verlang ten opsigte waarvan geen aansoek prosedure voorsien is nie, moet vir daardie goedkeuring, magtiging of toestemming aansoek doen—

- (a) deur 'n aansoek in die vorm en wyse bepaal deur die munisipaliteit te voltooi en voor te lê; en
- (b) deur die voorgeskrewe gelde te betaal.

130. Kansellering van goedkeuring, magtiging of toestemming

Die bepalings van artikel 45, gelees met die nodige veranderinge, is van toepassing op enige goedkeuring, magtiging of toestemming beoog in artikel 129.

131. Verordening bind die Staat

Hierdie verordening bind die Staat en enige persoon in die munisipaliteit of die Staat.

132. Appeal

A person whose rights are affected by a decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the municipal manager within 21 days of the date of the notification of the decision.

133. Repeal of by-laws

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this by-law, and insofar as it has been made applicable to the municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

134. Short title and commencement

This by-law is called the Fire Safety by-law and comes into operation on the date of publication in the Provincial Gazette.

SCHEDULE 1**GUIDELINES FOR EMERGENCY EVACUATION PLANS****Content of emergency evacuation plans**

1. Every emergency evacuation plan contemplated in section 38 must contain at least the information under the headings below.
 - (1) Emergency telephone numbers

A list of all relevant emergency telephone numbers.
 - (2) General information
 - (a) the physical address of the premises;
 - (b) a description of the activities on the premises;
 - (c) the number of persons present on the premises at any time;
 - (d) an indication of any control room on the premises;
 - (e) an indication of any alarm system on the premises; and
 - (f) the particulars and contact details of every responsible person in the event of an emergency.
 - (3) Area study

An area study addressing the following:

 - (a) a history of emergency incidents on the premises;
 - (b) any important and relevant features or landmarks regarding the premises; and
 - (c) any information regarding adjacent premises that may be relevant to evacuation in an emergency.
 - (4) Socio-economic or other threats

Any socio-economic or other threats and their potential impact on the premises.
 - (5) Details of available equipment

Particulars and details regarding the position of the following equipment:

 - (a) Equipment in the control room;

132. Appèl

'n Persoon wie se regte geraak word deur 'n besluit van die munisipaliteit mag teen sodanige besluit appelleer ingevolge artikel 62 die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) deur skriftelike kennisgewing van die appèl en die redes daarvoor binne 21 dae vanaf die datum van bekendmaking van die besluit, aan die munisipale bestuurder te gee.

133. Herroeping van verordeninge

Die bepalings van enige verordeninge uitgevaardig deur die munisipaliteit of enige van die afgeskafte munisipaliteite nou by die munisipaliteit ingelyf, word hiermee herroep insover dit betrekking het op aangeleenthede waarvoor in hierdie verordening voorsiening gemaak word, en insover dit van toepassing gemaak is op die munisipaliteit deur die magtiging vir die uitoefening van magte en funksies ingevolge artikel 84(3) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 117 van 1998.

134. Kort titel en inwerkingtreeding

Hierdie verordening staan bekend as die Brandveiligheid Verordening en tree in werking op die datum van publikasie in die Provinsiale Koerant.

BYLAE 1**RIGLYNE VIR NOODONTRUIMINGSPLANNE****Inhoud van noodontruimingsplanne**

1. Elke noodontruimingsplan beoog in artikel 38 moet ten minste die inligting onder die hoofde hieronder bevat.
 - (1) Noodtelefoonnomers

'n Lys van alle relevante noodtelefoonnommers.
 - (2) Algemene inligting
 - (a) die fisiese adres van die perseel;
 - (b) 'n beskrywing van die aktiwiteite op die perseel;
 - (c) die getal persone teenwoordig op die perseel op enige tyd;
 - (d) 'n aanduiding van enige beheerkamer op die perseel;
 - (e) 'n aanduiding van enige alarmstelsel op die perseel; en
 - (f) die besonderhede en kontakdetails van elke verantwoordelike persoon in die geval van 'n noodgeval.
 - (3) Area studie

'n Area studie wat die volgende aanspreek:

 - (a) 'n geskiedenis van noodinsidente op die perseel;
 - (b) enige belangrike of relevante kenmerke of grondeienskappe van die perseel; en
 - (c) enige inligting in verband met aangrensende persele wat relevant mag wees tot ontruiming in 'n noodgeval.
 - (4) Sosio-ekonomiese of ander bedreigings

Enige sosio-ekonomiese of ander bedreigings en hul potensiële impak op die perseel.
 - (5) Detail van beskikbare toerusting

Besonderhede en details aangaande die posisie van die volgende toerusting:

 - (a) toerusting in die beheerkamer;

- (b) fire fighting and first aid equipment on the premises; and
 - (c) any other equipment which may be relevant in an emergency.
- (6) The emergency team
- Particulars and details regarding the identity of members of the emergency team, including—
- (a) its management;
 - (b) the continuity officers;
 - (c) the fire teams; and
 - (d) the first aid teams.
- (7) Duties of emergency team members
- The duties and responsibilities of members of the emergency team.
- (8) Action plans and emergency procedures
- Details of the specific action plans and emergency procedures applicable to the premises.
- (9) Building plans and maps
- The building plans of the premises and any relevant topographical map must be included in the evacuation plan.
- (10) Emergency plan register
- The plan must include—
- (a) an updated register of the emergency evacuation plan;
 - (b) an updated drill register for the emergency evacuation plan; and
 - (c) a bomb threat questionnaire.

Review of emergency evacuation plans

2. (1) An emergency evacuation plan must be reviewed and updated by the owner or occupier of the premises concerned at least once each year and whenever a member of the management of the emergency team ceases to work at the premises.
- (2) Whenever an emergency evacuation plan is reviewed and updated, the owner or occupier of the premises concerned must ensure that all old plans on the premises or in the possession of the management of the emergency team are collected and destroyed in order to eliminate any confusion regarding the validity and accuracy of the evacuation plan.

Emergency evacuation drills

3. (1) An emergency evacuation plan should be drilled at least twice each year and involve the participation of all persons who work or reside in the building concerned.
- (2) The owner or person in charge of a building should give all persons who are to be involved in an emergency evacuation drill at least 21 days' notice of the drill.

Emergency evacuation awareness

4. Every person who works or resides on premises should be aware of the emergency evacuation plan for that premises.

Training of persons

5. Every person who resides or works on premises with an emergency evacuation plan should be suitably trained in—

- (b) brandbestryding en eerstehulpvoerusting op die perseel; en
 - (c) enige ander toerusting wat relevant mag wees in 'n noodgeval.
- (6) Die noodspan
- Besonderhede en details aangaande die identiteitsnommers van die noodspan, ingesluit—
- (a) sy bestuur;
 - (b) die kontinuïteitsbeamptes;
 - (c) die brandspanne; en
 - (d) die eerstehulpspanne.
- (7) Pligte van noodspanlede
- Die pligte en verantwoordelikhede van lede van die noodspan.
- (8) Aksieplanne en noodprosedures
- Details van die spesifieke aksieplanne en noodprosedures van toepassing op die perseel.
- (9) Bouplanne en kaarte
- Die bouplanne van die perseel en enige relevante topografiese kaart moet by die ontruimingsplan ingesluit wees.
- (10) Noodplanregister
- Die plan moet insluit—
- (a) 'n opgedateerde register van die noodontruimingsplan;
 - (b) 'n opgedateerde oefeningsregister vir die noodontruimingsplan; en
 - (c) 'n bomdreigement vraelys.

Hersiening van noodontruimingsplanne

2. (1) 'n Noodontruimingsplan moet deur die eienaar of okkupeerder van die perseel betrokke hersien en opdateer word ten minste eenmaal elke jaar en wanneer ookal 'n lid van die bestuur van die noodspan ophou om by die perseel te werk.
- (2) Wanneer 'n noodontruimingsplan hersien en opdateer word, moet die eienaar of okkupeerder van die perseel betrokke verseker dat alle ou planne op die perseel of in besit van die bestuur van die noodspan ingeneem en vernietig word ten einde enige verwarring aangaande die geldigheid van die ontruimingsplan te elimineer.

Noodontruimingsoefeninge

3. (1) 'n Noodontruimingsplan behoort ten minste tweemaal elke jaar geoefen te word en die deelname van al die persone wat in die gebou betrokke werk of woon behels.
- (2) Die eienaar of persoon in beheer van 'n gebou behoort alle persone wat in 'n noodontruimingsoefening betrokke gaan wees ten minste 21 dae kennis van die oefening te gee.

Noodontruimingsbewustheid

4. Elke persoon wat op 'n perseel werk of woon moet bewus wees van die noodontruimingsplan vir daardie perseel.

Opleiding van persone

5. Elke persoon wat op 'n perseel met 'n noodontruimingsplan werk of woon behoort paslik opgelei te wees in—

- (a) first aid or fire fighting;
- (b) emergency aid;
- (c) emergency evacuation procedures; and
- (d) emergency management techniques.

SCHEDULE 2

EXEMPTION FROM CERTIFICATE OF REGISTRATION

A certificate of registration in terms of section 64 is not required if the flammable substances concerned are of a type and do not exceed the quantity stipulated below.

GASES:		
Class O	Liquefied petroleum gas	Flat- Total cylinder capacity may not exceed 9 kg per flat. Houses or commercial premises- Total maximum of 19 kg inside and total maximum of 100 kg on premises. Industrial premises- Maximum of 19 kg per 600 m ³ of building space with a total maximum of 100 kg.
FLAMMABLE LIQUIDS AND COMBUSTIBLE LIQUIDS:		
Class I	Liquids that have a closed-cap flash point of below 38°C	Total maximum of 40 litres
Class II	Liquids that have a closed-cap flash point of 38°C or above, but below 60,5°C	Total quantity of Class II and Class IIIA together may not exceed the maximum quantity of 210 litres
Class IIIA	Liquids that have a close-cap flash point of 60,5°C or above but below 93°C	

SCHEDULE 3

EXEMPTION FROM TRANSPORT PERMIT

A transport permit in terms of section 113 is not required for the transport of dangerous goods of the type and not exceeding the quantity stipulated below.

GROUP	DESCRIPTION	QUANTITY
II	GASES	
	Flammable gases	Total cylinder capacity may not exceed 50 kilograms
	Non-flammable gases	Total cylinder capacity may not exceed 333 kilograms
III	FLAMMABLE LIQUIDS	
	With flash points ≤ 18°C	Total quantity may not exceed 100 litres
	With flash points > 18°C but ≤ 23°C	Total quantity may not exceed 420 litres
	With flash points > 23°C but ≤ 61°C	Total quantity may not exceed 1 100 litres
	With flash points > 61°C but ≤ 100°C	Total quantity may not exceed 1 100 litres
IV	FLAMMABLE SOLIDS	
	Flammable solids	Total quantity may not exceed 250 kg
V	OXIDISING AGENTS AND ORGANIC PEROXIDES	
	Oxidising agents	Total quantity may not exceed 200 kilograms
	Group II organic peroxides in packets	Total quantity may not exceed 200 kilograms
VI	TOXIC/INFECTIVE SUBSTANCES	
	Group I toxic substances in packets	Total quantity may not exceed 5 kilograms
	Group II toxic substances in packets	Total quantity may not exceed 50 kilograms
	Group III toxic substances in packets	Total quantity may not exceed 500 kilograms
VIII	CORROSIVE/CAUSTIC SUBSTANCES	
	Group I acids in packets	Total quantity may not exceed 50 kilograms
	Group II acids in packets	Total quantity may not exceed 200 kilograms

- (a) eerste hulp of brandbestryding;
- (b) noodhulp;
- (c) noodonttruiningsprosedures; en
- (d) noodbestuurstegnieke.

BYLAE 2

VRYSTELLING VAN SERTIFIKAAT VAN REGISTRASIE

'n Sertifikaat van registrasie ingevolge artikel 64 word nie vereis nie indien die vlambare stowwe betrokke van 'n soort is en nie die hoeveelheid hieronder gemeld oorskry nie.

GASSE:		
Klas O	Vloeibare petroleumgas	Woonstel: Totale silinder kapasiteit mag nie 9 kg per woonstel oorskry nie. Huise en kommersiële persele: Totale maksimum 19 kg binne en totale maksimum 100 kg op perseel. Nywerheidspersele: Maksimum 19 kg per 600 m ³ bouspasie met totale maksimum 100 kg.
VLAMBARE VLOEISTOWWE EN BRANDBARE VLOEISTOWWE:		
Klas I	Vloeistof met 'n toedeksel vlammpunt van onder 38°C	Totale maksimum 40 liter
Klas II	Vloeistof met 'n toedeksel vlammpunt van 38°C of meer, maar onder 60,5°C	Totale hoeveelheid van Klas II en Klas IIIA gesamentlik mag nie die maksimum hoeveelheid van 210 liter oorskry nie
Klas IIIA	Vloeistof met 'n toedeksel vlammpunt van 60,5°C of meer, maar onder 93°C	

BYLAE 3

VRYSTELLING VAN VERVOERPERMIT

'n Vervoerpermit ingevolge artikel 113 word nie vereis vir die vervoer van gevaarlike goedere van die soort en wat nie die hoeveelheid hieronder gemeld oorskry nie.

GROEP	BESKRYWING	HOEVEELHEID
II	GASSE	
	Vlambare gasse	Totale silinder kapasiteit mag nie 50 kilogram oorskry nie
	Nie-vlambare gasse	Totale silinder kapasiteit mag nie 333 kilogram oorskry nie
III	VLAMBARE VLOEISTOWWE	
	Met vlammpunt ≤ 18°C	Totale hoeveelheid mag nie 100 liter oorskry nie
	Met vlammpunt > 18°C maar ≤ 23°C	Totale hoeveelheid mag nie 420 liter oorskry nie
	Met vlammpunt > 23°C maar ≤ 61°C	Totale hoeveelheid mag nie 1 100 liter oorskry nie
	Met vlammpunt > 61°C maar ≤ 100°C	Totale hoeveelheid mag nie 1 100 liter oorskry nie
IV	VLAMBARE VASTE STOWWE	
	Vlambare vaste stowwe	Totale hoeveelheid mag nie 250 kilogram oorskry nie
V	OKSIDEERMIDDELS EN ORGANIESE PEROKSIEDE	
	Oksideermiddels	Totale hoeveelheid mag nie 200 kilogram oorskry nie
	Groep II organiese peroksiede in pakkies	Totale hoeveelheid mag nie 200 kilogram oorskry nie
VI	TOKSIES/BESMETLIKE STOWWE	
	Groep I toksiese stowwe in pakkies	Totale hoeveelheid mag nie 5 kilogram oorskry nie
	Groep II toksiese stowwe in pakkies	Totale hoeveelheid mag nie 50 kilogram oorskry nie
	Groep III toksiese stowwe in pakkies	Totale hoeveelheid mag nie 500 kilogram oorskry nie
VIII	KORROSIE/BYTMIDDELS	
	Groep I sure in pakkies	Totale hoeveelheid mag nie 50 ogram oorskry nie
	Groep II sure in pakkies	Totale hoeveelheid mag nie 200 gram oorskry nie

GROUP	DESCRIPTION	QUANTITY
	Group III acids in packets	Total quantity may not exceed 1000 kilograms
	Group I alkaline substances in packets	Total quantity may not exceed 50 kilograms
	Group II alkaline substances in packets	Total quantity may not exceed 200 kilograms
	Group III alkaline substances in packets	Total quantity may not exceed 1000 kilograms
IX	MISCELLANEOUS SUBSTANCES	
	Liquids	Total quantity may not exceed 210 litres
	Solids	Total quantity may not exceed 210 kilograms

SCHEDULE 4

SPRAY BOOTH CONSTRUCTION

WALLS	225mm Brickwork.
ROOF	Reinforced concrete.
FLOOR	Concrete or other impervious material.
DOORS (A)	Constructed of 50mm hardwood completely covered, including the edges, with 24 s.w.g. metal secured to the door with bolts at 30mm centres along the edges. The doors to open outwards and to be hung on Tee hinges bolted to the door.
(B)	Close fitting metal doors not less than 3mm in thickness, carried on an angle iron frame and having an all round overlap or not less than 50mm.
NOTE:	Where the floor area exceeds 18 sq. metres 2 doors must be provided.
WINDOWS	Metal frames with no opening sections glazed with wire-woven glass not exceeding 460mm x 460mm. Putty approved by the SANS Code No. 680/59 only to be used and the occupier to furnish proof of this to the Director: Fire and Emergency Services.
NOTE:	The Factory Inspector requires natural light to the extend of 20% of the floor area.
VENTILATION	30 Lineal metres/minute velocity across the room must be provided by means of mechanical ventilation, with the center line of the inlets 460mm above the floor level and to discharge through vertical metal ducting terminating one (1) metre above the apex of the roof. No right angle bends to be used in the ducting system. Exhaust fans to be installed at four (4) metre centers or horizontal metal ducting extending the entire length of the wall with suitable inlets, must be provided.
NOTE:	If the ducting is external to the Spray Booth and in communication with the Workshop etc., it must be protected by either 110mm brick or 50mm asbestos cement lagging.
VENTILATION INLETS	The wall opposite the exhaust fans to be honeycombed with airbricks installed from 100mm above floor level to a height of not less than two (2) metres.
MINIMUM NO. OF AIRBRICKS	SIZE OF ROOM
40	Up to but not exceeding 140 cubic metres.
65	Up to but not exceeding 280 cubic metres.
90	Up to but not exceeding 470 cubic metres.
150	Up to but not exceeding 650 cubic metres.
NOTE:	Metal filters with metal swarf elements may only be used in an all metal installation, in lieu of Airbricks.
ELECTRICAL WORK	All electrical work must be of flame-proof construction.
DANGER NOTICE	“DANGER—NO SMOKING” notices in 150mm high white letters on a red background to be provided above the doors outside the Spray Booth.

GROEP	BESKRYWING	HOEVEELHEID
	Groep III sure in pakkies	Totale hoeveelheid mag nie 1 000 kilogram oorskry nie
	Groep I alkaliese stowwe in pakkies	Totale hoeveelheid mag nie 50 kilogram oorskry nie
	Groep II alkaliese stowwe in pakkies	Totale hoeveelheid mag nie 200 kilogram oorskry nie
	Groep III alkaliese stowwe in pakkies	Totale hoeveelheid mag nie 1 000 kilogram oorskry nie
IX	VERSKIEIE STOWWE	
	Vloestowwe	Totale hoeveelheid mag nie 210 liter oorskry nie
	Vaste stowwe	Totale hoeveelheid mag nie 210 kilogram oorskry nie

BYLAE 4

SPUITKAMER KONSTRUKSIE

MURE	225 mm Baksteen werk
DAK	Versterkte beton
VLOER	Beton of ander ondeurdringbare materiaal
DEURE (A)	Gebou van 50 mm hardhout in geheel gedek, ingesluit die randte, met 24 s.w.g. metaal vasgesit met boute van 30mm langs die kante. Die deure moet buitentoe oopmaak en gehang word aan T-skarniere gebout aan die deur.
(B)	Digpassende metaaldeure nie minder as 3 mm in dikte, gedra op 'n hoekyster raam en met 'n algehele oorslag of nie minder nie as 50 mm.
NOTA:	Waar die vloer area 18 m ² oorskry moet 2 deure voorsien word.
VENSTERS	Metaalrame met geen oopmaak seksies geglasuur met draadgeweefde glas wat nie 460 mm x 460 mm oorskry nie. Slegs stopverf goedgekeur ingevolge SANS Kode No. 680/59 mag gebruik word en okkupeerder moet bewys daarvan aan die Direkteur: Brand en Nooddienste lewer
NOTA:	Die Fabrieksinspekteur vereis natuurlike lig tot die omvang van 20% van die vloer area.
VENTILASIE	30 Lynvormige meter/minute snelheid oor die vertrek moet voorsien word by wyse van meganiese ventilasie, met die middellyn van die inlate 460 mm bokant vloervlak en weggedoen deur vertikale metaalgeleidings wat eindig een (1) meter bokant die daktop. Geen reghoek buigings mag in die geleidingstelsel gebruik word nie. Uitlaatwaaiers moet geïnstalleer word met vier (4) meter middelpunt, of horisontale metaalgeleidings oor die totale lengte van die muur met paslike inlate, moet voorsien word.
NOTA:	Indien die geleiding buite die spuitkammie en in verbinding met die werkswinkel, ens. is, moet dit beskerm word met of 110 mm baksteen of 50 mm asbessement bekleding.
VENTILASIE INLATE	Die muur oorkant die uitlaatwaaiers moet heuningkoekselvormig met lugroosters wees geïnstalleer van 100 mm bo vloervlak tot 'n hoogte van nie minder nie as twee (2) meter.
MINIMUM GETAL LUGROOSTERS	GROOTTE VAN VERTREK
40	Tot maar nie meer as 140 kubieke meter.
65	Tot maar nie meer as 280 kubieke meter.
90	Tot maar nie meer as 470 kubieke meter.
150	Tot maar nie meer as 650 kubieke meter.
NOTA:	Metaalfilters met metaaldonker elemente mag slegs gebruik word in 'n volle metaalinstallasie, in plaas van lugroosters.
ELEKTRIESE WERK	Alle elektriese werk moet van vlam-proof konstruksie wees.
GEVAAR KENNISGEWING	“GEVAAR — GEEN ROOK” kennisgewings in 150 mm hoë wit letters op 'n rooi agtergrond moet voorsien word bokant die deur buite die spuitkammie.



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