



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

Provincial Gazette Extraordinary

7285

Friday, 11 July 2014

Buitengewone Provinsiale Roerant

7285

Vrydag, 11 Julie 2014

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

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(*Copies are obtainable at Room M21, Provincial Legislature Building,
7 Wale Street, Cape Town 8001.)

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INHOUD

(*Afskrifte is verkrybaar by Kamer M21, Provinciale Wetgewer-gebou,
Waalstraat 7, Kaapstad 8001.)

Bladsy

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SWARTLAND MUNICIPALITY**REPEAL BY-LAW****Purpose of by-law**

- To repeal the by-laws of the disestablished municipalities of Darling, Koringberg, Malmesbury, Yzerfontein and Mooresburg to the extent they have been made applicable to Swartland Municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), which authorisation was published by Government Notice No 43 dated 3 January 2003.

- To repeal certain by-laws adopted by Swartland Municipality;

Repeal of by-laws

- The by-laws listed in the annexure hereto are repealed to the extent mentioned in the third column thereof.

Short Title and Commencement

- This by-law is titled the Swartland Municipality **Repeal By-law** and shall come into operation on the date of publication thereof in the Provincial Gazette.

| FORMER DARLING MUNICIPALITY | | |
|---------------------------------------|---|-------------------------|
| Provincial Notice | By-law | Extent of repeal |
| 0639/1953 | Health Light Information Animals Butchery Bakery Procedure meetings Sanitation | The whole |
| 0450/1957 | Water | The whole |
| 0451/1957 | Additional water | The whole |
| 0255/1959 | Barbers hairdressers | The whole |
| 0260/1959 | Fire brigade charges | The whole |
| 0330/1961 | Prevention of fires | The whole |
| 0822/1964 | Dairies milk | The whole |
| 0687/1966 | Staff leave | The whole |
| 0414/1967 | Additional staff leave | The whole |
| 0064/1975 | Availability charges | The whole |
| 0717/1975 | Antenna systems television | The whole |
| 0592/1979 | Depasturing of animals on municipal land | The whole |
| 239/1991 | Library | The whole |
| 0518/1991 | Electricity | The whole |
| FORMER KORINGBERG MUNICIPALITY | | |
| 1158/1966 | Water | The whole |
| 0819/1968 | Fishmongers Sanitation | The whole |
| 0521/1984 | Additional water | The whole |
| 0160/1991 | Animals Poultry Staff leave | The whole |
| FORMER MALMESBURY MUNICIPALITY | | |
| 0498/1960 | Medical aid | The whole |
| 0221/1966 | Governing the installation of petroleum, petrol and motor spirit pumps | The whole |
| 0068/1994 | Taxis | The whole |
| 0428/1997 | Bakery Barbers hairdressers cemetery restaurants tea-rooms Drainage Dairies milk Water Fishmongers Staff leave Information Antenna systems | |

| FORMER DARLING MUNICIPALITY | | |
|--|--|-------------------------|
| Provincial Notice | By-law | Extent of repeal |
| | Fire brigade Poultry Accommodation Procedure meetings Butchery Meat Library Animals | The whole |
| 0004/1998 | Availability charges | The whole |
| 0005/1998 | Paardenberg nature reserve | The whole |
| 0006/1998 | Advisory board for paardenberg | The whole |
| 0009/1998 | Additional electricity | The whole |
| 0015/1998 | Keeping of poultry | The whole |
| 0016/1998 | Drainage | The whole |
| 0017/1998 | Sanitation | The whole |
| 0021/1998 | Taxis | The whole |
| 0025/1998 | Water | The whole |
| 0401/1998 | Infectious disease hospital | The whole |
| 0402/1998 | leave of nurses | The whole |
| 0403/1998 | Handling of food | The whole |
| 0446/1998 | Vendor, pedlar or hawker | The whole |
| 0226/1999 | Commonage | The whole |
| 0253/1999 | Vendor, pedlar or hawker | The whole |
| FORMER MOOREESBURG MUNICIPALITY | | |
| 0315/1929 | Additional abattoir | The whole |
| 0663/1951 | Traffic signs | The whole |
| 0912/1952 | Sanitary removal charges | The whole |
| 0058/1958 | Water | The whole |
| 0765/1964 | Restaurants Fishmongers Drainage Staff leave | The whole |
| 0897/1966 | Staff leave | The whole |
| 0698/1975 | Antenna systems television | The whole |
| 1285/1978 | Information | The whole |
| 0536/1982 | Fire brigade | The whole |
| 0743/1983 | The storing of liquefied petroleum gas | The whole |
| 0605/1984 | Additional camping, parks for caravans and mobile homes | The whole |
| 0442/1986 | Provide for the payment of interest on overdue accounts | The whole |
| 0443/1986 | The numbering of houses | The whole |
| 0279/1989 | Procedure meetings | The whole |
| 0146/1991 | Library | The whole |
| 0290/1996 | Taxi | The whole |
| 0188/1998 | Informal trading | The whole |
| 0327/1998 | Poultry Electricity Accommodation Butchery Meat Animals | The whole |
| 0675/1998 | Prevention of fires | The whole |
| 0677/1998 | Additional electricity supply | The whole |
| 0678/1998 | Availability charges | The whole |
| 0682/1998 | Additional drainage | The whole |
| 0683/1998 | Sanitation | The whole |
| 0687/1998 | Sewerage and drainage-industrial effluent | The whole |
| 0690/1998 | Additional water | The whole |
| 0691/1998 | Taxi | The whole |

| FORMER DARLING MUNICIPALITY | | |
|--|--|-------------------------|
| Provincial Notice | By-law | Extent of repeal |
| FORMER YZERFONTEIN MUNICIPALITY | | |
| 0229/1999 | Control of harbour area | The whole |
| 0461/2000 | By-law pertaining to the control of the harbour area | The whole |
| SWARTLAND MUNICIPALITY | | |
| 19 April 2002 | Swimming bath by-law | The whole |
| 19 April 2002 | By-law relating to the control of streets and door-to-door collections | The whole |
| 19 April 2002 | By-law relating to parks for caravans and mobile homes | The whole |
| 19 April 2002 | By-law relating to camping areas | The whole |
| 19 April 2002 | By-law relating to streets | The whole |
| 19 April 2002 | Public amenities by-law | The whole |
| 19 September 2003 | By-law relating to the management and administration of immovable property | The whole |
| 27 Junie 2008 | Verordening vir die beheer van vuurwerke | The whole |

SWARTLAND MUNICIPALITY
CREDIT CONTROL AND
DEBT COLLECTION BY-LAW

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996, the Swartland Municipality enacts as follows—

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1. Definitions
2. Duty to collect debts
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SCHEDULE: CREDIT CONTROL AND DEBT COLLECTION POLICY

1. Definitions

In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and, unless the context otherwise indicates—

“account” includes—

- (a) levies, surcharges, service charges and availability charges in respect of the following services—
 - (b) electricity supply;
 - (c) water supply;
 - (d) refuse removal;
 - (e) sewerage services;
 - (f) rates;
 - (g) rental;
 - (h) loan instalments
 - (i) interest on arrears; and
 - (j) any other levies and monies due and payable to the municipality;
- and “municipal account” has a corresponding meaning;

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

“arrears” means any amount due and payable to the municipality which has not been paid on or before the date of payment;

SWARTLAND MUNISIPALITEIT
KREDIETBEHEER- EN
SKULDINVORDERINGSVERORDENING

Ingevolge die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal Swartland Munisipaliteit soos volg—

Inhoudsopgawe

1. Woordomskrywings
2. Plig om skuld in te vorder
3. Diensverskaffing
4. Deposito's
5. Renteheffings
6. Reëlings om agterstallige gelde te betaal
7. Ooreenkoms met werkgewer
8. Bevoegdheid om die verskaffing van dienste te beperk of af te sluit
9. Skuldverhaling
10. Verhaling van koste
11. Beslaglegging
12. Volle en finale vereffening
13. Konsolidasie van rekenings en toewysing van betalings
14. Deernisondersteuning
15. Delegasie
16. Klaringsertifikate
17. Appèl
18. Misdrywe en strawwe
19. Herroeping van verordeninge
20. Kort titel en inwerkintrede

BYLAE: KREDIETBEHEER- EN SKULDINVORDERINGSBELEID

1. Definisies

In hierdie verordening geld die Engelse teks in die geval van enige teenstrydigheid met die Afrikaanse teks, en, tensy die konteks anders aandui, beteken—

“**agterstallige bedrae**” enige bedrag verskuldig en betaalbaar aan die munisipaliteit wat nie voor of op die betaaldatum betaal is nie;

“**beleid**” die Kredietbeheer- en Skuldinvorderingsbeleid van die munisipaliteit, soos weerspieël in die Bylae tot hierdie verordening, welke Bylae verwys;

“**beskikbaarheidsgelde**” die gelde wat gehef kan word teen onroerende eiendom met of sonder verbeteringe, wat nie aan enige munisipale diensnetwerk aangesluit is nie maar waar sodanige eiendom redelikerwys aangesluit kan word;

“**betaaldatum**” die finale datum waarop betaling, soos getoon op die munisipale rekening, moet geskied;

“**eienaar**”

- (a) ten opsigte van eiendom gemeld in paragraaf (a) van die omskrywing van “eiendom”, beteken ’n persoon in wie se naam eienaarskap van die eiendom geregistreer is;
- (b) ten opsigte van ’n reg gemeld in paragraaf (b) van die omskrywing van “eiendom”, beteken ’n persoon in wie se naam die reg geregistreer is;
- (c) ten opsigte van ’n grondbesitreg gemeld in paragraaf (c) van die omskrywing van “eiendom”, beteken ’n persoon in wie se naam die reg geregistreer is of aan wie dit ingevolge wetgewing toegestaan is; of

"availability charges" means charges that may be levied against immovable property with or without improvements, which is not connected to any municipal service works where such property can be reasonably so connected;

"consumer" means the person, including but not limited to, the owner, tenant or occupier of property who receives, uses or benefits from municipal services;

"council" means the municipal council of the municipality of Swartland;

"debt" means any monies owing to the municipality in respect of the rendering of municipal services, and includes monies owing in regard to property rates, housing, motor vehicle registration and licensing, terminated leases, and any other outstanding amounts, inclusive of any interest thereon, owing to the Municipality;

"default"

- (a) if, at the end of a financial year of the municipality, an owner owes the municipality any amount of money in respect of rates or availability charges; or
- (b) if, after 31 October of a year, an owner is in arrears with payment of rates; or
- (c) where an owner is in arrears for a period of 60 days or more with payments for availability charges;

"due date" means the final date on which payment, as shown on the municipal account, must be made;

"illegal practises" any practise or trade exercised on premises which is in contravention of any National or Provincial legislation or any by-laws or regulations of the municipality;

"indigent " means a person or household as contemplated in paragraph 25 of this policy;

"financial year" means the period from 1st July until 30th June of each year;

"municipal manager" means the person appointed in that capacity by the council in terms of section 54A of the Act;

"municipal services" means "municipal services" as defined in section 1 of the Act, and includes a function or a combination of functions listed in Schedules 4B and 5B of The Constitution of the Republic of South Africa, 1996, and any other service rendered by the municipality;

"municipality" means the municipality of Swartland and includes any delegated official or service provider of the municipality;

"occupier" means any person who occupies or has control over any premises;

"owner"

- (a) in relation to property referred to in paragraph (a) of the definition of "property", means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of "property", means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of "property", means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of "property", means the organ of state which owns or controls that public service infrastructure;

provided that a person mentioned below shall for the purposes of this by-law be regarded by the municipality as the owner of a property in the following cases—

- (i) a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator in a deceased estate;
- (iii) a trustee or liquidator in an insolvent estate or in liquidation;

(d) ten opsigte van openbare dienste infrastruktuur gemeld in paragraaf (d) van die definisie van "eiendom", beteken 'n staatsorgaan wat sodanige openbare dienste infrastruktuur besit of beheer;

met dien verstande dat 'n persoon wat hieronder gemeld word vir die doeleindes van hierdie verordening in die volgende gevalle as die eienaar van 'n eiendom deur 'n munisipaliteit beskou sal word—

- (i) 'n trustee, in die geval van 'n eiendom in 'n trust, met uitsluiting van staatstrustgronde;
- (ii) 'n eksekuteur of administrateur in 'n bestorwe boedel;
- (iii) 'n trustee of likwidateur in 'n insolvente boedel of in likwidasie;
- (iv) 'n geregtelike bestuurder in die boedel van 'n persoon onder geregtelike bestuur;
- (v) 'n kurator in die boedel van 'n persoon wat onder kuratorskap verkeer;
- (vi) 'n vruggebruiker of ander persoon in wie se naam 'n vruggebruik van ander persoonlike serwituit geregistreer is, in die geval van 'n eiendom wat aan vruggebruik of 'n ander persoonlike serwituit onderworpe is;
- (vii) 'n koper, in die geval van 'n eiendom wat verkoop is en waarvan besit gegee is aan die koper hangende registrasie van eienaarskap in die naam van die koper;
- (e) in enige geval waar die raad nie in staat is om die identiteit van so 'n persoon te bepaal nie, 'n persoon wat geregtig is op die voordelige gebruik van sodanige onroerende eiendom;
- (f) in die geval van onroerende eiendom waarvoor 'n huurooreenkoms van 30 jaar of langer aangegaan is, die huurder daarvan;
- (g) met betrekking tot—
 - (i) 'n gedeelte van grond wat op 'n deeltitelplan afgebaken is en ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986) geregistreer is, die ontwikkelaar of beheerliggaam met betrekking tot die gesamentlike eiendom;
 - (ii) 'n gedeelte van grond, die persoon op wie se naam daardie gedeelte geregistreer is in ooreenstemming met die transportakte, met insluiting van die wettig aangestelde verteenwoordiger van sodanige persoon;
 - (iii) enige persoon, met insluiting van maar nie beperk nie tot—
 - (aa) 'n maatskappy geregistreer in ooreenstemming met die Maatskappylwet, 2008, (Wet 71 van 2008) 'n trust inter vivos, 'n trust mortis causa, 'n beslote korporasie geregistreer in ooreenstemming met die Wet op Beslote Korporasies, 1984 (Wet 69 van 1984), en 'n vrywillige assosiasie;
 - (bb) enige staatsdepartement;
 - (cc) enige raad of bestuursliggaam ingestel ingevolge enige wet van toepassing in die Republiek van Suid-Afrika; en
 - (dd) enige ambassade of ander buitelandse entiteit;

"eiendom" beteken—

- (a) onroerende eiendom geregistreer in die naam van 'n persoon, insluitend, in die geval van 'n deeltitelskema, 'n deeltiteleenheid wat in die naam van 'n persoon geregistreer is;
- (b) 'n reg geregistreer teen onroerende eiendom in die naam van 'n persoon, met uitsluiting van 'n verbandleining wat teen die eiendom geregistreer is;
- (c) 'n grondbesitreg geregistreer in die naam van 'n persoon of verleen aan 'n persoon ingevolge wetgewing; of
- (d) openbare dienste-infrastruktuur;

"finansiële jaar" die periode vanaf 1 Julie tot 30 Junie van elke jaar;

- (iv) a judicial manager in the estate of a person under judicial management;
- (v) a curator in the estate of a person under curatorship;
- (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered that is subject to a usufruct or other personal servitude;
- (vii) a buyer, in the case of a property that was sold and of which possession was given to the buyer pending registration of ownership in the name of the buyer;
- (e) in any event where the council is unable to determine the identity of such a person, the person who is entitled to the beneficial use of such immovable property;
- (f) in the event of immovable property in respect of which a lease agreement of 30 years or longer had been concluded, the lessee thereof;
- (g) in respect of—
 - (i) a portion of land demarcated on a sectional title plan and registered in accordance with the Sectional Titles Act, 1986 (Act No 95 of 1986), the developer or the governing body in respect of the joint property;
 - (ii) a portion of land, the person in whose name that portion is registered in accordance with a title deed, including the lawfully appointed representative of such person;
 - (iii) any person, including but not limited to—
 - (aa) a company registered in accordance with the Companies Act, 2008 (Act No 71 of 2008), a trust inter vivos, a trust mortis causa, a close corporation registered in accordance with the Close Corporations Act, 1984 (Act No 69 of 1984), and a voluntary association;
 - (bb) any government department;
 - (cc) any council or governing body established in accordance with any legislation in force in the Republic of South Africa; and
 - (dd) any embassy or other foreign entity;

“person” includes—

- (a) a natural person;
- (b) a juristic person;
- (c) for the purposes of this by-law any industrial or commercial undertaking; and
- (d) an organ of State.

“policy” means the Credit Control and Debt collection Policy of the municipality as reflected in the Schedule to this by-law which Schedule refers;

“premises” means any portion of land, situated within the area of jurisdiction of the municipality, and of which the outer boundaries are demarcated on—

- (a) a general plan or diagram registered in accordance with the Land Survey Act, 1927 (Act No 9 of 1927) or the Deeds Registries Act, 1937 (Act No 47 of 1937); or
- (b) a sectional title plan registered in accordance with the Sectional Titles Act, 1986 (Act No 95 of 1986);

“property” means—

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure;

“hierdie verordening” sluit die beleid wat in die Bylae tot hierdie verordening weerspieël word in;

“hulpbehoewende” ’n persoon of huishouding soos beoog in paragraaf 25 van hierdie beleid;

“in verstek”

- (a) indien ’n eienaar aan die einde van ’n finansiële jaar van die munisipaliteit enige bedrag geld aan die munisipaliteit verskuldig is ten opsigte van belasting of beskikbaarheidsgelde; of
- (b) indien ’n eienaar na 31 Oktober van ’n jaar agterstallig is met betaling van belastings; of
- (c) indien ’n eienaar vir ’n periode van 60 dae of langer agterstallig is met betaling van beskikbaarheidsgelde;

“munisipale bestuurder” die persoon wat deur die raad in dié hoedanigheid aangestel is ingevolge artikel 54A van die Wet;

“munisipale dienste” beteken “munisipale dienste” soos omskryf in artikel 1 van die Wet, en sluit ’n funksie of ’n kombinasie van funksies in soos gelys in Bylae 4B en 5B van Die Grondwet van die Republiek van Suid-Afrika, 1996, en enige ander diens wat deur die munisipaliteit gelewer word;

“munisipaliteit” die munisipaliteit van Swartland en sluit enige gedelegeerde amptenaar of diensverskaffer van die munisipaliteit in;

“okkuperder” enige persoon wat ’n perseel bewoon of beheer het daaroor; “onwettige praktyke” enige praktyk of bedryf wat op ’n perseel beoefen word wat teenstrydig is met Nasionale of Provinciale wetgewing of enige verordeninge of regulasies van die munisipaliteit.

“persoon” sluit in—

- (a) ’n natuurlike persoon
- (b) ’n regspersoon;
- (c) vir die doeleindes van hierdie verordening ook enige industriële of handelsonderneming; en
- (d) ’n staatsinstelling;

“perseel” beteken enige gedeelte grond, geleë binne die regsgebied van die munisipaliteit, waarvan die buitegrense afgabaken is op—

- (a) ’n algemene plan of diagram wat geregistreer is ingevolge die Opmetingswet, 1927 (Wet 9 van 1927) of die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937); of
- (b) ’n deeltitelplan geregistreer ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986);

“rekening” sluit in—

- (a) heffings, bobelasting, dienstegelde en beskikbaarheidsheffings ten opsigte van die volgende dienste—
- (b) elektrisiteitsvoorsiening;
- (c) watervoorsiening;
- (d) vullisverwydering;
- (e) riooldienste;
- (f) eiendomsbelasting;
- (g) huurgeld;
- (h) leningspaaiemente
- (i) rente op agterstallige bedrae; en
- (j) enige ander heffings en gelde wat aan die munisipaliteit verskuldig en betaalbaar is;

en “munisipale rekening” het ’n ooreenstemmende betekenis;

“raad” die munisipale raad van die munisipaliteit van Swartland;

“skuld” enige gelde wat aan die munisipaliteit verskuldig is ten opsigte van die lewering van munisipale dienste, en sluit geld in wat verskuldig is met betrekking tot eiendomsbelastings,

"standard rate of interest" means a rate of interest equal to the prime rate as determined by the Reserve Bank of South Africa plus a percentage determined by council annually during the budget process.

"this by-law" includes the policy reflected in the Schedule.

2. Duty to collect debts

All debt owing to the municipality must be collected in accordance with this by-law and the policy.

3. Provision of services

New applications for services and the provision of new services must be dealt with as prescribed in the policy.

4. Deposits

The municipality may require the payment of a deposit for the provision of services and the re-connection of services, or may adjust the amount of any existing deposit, as prescribed in the policy.

5. Interest charges

The Municipality may charge and recover interest in respect of any arrear debt, as prescribed by the policy.

6. Arrangements to pay arrears

(1) The municipal manager may make arrangements with a consumer to pay any arrear debt under conditions as prescribed in terms of the policy.

(2) Should any dispute arise as to the amount of the arrear debt, the consumer must nevertheless continue to make regular payments in terms of the arrangement until such time as the dispute has been resolved.

7. Agreement with employer

(1) The municipal manager may—

(a) with the consent of a consumer who is in arrears with payments, enter into an agreement with that person's employer to deduct from his or her salary or wages—

(i) any outstanding amounts due by the consumer to the municipality; or

(ii) regular monthly amounts as may be agreed; and

(b) provide special incentives for—

(i) employers to enter into such agreements; and

(ii) consumers who consent to such agreements.

8. Power to restrict or disconnect supply of services

(1) The municipality may restrict or disconnect the supply of any service to any premises whenever such consumer—

(a) fails to make payment on the due date;

(b) fails to comply with an arrangement;

(c) fails to comply with a condition of supply imposed by the municipality;

(d) damages the infrastructure of the municipality for the supply of such service or tampers with any meter used regarding that service.

behuising, motorvoertuigregistrasie en—lisensiëring, huurkontrakte wat beëindig is en enige ander uitstaande bedrae, met inbegrip van rente wat daarop verdien is, wat aan die munisipaliteit verskuldig is;

"standaardrentekoers" beteken 'n rentekoers gelyk aan die prima koers plus 'n persentasie wat jaarliks tydens die begrotingsproses deur die raad bepaal word;

"verbruiker" die persoon, met insluiting, maar nie beperk nie, tot die eienaar, huurder of okkuperer van eiendom wat munisipale dienste ontvang, gebruik of voordeel daaruit trek;

"Wet" die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000);

2. Plig om skuld in te vorder

Alle skuld verskuldig aan die munisipaliteit moet ooreenkomsdig hierdie verordening en die beleid ingevorder word.

3. Diensverskaffing

Nuwe aansoeke om dienste en die verskaffing van nuwe dienste moet ooreenkomsdig die voorskrifte vervaat in die beleid hanteer word.

4. Deposito's

Die munisipaliteit mag vereis dat deposito's betaal word vir die verskaffing van dienste en die heraansluiting van dienste, of mag die bedrag van enige bestaande deposito ooreenkomsdig die voorskrifte vervaat in die beleid aanpas.

5. Renteheffings

Die munisipaliteit mag rente hef en verhaal ten opsigte van enige agterstallige skuld ooreenkomsdig die voorskrifte van die beleid.

6. Reëlings om agterstallige geldte te betaal

(1) Die munisipale bestuurder mag reëlings met 'n verbruiker tref om enige agterstallige skuld te betaal ooreenkomsdig die voorwaardes van die beleid.

(2) Indien 'n geskil ontstaan oor die bedrag van die agterstallige skuld, moet die verbruiker steeds voortgaan om ingevolge die ooreenkoms gereelde betalings te doen tot tyd en wyl die geskil besleg is.

7. Ooreenkoms met werkgewer

(1) Die munisipale bestuurder mag—

(a) met die toestemming van 'n verbruiker wie se betalings agterstallig is, 'n ooreenkoms met sy of haar werkgewer aangaan om van sy of haar salaris af te trek—

(i) enige uitstaande bedrae wat deur die verbruiker aan die munisipaliteit verskuldig is; of

(ii) gereelde maandelikse bedrae soos ooreengekom; en

(b) spesiale aansporings bied vir—

(i) werkgewers om sulke ooreenkomste aan te gaan; en

(ii) verbruikers wat instem tot sulke ooreenkomste.

8. Bevoegdheid om die verskaffing van dienste te beperk of af te sluit

(1) Die munisipaliteit mag die verskaffing van enige diens na enige perseel beperk of afsluit wanneer sodanige verbruiker—

(a) versuim om op die betaaldatum te betaal;

(b) versuim om 'n ooreenkoms na te kom;

(c) versuim om aan 'n verskaffingsvooraarde soos deur die munisipaliteit opgelê, te voldoen;

(d) die infrastruktuur vir die verskaffing van sodanige diens beskadig of met 'n meter met betrekking tot daardie diens peuter.

- (2) The municipality may re-connect the restricted or discontinued services only—
- after the arrear debt, and all costs as prescribed in the policy have been paid in full and any other conditions have been complied with; or
 - after an arrangement with the consumer has been concluded for payment of the amounts contemplated in sub paragraph (a); and
 - payment by the consumer of all levies as determined in the municipality's Tariff Policy with regard to tampering of damaging of metering equipment.
- (3) The municipality may restrict, disconnect or discontinue any service in respect of any arrear debt.

9. Recovery of debt

Subject to section 6, the municipal manager must, with regard to rates, and may, with regard to other debt—

- by legal action recover any debt;
- recover debt from any organ of state with due consideration of the provisions of Chapter 3 of The Constitution of the Republic of South Africa, 1996; and
- may refer debt to third party debt collection agencies.

10. Recovery of costs

(1) Where costs are incurred by or on behalf of the municipality in order to recover monies owed to it, the municipal manager may recover such costs, including but not limited to—

- costs and administration fees where payments made to the municipality by negotiable instruments are dishonoured by banks when presented for payment;
- legal and administration costs, including attorney-and-client costs and tracing fees incurred in the recovery of debts;
- restriction, disconnection and reconnection fees, where any service has been restricted or disconnected as a result of non-compliance with this by-law;
- any losses the municipality may suffer as a result of tampering with municipal equipment or meters; and
- any collection commission incurred.

11. Attachment

The municipal manager may, in order to recover debt, approach a competent court for an order to attach movable or immovable property of a consumer.

12. Full and final settlement payments

- Any amount tendered in defrayment of a debt, shall be accepted at any cash receiving office of the municipality.
- No offer of payment in full and final settlement of a debt, when such amount is less than the outstanding amount, may be accepted, unless confirmed in writing by the municipal manager.
- Notwithstanding subsection (2), the payment so offered must nevertheless be credited against the consumer's account, without prejudice to the municipality's rights.

13. Consolidation of accounts and appropriation of payments

- The municipality, in terms of section 102 of the Act, considers all separate accounts of a consumer to be consolidated regardless of the fact that separate accounts for such owner or tenant may be rendered and includes all pre-paid services for which no account is rendered.
- Payments received by the municipality shall be appropriated in the order set out in paragraph 7 of the policy and must be revised annually during the budget process.

- Die munisipaliteit mag slegs die verskaffing van enige van die beperkte of gestaakte dienste heraansluit en herstel—
 - nadat die agterstallige skuld, sowel as al die koste wat in die beleid voorgeskryf word, ten volle betaal is en enige ander voorwaardes nagekom is; of
 - nadat 'n ooreenkoms met die verbruiker aangegaan is vir die betaling van die bedrae bedoel in subartikel (a); en
 - na die betaling van alle heffings soos in die munisipaliteit se Tariefbeleid bepaal in die geval van peuterig of beskadiging van metertoerusting deur die verbruiker verantwoordelik vir sodanige skade of peuterig.
- Die munisipaliteit mag enige diens ten opsigte van enige agterstallige skuld beperk, afsluit of staak.

9. Skuldverhaling

Onderworpe aan artikel 6 moet die munisipale bestuurder met betrekking tot eiendomsbelastings, en mag hy of sy met betrekking tot enige ander skuld—

- skuld deur regsoptrede verhaal;
- skuld van enige staatsorgaan verhaal met inagneming van die bepalings van Hoofstuk 3 van die Grondwet van die Republiek van Suid-Afrika, 1996; en
- skuld na derdeparty-skuldinvorderingsagentskappe verwys.

10. Verhaling van koste

(1) Waar kostes deur of namens die munisipaliteit aangegaan is ten einde gelde wat aan die munisipaliteit verskuldig is te verhaal, mag die munisipale bestuurder sodanige kostes verhaal, met inbegrip van die volgende maar nie beperk daar toe nie—

- koste- en administrasiegeld waar betalings wat deur middel van verhandelbare dokumente aan die munisipaliteit gemaak word deur 'n bank geweier word wanneer dit vir betaling aangebied word;
- regs- en administratiewe koste, ingesluit prokureurs- en kliëntkoste en opsporingskoste aangegaan om skuld te verhaal;
- beperkings-, afsluitings- en heraansluitingskoste, waar enige diens beperk of afgesluit is as gevolg van nie-voldoening aan hierdie verordening;
- enige verliese wat die munisipaliteit mag ly as gevolg van peuterig met munisipale toerusting of meters; en
- enige invorderingskommissie wat aangegaan is.

11. Beslaglegging

Ten einde skuld te verhaal, mag die munisipale bestuurder 'n hof met die nodige jurisdiksie nader vir 'n bevel om op 'n verbruiker se roerende onroerende eiendom beslag te lê.

12. Volle en finale vereffening

- Enige bedrag aangebied ter betaling van skuld moet ontvang word by enige betaalkantoor van die munisipaliteit.
- Geen aanbod ter volle en finale vereffening van skuld mag aanvaar word waar sodanige bedrag minder is as die uitstaande bedrag nie, tensy dit skriftelik deur die munisipale bestuurder bevestig is.
- Nieteenstaande subartikel (2) moet betaling wat so aangebied word teen die verbruiker se rekening gekrediteer word sonder benadeling van die munisipaliteit se regte.

13. Konsolidasie van rekenings en toewysing van betalings

- Ingevolge artikel 102 van die Wet, beskou die munisipaliteit alle afsonderlike rekenings van 'n verbruiker as gekonsolideer ongeag die feit dat afsonderlike rekenings gelewer kan word en dit sluit alle vooraf betaalde dienste waarvoor geen rekening gelewer is nie, in.
- Betelings wat deur die munisipaliteit ontvang word, sal toegewys word in die volgorde soos uiteengesit in paragraaf 7 van die beleid en moet jaarliks tydens die begroting hersien word.

(3) Subsection (1) does not apply where there is a dispute between the municipality and a consumer concerning any specific amount claimed by the municipality.

14. Indigent support

Financial assistance may be granted by the municipality to a person that meets the criteria as laid down in paragraph 25 of the policy.

15. Delegation

The municipal manager may delegate his or her powers in terms of this by-law to any official or service provider of the municipality.

16. Clearance certificates

On the sale of any property the municipality shall issue the required clearance certificate as prescribed in the policy.

17. Appeal

A person whose rights are affected by a decision of the municipality in terms of delegated powers, may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

18. Offences and penalties

(1) A person who—

- (a) obstructs or hinders any councillor or official of the municipality in the execution of his or her duties under this by-law or the policy;
- (b) unlawfully uses or interferes with municipal equipment or consumption of services supplied;
- (c) tampers with any municipal equipment or breaks any seal on a meter or damages a meter;
- (d) fails to comply with a notice served in terms of this by-law or the policy;
- (e) refuses an official of the municipality access to any premises; or
- (f) gives false information regarding the supply of services or with regard to an application for assistance as an indigent;

shall be guilty of an offence and on conviction liable to the payment of a fine or imprisonment or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

19. Repeal of by-laws

The following by-laws are hereby repealed:

- (a) By-law relating to Credit Control and Debt Collection promulgated on 19 September 2003; and
- (b) By-law Relating to Credit Control and Debt Collection promulgated on 4 December 2009.

20. Short title and commencement

This by-law shall be known as the Credit Control and Debt Collection By-law and shall come into effect on 1 July 2014.

(3) Subartikel (1) is nie van toepassing indien daar 'n dispuit is rakende enige spesifieke bedrag wat deur die munisipaliteit van 'n verbruiker geëis word nie.

14. Deernisondersteuning

Finansiële hulp mag deur die munisipaliteit verleen word aan 'n persoon wat voldoen aan die kriteria wat in paragraaf 25 van die beleid neergelê word.

15. Delegasie

Die munisipale bestuurder mag sy of haar magte ingevolge hierdie verordening aan enige amptenaar of diensverskaffer van die munisipaliteit deleger.

16. Uitklaringsertifikate

Met die verkoop van enige eiendom moet die munisipaliteit die verlangde uitklaringsertifikaat uitrek soos voorgeskryf in die beleid.

17. Appèl

'n Persoon wie verontreg voel deur 'n besluit van die munisipaliteit ingevolge gedelegeerde magte, mag teen daardie besluit appelleer deur binne 21 dae van die datum van die kennis van die besluit aan die munisipale bestuurder skriftelik kennis te gee van die appèl en die redes daarvoor ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000.

18. Misdrywe en strawwe

(1) 'n Persoon wat—

- (a) 'n amptenaar of raadslid van die munisipaliteit verhinder of verhoed om sy pligte ingevolge hierdie verordening of die beleid uit te voer;
- (b) munisipale toerusting onwettig gebruik of inmeng met die verskaffing van dienste;
- (c) met enige munisipale meter peuter, dit beskadig of enige seël op enige meter breek;
- (d) versuum om te voldoen aan 'n kennisgiving ingevolge hierdie verordening of beleid bestel;
- (e) 'n amptenaar van die munisipaliteit toegang tot enige perseel weier; of
- (f) vals inligting verstrek met betrekking tot die verskaffing van dienste of aansoek om deernisondersteuning,

pleeg 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf of sodanige gevangenisstraf sonder die keuse van 'n boete of met beide sodanige boete en gevangenisstraf.

19. Herroeping van verordeninge

Die volgende verordeninge word hiermee herroep:

- (a) Verordening insake kredietbeheer en Skuldinvordering gepromulgeer op 19 September 2003; en
- (b) Verordening insake Kredietbeheer en Skuldinvordering gepromulgeer op 4 Desember 2009.

20. Kort titel en inwerkingtrede

Hierdie verordening staan bekend as die Kredietbeheer- en Skuldinvorderingsverordening en sal op 1 Julie 2014 in werking tree.

SCHEDULE**SWARTLAND MUNICIPALITY****CREDIT CONTROL AND DEBT COLLECTION POLICY**

In terms of section 96 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000) the municipality of Swartland hereby adopts the following Credit Control and Debt Collection Policy:

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CHAPTER 1: DEFINITIONS AND OBJECTIVES**1. Objectives of the policy**

The objectives of this policy are to—

- (a) focus on all outstanding debt due and payable to the municipality;
- (b) provide for innovative, cost effective, efficient and appropriate methods for credit control, debt collection and indigent relief;

BYLAE**SWARTLAND MUNISIPALITEIT****KREDIETBEHEER- EN SKULDINVORDERINGSBELEID**

Ingevolge artikel 96 van die Wet op Plaaslike Regering: Munisipale Stelsels 2000 (Wet 32 van 2000) aanvaar die munisipaliteit van Swartland hiermee die volgende Kredietbeheer- en Skuldinvorderingsbeleid:

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1. Oogmerke van die beleid
2. HOOFSTUK 2: KLANTESORG EN -BESTUUR
3. Kommunikasie
4. Meting van munisipale dienste en defektiewe meters
5. Munisipale rekenings
6. Navrae, dispute en appèl
7. Betaalfasiliteite
8. Konsolidasie van rekenings en toewysing van inkomste

HOOFSTUK 3: KREDIETBEHEER- EN SKULDINVORDERINGS-MAATREELS

9. Aansoek vir munisipale dienste
10. Aanspreeklikheid vir betaling
11. Betaaldatum
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13. Heffing van rente
14. Afsluiting en heraansluiting van dienste
15. Betaling van deposito
16. Instelling van geregtelike stappe
17. Afskrywing van uitstaande skuld

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18. Koste van invordering
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23. Ondertekening en sertifisering van dokumente
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26. Kriteria vir finansiële hulp aan hulpbehoewendes
27. Toewysing van finansiële hulp
28. Kansellasie van finansiële hulp

HOOFSTUK 1: DEFINISIES EN OOGMERKE**1. Oogmerke van die beleid**

Die oogmerke van hierdie beleid is om—

- (a) te fokus op alle uitstaande skuld wat aan die munisipaliteit verskuldig en betaalbaar is;
- (b) voorsiening te maak vir innoverende, kostedoeltreffende, doelmatige en gepaste metodes vir kredietbeheer, skuldinvordering en verligting aan hulpbehoewendes;

- (c) promote a culture of good payment habits and to create a sense of responsibility towards the payment of municipal accounts and reduction of municipal debt; and
- (d) to provide for the subsidisation of services to indigent households.

CHAPTER 2: CUSTOMER CARE AND MANAGEMENT

2. Communication and the conveyance of information

In order to give effect to the provisions of section 95(a), (b) and (c) of the Act, the municipality may—

- (a) establish a customer care forum where members of the community and members of the council may meet;
- (b) hold ward meetings where representatives of the municipality and other service providers may consult with ward members and their ward representative; and
- (c) implement measures to ensure that consumers of municipal services or any other service, ratepayers and residents in general, are properly informed with regard to the delivery of services and in particular the costs of the provision of services.

3 Measuring of municipal services and defective meters

(1) The municipality must ensure the measurement of electricity and water provided to consumers through accurate and verifiable metering systems.

(2) Meters must, as far as possible, be read at intervals of one month or a period as determined by the municipality.

(3) If for any reason meters cannot be read or have not been read, the municipality shall be entitled to render an account based on the estimated consumption calculated on the last 3months' average consumption preceding the date on which the meter was last read, provided that the difference between the actual usage and estimated usage must be set off as soon as a metered reading is obtained.

(4) It may be assumed that the electricity or water usage registered by a meter has in fact been delivered, provided that for any period that a meter is out of order, the electricity or water so delivered may be calculated on the basis of the average usage over the three months preceding the period in question.

(5) A consumer may request a special meter reading against payment of the prescribed tariff.

(6) Defective metering equipment shall be dealt with in terms of the municipality's by-laws relating to water services and electricity supply.

(7) The provisions of the by-laws mentioned in sub paragraph (6) with regard to ownership of metering equipment apply with the necessary changes.

4. Municipal accounts

(1) The municipality shall render a monthly account to a consumer of municipal services.

(2) The account shall reflect the following—

- (a) all outstanding amounts and the balance brought forward;
- (b) amounts owing;
- (c) total amount due; and
- (d) meter readings where applicable.

5. Enquiry, dispute and appeal

(1) Enquiry:

- (a) A consumer may request the municipality to review an account.
- (b) While such an account is under review, the consumer must pay an amount equal to the average usage for the preceding three months where the history of that account is available.

- (c) 'n kultuur van goeie betaalgewoontes te bevorder en om 'n gevoel van verantwoordelikheid teenoor die betaling van munisipale rekenings te skep en om munisipale skuld te verminder; en
- (d) om voorsiening te maak vir die subsidiëring van dienste aan hulpbehoewende huishoudings.

HOOFSTUK 2: KLANTESORG EN -BESTUUR

2. Kommunikasie en die oordra van inligting

Ten einde uitvoering aan die bepalings van artikel 95(a), (b) en (c) van die Wet te gee, kan die munisipaliteit—

- (a) 'n klantesorgforum daarstel waar lede van die gemeenskap en lede van die raad mekaar kan ontmoet;
- (b) wyksvergaderings hou waar verteenwoordigers van die munisipaliteit en ander diensverskaffers met wykslede en hul wyksverteenvwoerdigers kan beraadslaag; en
- (c) maatreëls instel om seker te maak dat verbruikers van munisipale dienste of enige ander diens, belastingbetalers en inwoners in die algemeen, behoorlik ingelig word met betrekking tot dienslewering en in besonder die koste van die verskaffing van dienste.

3 Meting van munisipale dienste en defektiewe meters

(1) Die munisipaliteit moet die meet van elektrisiteit en water wat aan verbruikers voorsien word deur middel van akkurate en verifieerbare metingstelsels verseker.

(2) Meters moet so ver moontlik met tussenposes van een maand of 'n tydperk wat deur die munisipaliteit bepaal word, gelees word.

(3) Indien meters om enige rede nie gelees kan word nie of nie gelees is nie, sal die munisipaliteit geregtig wees om 'n rekening te lever gebaseer op die geskatte verbruik bereken op grond van die gemiddelde verbruik van die drie maande voor die datum waarop die meter die laaste keer gelees is, met dien verstande dat die verskil tussen die werklike verbruik en die geskatte verbruik verreken word sodra 'n gemeterde lesing verkry is.

(4) Dit word aanvaar dat die elektrisiteits- of waterverbruik wat deur 'n meter geregistreer is, in werkelikhed gelewer is, met dien verstande dat vir enige tydperk wat die meter buite werking was, die elektrisiteit of water wat so gelewer is, bereken kan word op grond van die gemiddelde verbruik oor die drie maande voor die betrokke tydperk.

(5) 'n Verbruiker kan 'n spesiale meterlesing teen 'n voorgeskrewe tarief versoek.

(6) Defektiewe meettoerusting sal hanteer word ingevolge die munisipaliteit se verordeninge met betrekking tot die voorsiening van water- en elektrisiteitsdienste.

(7) Die bepalings van die verordeninge genoem in subparagraaf (6) met betrekking tot die eienaarskap van meettoerusting is met die nodige wysigings van toepassing.

4. Munisipale rekenings

(1) Die munisipaliteit sal maandeliks 'n rekening lever aan die verbruiker van munisipale dienste.

(2) Die rekening sal die volgende weerspieël—

- (a) alle uitstaande bedrae en die saldo wat oorgedra is;
- (b) verskuldigde bedrae;
- (c) totale bedrag betaalbaar; en
- (d) meterlesings waarvan toepassing.

5. Navrae, dispute en appèl

(1) Navrae:

- (a) 'n Verbruiker kan die munisipaliteit versoek om 'n rekening te hersien.
- (b) Terwyl sodanige rekening hersien word, moet die verbruiker 'n bedrag betaal gelyk aan die gemiddelde verbruik vir die voorafgaande drie maande waar die geskiedenis van daardie rekening beskikbaar is.

- (c) Where such history is not available, the consumer must pay an estimated amount before the due date until the matter has been resolved.
- (d) The municipality must resolve the matter within 10 working days of receipt of such a request and inform the consumer concerned of the outcome of such an investigation.
- (e) Failure to pay the amount determined in terms of subparagraph (1)(b) or (c) on or before the due date may result in the restriction or disconnection of the consumer's services.

(2) Dispute:

- (a) A consumer may dispute any part or all of an account received in which case Section 102 of the Act shall apply.
- (b) The provisions of subparagraph (1)(b) and (c) apply with the necessary changes in case of a dispute.

(3) Appeal:

- (a) A person who feels aggrieved by a decision of the municipality in terms of delegated authority may appeal against that decision by giving written notice in terms of Section 62 of the Act to the municipal manager within 21 days of the date of the notification of the decision.
- (b) The grounds for appeal must be clearly indicated by the aggrieved person; and
- (c) Where applicable, the fees for testing of any metering equipment must be included.

6. Payment facilities

- (1) The municipality shall provide and maintain strategically situated, accessible payment offices and cash points throughout its area of jurisdiction.
- (2) The following alternative payment facilities shall also be provided or be available—
 - (a) electronic bank transfers (A.C.B. system);
 - (b) internet transfers;
 - (c) direct depositing of money into the municipality's approved bank account;
 - (d) payments at different accredited business undertakings and other agencies.
- (3) Where any of the alternative payment facilities are used, the onus is on the person using such facilities to provide proof of payment, and the municipality does not accept liability for the non-receipt of such payments, or for incorrect allocations which are due to a mistake on the part of such person.
- (4) Where payment of the money due is made by way of a direct deposit into the municipality's approved bank account, the consumer must submit proof of the deposit not later than the due date.

7. Consolidation of accounts and appropriation of payments

- (1) The municipality, in terms of Section 102 of the Act, considers all separate accounts of a consumer to be consolidated regardless of the fact that separate accounts for such owner or tenant may be rendered and includes all pre-paid services for which no account is rendered.
- (2) Payments received by the municipality may be appropriated in the order as determined by the municipality annually during the budget process.
- (3) Payments received shall be appropriated in terms of oldest debt first by means of instalments as determined annually by the council in order to prevent prescription.

- (c) Waar sodanige geskiedenis nie beskikbaar is nie, moet die verbruiker voor die betaaldatum 'n geskatte bedrag betaal totdat die aangeleentheid opgelos is.
- (d) Die munisipaliteit moet die aangeleentheid binne 10 werksdae na ontvangs van so 'n versoek oplos en die betrokke verbruiker van die uitslag van 'n ondersoek verwittig.
- (e) Versuim om voor of op die betaaldatum die bedrag soos bepaal in subparagraph (1)(b) of (c) te betaal, kan meebring dat die verbruiker se dienste beperk of afgesluit sal word.

(2) Dispute:

- (a) 'n Verbruiker mag 'n dispoot aanteken oor enige gedeelte of die totale rekening wat ontvang is, in welke geval Artikel 102 van die Wet van toepassing sal wees.
- (b) Die bepalings van subparagraph (1)(b) en (c) is van toepassing met die nodige veranderinge in die geval van 'n dispoot.

(3) Appèl:

- (a) 'n Persoon wat veronreg voel deur 'n besluit van die munisipaliteit ingevolge gedelegeerde gesag mag appèl aanteken teen daardie besluit deur ingevolge Artikel 62 van die Wet binne 21 dae na die datum van kennisgewing oor die besluit skriftelik aan die munisipale bestuurder kennis te gee van die appèl.
- (b) Die redes vir die appèl moet duidelik deur die gegriefde persoon uiteengesit word; en
- (c) Waar van toepassing, moet die gelde vir die toets van enige meettoestel ingesluit word.

6. Betaalfasiliteite

- (1) Die munisipaliteit sal strategies geleë toeganklike betaalkantore en kassiersbetaalpunte regoor sy regsgebied voorsien en in stand hou.
- (2) Die volgende alternatiewe betaalfasiliteite sal ook voorsien word of beskikbaar wees—
 - (a) elektroniese bankoordragte (A.C.B.-stelsel);
 - (b) internetoordragte;
 - (c) regstreekse deponering van geld in die munisipaliteit se goedgekeurde bankrekening;
 - (d) betalings by verskillende geakkrediteerde besigheidsondernemings en ander agterkappe.
- (3) Waar van enige van die alternatiewe betaalfasiliteite gebruik gemaak word, berus die onus op die persoon wat van sodanige faciliteit gebruik maak om bewys van betaling te lever en aanvaar die munisipaliteit nie aanspreeklikheid vir nie-ontvangs van sodanige betalings of vir foutiewe toewysings nie indien sodanige foutiewe toewysings te wyte is aan 'n fout deur sodanige persoon.
- (4) Waar die betaling van die gelde wat verskuldig is by wyse van regstreekse deposito in die munisipaliteit se goedgekeurde bankrekening gedoen word, moet die verbruiker nie later nie as die betaaldatum bewys van die deposito indien.

7. Konsolidasie van rekenings en toewysing van betalings

- (1) Ingevolge Artikel 102 van die Wet beskou die munisipaliteit alle afsonderlike rekenings van 'n verbruiker as gekonsolideer, ongeag die feit dat afsonderlike rekenings gelewer kan word en sluit alle voorafbetaalde dienste waarvoor geen rekening gelewer word nie, in.
- (2) Betalings wat deur die munisipaliteit ontvang word, sal toegewys word soos jaarliks tydens die begroting bepaal.
- (3) Betalings wat ontvang word, sal toegewys word in terme van oudste skuld eerste ten einde verjaring van skuld te stuit of paaiementsgewys soos jaarliks deur die raad bepaal.

CHAPTER 3: CREDIT CONTROL AND DEBT COLLECTION MEASURES

8. Application for municipal services

- (1) No person may receive or consume municipal services without approval of the municipality.
- (2) The municipality may render services to consumers in terms of special agreements where circumstances require special measurements.
- (3) A person who wants to receive or use municipal services must apply in writing for approval in terms of paragraph 8(1).
- (4) Where the consumer is not the owner of the property concerned, the owner must consent in writing to the supply of the services requested.
- (5) Upon approval of an application for the provision of services, the municipality must inform the applicant of—
- (a) the different levels or standards of services and the applicable tariffs or fees payable in respect of each level of service;
 - (b) the due date for payment of all amounts owed to the municipality;
 - (c) the service hours of cashiers where payments may be made and the conditions for payment at vendor points;
 - (d) the various alternative payment facilities and the conditions and requirements relating thereto;
 - (e) the municipality's right to terminate or restrict water or electricity services in case of non-payment of an account or tampering with municipal metering equipment;
 - (f) the consumer's responsibility for any damages caused to metering equipment or other municipal property;
 - (g) his or her obligation to pay for services despite possible non-delivery of an account;
 - (h) the municipality's right to consolidate accounts of the consumer;
 - (i) the municipality's right to install a prepayment meter, on a property where the electricity supply has been disconnected for non-payment or tampering in which case the meter remains the property of the municipality;
 - (j) the municipality's right to install a water demand management meter, on a property for non-payment or tampering in which case the meter remains the property of the municipality;
 - (k) the right to withhold or to limit units purchased for a prepayment meter or to offset a portion of any payment against arrears as result of non-payment of debt owed to the municipality;
 - (l) the municipality's right to levy interest on amounts not paid by the due date as stipulated on an account;
 - (m) the municipality's right to attach movable and immovable property;
 - (n) the municipality's assistance to indigents; and
 - (o) the municipality's client service charter.
- (6) The municipality will only be obliged to provide a specific level of a municipal service requested—
- (a) if it is already provided by the municipality in the normal course of events; and
 - (b) if the municipality possesses the means and capacity to provide such a level of service.
- (7) A consumer may at any time apply to change the level of a municipal service originally approved, provided that the level of service requested is available and that the costs and disbursements incidental to such change be borne by the applicant.

HOOFTUK 3: KREDIETBEHEER- EN SKULDINVORDERINGSMAATREELS

8. Aansoek vir municipale dienste

- (1) Niemand mag sonder goedkeuring van die munisipaliteit munisipale dienste ontvang of verbruik nie.
- (2) Die munisipaliteit mag ingevolge spesiale ooreenkomsdiens aan verbruikers lewer waar omstandighede spesiale maatreëls vereis.
- (3) 'n Persoon wat munisipale dienste wil ontvang of gebruik, moet skriftelik aansoek doen op die voorgeskrewe vorm vir goedkeuring ingevolge paraagraaf 8(1).
- (4) Waar die verbruiker nie die eienaar van die betrokke eiendom is nie, moet die eienaar skriftelik toestemming verleen tot die levering van munisipale dienste soos versoek.
- (5) Na goedkeuring van 'n aansoek om die voorsiening van dienste moet die munisipaliteit die aansoeker verwittig van—
- (a) die verskillende vlakke of standarde van dienste en die toepaslike tariewe of gelde wat ten opsigte van elke vlak van diens betaalbaar is;
 - (b) die datum vir die betaling van alle bedrae wat aan die munisipaliteit verskuldig is;
 - (c) die diensiure van kassiere waar betalings gemaak kan word en die voorwaardes vir betaling by verkooppunte;
 - (d) die verskillende alternatiewe betaalfasiliteite en die voorwaardes en vereistes ten opsigte daarvan;
 - (e) die munisipaliteit se reg om water- of elektrisiteitsdienste te beëindig of te beperk in geval van nie-betaling van 'n rekening of peutering met munisipale meettoerusting;
 - (f) die verbruiker se verantwoordelikheid vir enige skade wat aan meettoerusting of ander munisipale eiendom aangerig word;
 - (g) sy of haar verpligting om vir dienste te betaal ten spyte van die moontlike nie-levering van 'n rekening;
 - (h) die munisipaliteit se reg om rekenings van die verbruiker te konsolideer;
 - (i) die munisipaliteit se reg om 'n meter vir voorafbetaalde dienste te installeer op 'n eiendom waar die elektrisiteitsvoorsiening as gevolg van nie-betaling of peutering afgesluit is in welke geval die meter die eiendom van die munisipaliteit bly;
 - (j) die munisipaliteit se reg om 'n water aanvraag bestuurmeter aan te bring by eiendom as gevolg van wanbetaling of peutering met toerusting in welke geval die meter die eiendom van die munisipaliteit bly;
 - (k) die reg om eenhede wat vir voorafbetaalde meters gekoop is terug te hou of te beperk of om 'n gedeelte van enige betaling te verrekken teen agterstallige bedrae as gevolg van die nie-betaling van bedrae wat aan die munisipaliteit verskuldig is;
 - (l) die munisipaliteit se reg om rente te hef op bedrae wat nie teen die betaaldatum vereffen is nie, soos uiteengesit op 'n rekening;
 - (m) die munisipaliteit se reg op beslaglegging van roerende en onroerende eiendom;
 - (n) die munisipaliteit se hulp aan hulpbehoewendes; en
 - (o) die munisipaliteit se handves vir kliëntediens.
- (6) Die munisipaliteit sal slegs verplig wees om 'n spesifieke vlak van munisipale dienste wat versoek is te lever—
- (a) indien dit reeds in die gewone verloop van sake deur die munisipaliteit gelewer word; en
 - (b) indien die munisipaliteit die middele en kapasiteit besit om sodanige vlak van diens te lever.
- (7) 'n Verbruiker mag te eniger tyd aansoek doen om die vlak van munisipale dienste wat aanvanklik goedgekeur is te verander met dien verstande dat die vlak van diens wat versoek word, beskikbaar is en dat die koste en betalings met betrekking tot sodanige verandering deur die persoon gedra word.

(8) In the case of an illiterate or similarly disabled person, the municipality must ensure that he or she is aware of and understands the contents of the application form and that he or she is assisted with the completion thereof.

(9) Where the municipality—

- (a) refuses an application for the provision of municipal services or a specific service or level of service; or
- (b) is not in a position to provide such municipal service or level of a service on the date on which it is requested; or
- (c) is not in a position to provide such municipal service or level of a service at all;

it must inform the applicant of such refusal or inability to provide the service and the reasons therefor.

(10) An approval for the provision of services or any undertaking or arrangement in terms of this policy does not constitute a credit facility envisaged in terms of section 8(3) of the National Credit Act but is deemed to be incidental credit as envisaged in terms of section 4(6)(b) read with section 5(2) and (3) of the National Credit Act, 2005.

9. Liability for payment

(1) A consumer who receives, uses or benefits from the services offered or rendered by the municipality in terms of its functions as listed in Schedules 4B of 5B of the Constitution, is responsible for the payment of any monies due and payable to the municipality in respect of such consumption or benefit.

(2) If for any reason service charges have not been levied, the municipality shall be entitled to render an account as from the date of registration of such property in the Deeds Office.

(3) Rental payable in respect of the letting of state-financed housing and other municipal property is payable by—

- (a) the person with whom the lease was concluded; or
- (b) the person who applied to rent the premises, where no agreement of lease was concluded; or
- (c) if no such person can be identified, the head of the household occupying such premises; or
- (d) any other person who accepts responsibility for the payment of rental due, irrespective of whether such a person occupies the premises or not.

(4) The person or persons with whom a loan agreement or an instrument of debt has been concluded is responsible for repayment of housing loans.

(5) Where an account is not paid in full, any lesser amount offered and accepted by the municipality shall not be regarded as full and final settlement of such account unless the municipal manager in writing accepts such lesser amount as being in full and final settlement of the account in question.

(6) Non-delivery of an account or an error or omission in an account shall not exempt a consumer from payment of any amounts owing to the municipality.

10. Due date

Accounts for rates or services offered or rendered by the municipality become due and payable as follows—

(1) *Rates:*

- (a) rates become due and payable on the 1st day of July of each year for which such rates are determined;
- (b) the municipality will recover the rates levied in twelve equal instalments which will be payable on or before the last working day of each month in respect of which payment must be made;
- (c) by prior arrangement the municipality will recover the rates levied in a single amount, which is due on or before the last working day of October of the year in which it is levied;

(8) In die geval van 'n ongeletterde of dienooreenkomsdig gestremde persoon, moet die munisipaliteit seker maak dat die persoon bewus is van, en die inhoud van 'n aansoekvorm begryp en dat hy of sy bygestaan word met die voltooiing daarvan.

(9) Indien die munisipaliteit—

- (a) 'n aansoek vir die voorsiening van munisipale dienste of 'n spesifieke diens of vlak van diens weier; of
- (b) nie in 'n posisie is om sodanige munisipale diens of vlak van diens op die datum waarop dit versoek word, te lever nie;
- (c) nie in 'n posisie is om hoegenaamd sodanige munisipale diens of vlak van diens te lever nie;

moet die munisipaliteit die aansoeker verwittig van sodanige weiering of onvermoë om die diens te lever sowel as die redes daarvoor.

(10) 'n Goedkeuring vir die verskaffing van dienste of enige onderneming of reëling ingevolge hierdie beleid kom nie neer op 'n kredietfasilitet wat beoog word ingevolge artikel 8(3) van die Nasionale Kredietwet nie, maar word beskou as toevallige krediet soos beoog ingevolge artikel 4(6)(b) gelees saam met artikel 5(2) en (3) van die Nasionale Kredietwet, 2005.

9. Aanspreeklikheid vir betaling

(1) 'n Verbruiker wat die dienste wat deur die munisipaliteit aangebied of gelewer word ingevolge sy funksies soos gelys in Bylae 4B en 5B van die Grondwet ontvang, gebruik of daaruit voordeel trek, is verantwoordelik vir die betaling van enige geldte wat aan die munisipaliteit verskuldig en betaalbaar is ten opsigte van sodanige verbruik of voordeel.

(2) Indien diensteheffings om enige rede nie gehef is nie, is die munisipaliteit geregtig om 'n rekening te lever vanaf die datum waarop sodanige eiendom by die Aktekantoor geregistreer is.

(3) Huurgeld ten opsigte van die verhuring van staatsgefinsioneerde behuising en ander munisipale eiendom, is betaalbaar deur—

- (a) die persoon met wie die huurooreenkoms gesluit is; of
- (b) die persoon wat aansoek gedoen het om die perseel te huur, ingeval geen huurooreenkoms aangegaan is nie; of
- (c) indien geen sodanige persoon geïdentifiseer kan word nie, die hoof van die huishouding wat so 'n perseel okkuper; of
- (d) enige ander persoon wat verantwoordelikheid aanvaar vir die betaling van huurgeld wat verskuldig is, ongeag of so 'n persoon die perseel okkuper al dan nie.

(4) Die persoon of persone met wie 'n leningsooreenkoms of skuldakte gesluit is, is verantwoordelik vir die terugbetaling van behuisingslenings.

(5) Waar 'n rekening nie ten volle vereffend word nie, sal enige mindere bedrag wat aangebied word en deur die munisipaliteit aanvaar word, nie geag word as volle en finale betaling van sodanige rekening te wees nie, tensy die munisipale bestuurder die betaling van sodanige mindere bedrag skriftelik aanvaar as die volle en finale betaling van die betrokke rekening.

(6) Die nie-lewering van 'n rekening of 'n fout of weglatting op 'n rekening sal nie 'n verbruiker vrystel van die betaling van enige bedrae wat aan die munisipaliteit verskuldig is nie.

10. Betaaldatum

Rekenings vir eiendomsbelastings dienste wat deur die munisipaliteit aangebied of gelewer is, word soos volg verskuldig en betaalbaar—

(1) *Eiendomsbelastings:*

- (a) eiendomsbelastings word verskuldig en betaalbaar op 1 Julie van elke jaar waarvoor sodanige eiendomsbelasting bepaal word;
- (b) die munisipaliteit verhaal die eiendomsbelasting wat gehef word in twaalf gelyke paaimeente, wat betaalbaar sal wees voor of op die laaste werkdag van elke maand ten opsigte waarvan sodanige betaling gemaak moet word;
- (c) deur vooraf reëling sal die munisipaliteit die eiendomsbelasting wat gehef word, as 'n enkele bedrag verhaal, welke bedrag betaalbaar is voor of op die laaste werkdag van Oktober van die jaar waarin die bedrag gehef word;

- (d) where property becomes taxable after the 1st July of a financial year of the municipality, the rates levied shall become due and payable on the date of notice to such owner of his or her liability for payment thereof;
- (e) the provisions of sub paragraphs (b) and (c) will apply with the necessary changes in respect of rates levied in terms of sub paragraph (d);
- (f) applications to pay rates in a single amount must be submitted to the municipality before 31 May of each year.

(2) Availability charges:

- (a) availability charges become due and payable on the 1st day of July of each year for which such fees are determined;
- (b) the municipality will recover the availability charges levied in twelve equal instalments which will be payable on or before the last working day of each month in respect of which payment must be made;
- (c) where the levy becomes payable after the 1st July of a financial year, the levy shall become due and payable on the date of notice to such owner of his or her liability for payment thereof.

(3) Municipal services:

Moneys payable in respect of municipal services are due and payable on the date indicated as such on the account delivered each month and payment must be made on or before the last working day of the month in which such account was delivered.

(4) Rental or loan instalment:

Payment of rental or loan instalments due in respect of state-financed housing or other municipal property must be made on the dates and in accordance with the provisions contained in the relevant lease and loan agreements.

(5) Other fees or instalments:

Payment of moneys other than those contemplated in sub paragraphs (1) to (5) must be made on the date indicated on the account which date will be no more than 30 days after the rendering of the particular service.

11. Accounts in arrears

(1) Rates:

- (a) where rates which are payable in a single amount remain unpaid after the due date, the Director Financial Services shall serve a written notice on the owner demanding payment thereof within 14 days from the date of notification.
- (b) upon failure to comply with a notice contemplated in sub paragraph (a), the Director: Financial Services shall, subject to the provisions of paragraph 15, institute legal proceedings to recover such rates.
- (c) where an owner, who pays rates in monthly instalments, defaults on payments the Director: Financial Services shall, by written notice, withdraw his or her right to pay monthly instalments in which event the full amount of outstanding rates shall become due and payable immediately.
- (d) where rates payable in monthly instalments are not paid in full after expiry of a period of 12 months from the date on which such rates became due and payable, the Director: Financial Services shall act in terms of sub paragraphs (a) and (b).
- (e) the provisions of sub paragraphs (a) and (b) shall apply with regard to recovery of rates as contemplated in sub paragraph (c).

- (d) waar eiendom na 1 Julie van die finansiële jaar van die munisipaliteit belasbaar word, sal die eiendomsbelasting wat gehef word, verskuldig en betaalbaar wees op die datum van kennisgewing aan sodanige eienaar van sy of haar aanspreeklikheid vir die betaling daarvan;

- (e) die bepalings van subparagraph (b) en (c) sal van toepassing wees met die nodige veranderinge ten opsigte van belastings wat ingevolge subparagraph (d) gehef word;
- (f) aansoeke om eiendomsbelastings as 'n enkelbedrag te betaal, kan voor 31 Mei van elke jaar by die munisipaliteit ingedien word.

(2) Beskikbaarheidsgelde:

- (a) beskikbaarheidsgelde word verskuldig en betaalbaar op 1 Julie van elke jaar waarvoor sodanige gelde bepaal word;
- (b) die munisipaliteit sal die beskikbaarheidsgelde wat gehef word, in twealf gelyke paaiemente verhaal, wat betaalbaar sal wees voor of op die laaste werkdag van elke maand ten opsigte waarvan sodanige betaling gemaak moet word;
- (c) waar die gelde na 1 Julie van 'n boekjaar betaalbaar word, sal die gelde verskuldig en betaalbaar word op die datum van kennisgewing aan sodanige eienaar van sy of haar aanspreeklikheid vir die betaling daarvan.

(3) Munisipale dienste:

Gelde wat ten opsigte van munisipale dienste betaalbaar is, is verskuldig en betaalbaar op die datum wat as sodanig aangedui word op die rekening wat elke maand gelewer word en betaling moet gedoen word voor of op die laaste werkdag van die maand waarin sodanige rekening gelewer is.

(4) Huurgeld of leningspaaiemente:

Die betaling van huurgeld of leningspaaiemente verskuldig ten opsigte van staatsgefinsioneerde behuising of ander munisipale eiendom, moet gedoen word op die datums en in ooreenstemming met die bepalings vervat in die betrokke huur- of leningsooreenkoms.

(5) Ander gelde of paaiemente:

Die betaling van gelde anders as die bedrae genoem in subparagraph (1) tot (5) moet geskied op die datum aangedui op die rekening, welke datum nie meer as 30 dae na die lewering van die spesifieke diens sal wees nie.

11. Agterstallige rekenings

(1) Eiendomsbelasting:

- (a) waar eiendomsbelasting wat as 'n enkelbedrag betaalbaar is, na die betaaldatum onbetaal bly, moet die Direkteur: Finansiële Dienste 'n skriftelike kennisgewing beteken aan die eienaar van die eiendom waarin die eienaar aangesê word om die verskuldigde bedrag binne 14 dae vanaf die datum van die kennisgewing te betaal.
- (b) indien die eienaar versuim om die kennisgewing, soos genoem in subparagraph (a), te gehoorsaam, moet die Direkteur: Finansiële Dienste, onderworpe aan die bepalings van paragraaf 15, geregtelike stappe instel om sodanige eiendomsbelasting te verhaal.
- (c) indien 'n eienaar, wat eiendomsbelasting in maandelikse paaiemente betaal, in verstek raak met betalings, moet die Direkteur: Finansiële Dienste deur middel van skriftelike kennisgewing sy of haar reg om belastings in maandelikse paaiemente te betaal, terugtrek. In so 'n geval word die volle uitstaande bedrag ten opsigte van eiendomsbelasting onmiddellik verskuldig en betaalbaar.
- (d) indien eiendomsbelasting wat in maandelikse paaiemente betaalbaar is, na die verstryking van 'n tydperk van 12 maande na die datum waarop sodanige eiendomsbelasting verskuldig en betaalbaar geword het, nie ten volle betaal is nie, moet die Direkteur: Finansiële Dienste optree ingevolge subparagraphs (a) en (b).
- (e) die bepalings van subparagraphs (a) en (b) sal van toepassing wees ten opsigte van die verhaling van eiendomsbelastings soos beoog in subparagraph (c).

(2) Availability charges:

The provisions of sub paragraphs (c) and (d) applies with the necessary changes to an owner who defaults on payments in respect of availability charges.

(3) Municipal Services:

- (a) Where a consumer fails to pay any amount or portion thereof in respect of municipal services on the due date, the municipality may—
 - (i) disconnect the electricity supply to the premises concerned;
 - (ii) restrict the water supply to such premises by installing a water demand management meter on the service connection which will allow the passage of at least 6 kiloliter water per month or as permitted by such management meter;
 - (iii) install a prepayment meter where the electricity supply has been disconnected for non-payment;
 - (iv) withhold or limit units purchased for a prepayment meter or to offset a portion of any payment against arrears as result of non-payment of debt owed to the municipality.
 - (b) The municipality may enter into an agreement with a consumer who is unable to pay his or her account or portion thereof in terms of which he or she will be permitted to pay the outstanding amount in monthly instalments as determined annually by council.
 - (c) Where applicable, the municipality may enter into an agreement with the consumer's employer in terms of section 103 of the Act.
 - (d) Upon failure to comply with the conditions in sub paragraph (b), the municipality may cancel the agreement and institute any of the debt collection measures provided for in sub paragraph (2)(a).
 - (e) Where a consumer is served with an account of which the amount payable is exceptionally high as a result of—

the municipality may enter into an agreement with the consumer to pay the amount owed in monthly instalments, subject to the conditions in sub paragraph (b).

- (f) Where arrears in respect of municipal services remain unpaid for a period exceeding 30 days after the due date, and no agreement as envisaged in sub paragraph (d) has been entered into, the Director: Financial Services shall, subject to the provisions of paragraph 15 institute legal proceedings against the consumer for the recovery of the debt.

(4) Rentals or loan instalments:

- (a) Interest payable on rentals or loan instalments in arrears shall be levied in accordance with the provisions contained in such lease or loan agreements.
 - (b) Where rentals or loan instalments are not paid on or before the due date, a notice demanding payment thereof, together with interest, shall be served on the person responsible for payment.
 - (c) The municipality may enter into an agreement to pay the arrears by way of monthly instalments subject to the conditions contained in sub paragraph 2(b) which terms shall apply with the necessary changes.
 - (d) Where no agreement has been concluded to pay the arrears and such arrears are in excess of 30 days, the Director: Financial Services shall take the steps in terms of sub paragraph (2).

(5) Other fees or instalments:

The provisions of paragraph (4) shall apply with the necessary changes.

(2) Beskikbaarheidsgelde:

Die bepalings van subartikels (c) en (d) is met die nodige aanpassings van toepassing op 'n eienaar wie in verstek raak met betaling van beskikbaarheisgelde.

(3) *Munisipale Dienste:*

- (a) Indien 'n verbruiker versuim om op die betaaldatum enige bedrag, of gedeelte daarvan wat aan die munisipaliteit verskuldig is te betaal, mag die munisipaliteit—

 - (i) die elektrisiteitsvoorsiening na die betrokke perseel afsluit;
 - (ii) die voorsiening van water na sodanige perseel beperk deur 'n water aanvraag bestuurmeter op die diensaansluiting te installeer, wat minstens 6 kiloliter water per maand sal deurlaat, of soos toegelaat deur sodanige bestuurmeter;
 - (iii) 'n voorafbetaal meter installeer waar die voorsiening van elektrisiteit weens nie-betaling afgesluit is;
 - (iv) eenhede wat vir 'n vooraf betaal meter gekoop word terughou of beperk, of 'n gedeelte van enige betaling verrekken teen bedrae wat agterstallig is weens die nie-betaling van bedrae wat aan die munisipaliteit verskuldig is.

(b) Die munisipaliteit kan 'n ooreenkoms aangaan met 'n verbruiker wat nie in staat is om sy of haar rekening of 'n gedeelte daarvan te betaal nie, ingevolge waarvan hy of sy toegelaat sal word om die uitstaande bedrag in maandelikse paaiememente af te betaal soos jaarliks deur die raad bepaal.

(c) Waar van toepassing, kan die munisipaliteit ingevolge artikel 103 van die Wet 'n ooreenkoms met die verbruiker se werkgewer aangaan.

(d) Indien daar versuim word om aan die bepalings in subparagraph (b) te voldoen, kan die munisipaliteit die ooreenkoms kanselleer en enige stappe vir skuldinvoerdering waarvoor in paragraaf (2)(a) voorsiening gemaak word, instel.

(e) Indien 'n rekening aan 'n verbruiker gelewer word waarvan die betaalbare bedrag uitsonderlik hoog is as gevolg van—

 - (i) 'n handeling of versuim aan die kant van die munisipaliteit; of
 - (ii) 'n lekkasie van water uit 'n waterpypleiding of 'n elektrisiteitsinstallasie op die perseel wat nie deel vorm van die munisipaliteit se diensaansluiting nie;

kan die munisipaliteit 'n ooreenkoms met die verbruiker aangaan om die verskuldigde bedrag in maandelikse paaiememente af te betaal, onderworpe aan die voorwaardes in subparagraph (b).

- (f) Indien agterstallige bedrae ten opsigte van munisipale dienste vir 'n tydperk van meer as 30 dae na die betaaldatum verskuldig is, en geen ooreenkoms soos beoog in subparagraph (d) aangegaan is nie, moet die Direkteur: Finansiële Dienste, onderworpe aan die bepalinge van paraagraaf 15 geregtelike stappe teen die verbruiker instel om dié skuld te verhaal.

(4) Huurgeld of leningspaaiemente:

- (a) Rente wat op agterstallige huurgeld of leningspaaiemente betaalbaar is, sal gehef word ooreenkomstig die voorwaardes vervat in sodanige huur- of leningsooreenkoms.
 - (b) Waar huurgeld of leningspaaiemente nie voor of op die betaaldatum saam met die rente betaal word nie, sal 'n brief van aanmaning gestuur word aan die persoon wat verantwoordelik is vir betaling.
 - (c) Die munisipaliteit mag 'n ooreenkoms aangaan om die agterstallige bedrae in maandelikse paaiemente te betaal, onderworpe aan die voorwaardes vervat in subparagraph 2(b), welke voorwaardes met die nodige veranderinge van toepassing sal wees.
 - (d) Indien 'n ooreenkoms om die agterstallige bedrae te betaal nie aangegaan is nie, en sodanige agterstallige bedrae meer as 30 dae uitstaande is, moet die Direkteur: Finansiële Dienste die stappe neem soos uiteengesit in subparagraph (2).

(5) Ander gelde of paaiemente:

Die bepalings van paragraaf (4) is met die nodige veranderinge van toepassing.

12. Levying of interest

(1) The standard rate of interest may be levied and collected in respect of all amounts due and payable for each month, provided that for the purposes of calculation, a portion of a month shall be regarded as a month.

(2) Interest is levied from the day following the date on which the amounts in arrears are payable.

(3) Waiving of such interest may be authorised by the Director: Financial Services, Municipal Manager and Internal Auditor, in consultation with the Executive Mayor.

13. Disconnection and re-connection of services

(1) Services disconnected in terms of paragraph 11(2) shall only be re-connected upon payment of—

(a) the amount in arrears together with interest or if an agreement for the payment thereof has been concluded in terms of paragraph 11(2)(b);

(b) the re-connection fees;

(c) any other fees as determined in terms of the municipality's tariff policy.

(2) Services disconnected in terms of paragraph 21 shall only be re-connected upon payment of—

(a) the re-connection fees;

(b) the cost of damages to equipment;

(c) the cost of re-placement of damaged equipment; and

(d) any other fees as determined in the municipality's tariff policy.

(3) No standby service shall be rendered for re-connection of services in case of non-payment or tampering with metering equipment.

14. Payment of deposit

(1) A consumer shall, on application for the provision of municipal services, pay a deposit as determined by the municipality prior to delivery of the required services.

(2) The municipality may increase the deposit where a consumer fails to pay his or her total outstanding debt for municipal services or where services are disconnected or restricted in terms of paragraph 11(2).

(3) The increase shall be equal to the average consumption by the owner over a period of twelve months.

(4) Where a consumer moves to other premises within the area of jurisdiction of the municipality, the deposit may be increased if such move requires a higher deposit.

(5) Upon termination of services on request of a consumer, or when accounts are switched in terms of paragraph 4, the deposit may be utilised to extinguish or reduce debt owed by the owner and the remainder, if any, be refunded.

(6) The municipality may annually increase a deposit held in terms of sub paragraph (1) which increase shall be equal to the average of the services consumed over a period of twelve months.

(7) The municipality is not liable for the payment of interest on deposits held.

15. Institution of legal proceedings

(1) The institution of legal proceedings includes, but is not limited to—

(a) the issuing of summons for payment of amounts in arrears;

(b) the attachment of rent payable in respect of a property where applicable;

(d) the attachment of a consumer's remuneration;

(e) the attachment and sale in execution of movable things;

(f) the attachment and sale in execution of immovable property;

12. Heffing van rente

(1) Rente teen die standaardkoers mag gehef en gevorder word ten opsigte van alle verskuldige en betaalbare bedrae vir elke maand wat die bedrae agterstallig is, met dien verstande dat vir die doel van die berekening, 'n gedeelte van 'n maand geag word as 'n maand te wees.

(2) Rente word gehef vanaf die dag wat volg op die datum waarop die agterstallige bedrae betaalbaar geword het.

(3) Kwytskelding van sodanige rente kan gemagtig word deur die Direkteur: Finansiële Dienste, Municipale Bestuurder en Interne Ouditeur, in oorleg met die Uitvoerende Burgemeester.

13. Afsluiting en heraansluiting van dienste

(1) Dienste wat ingevolge paragraaf 11(2) afgesluit is, sal slegs heraangesluit word na die betaling van—

(a) die agterstallige bedrae tesame met rente of volgens 'n ooreenkoms vir die afbetaling daarvan indien 'n ooreenkoms ooreenkomstig paragraaf 11(2)(b) aangegaan is;

(b) die heraansluitingsgelde;

(c) enige ander gelde soos bepaal ooreenkomstig die tariefbeleid van die munisipaliteit.

(2) Dienste wat ooreenkomstig paragraaf 21 afgesluit is, sal slegs na betaling van die volgende heraangesluit word—

(a) die heraansluitingsgelde;

(b) die koste van skade aan toerusting;

(c) die koste van die vervanging van beskadigde toerusting; en

(d) enige ander gelde soos bepaal in die tariefbeleid van die munisipaliteit.

(3) In die geval van nie-betaling of peutering met meettoerusting sal geen bystandsdiens vir die heraansluiting van dienste gelewer word nie.

14. Betaling van 'n deposito

(1) 'n Verbruiker wat aansoek doen vir die lewering van munisipale dienste, moet 'n deposito, soos bepaal deur die munisipaliteit, betaal voor die verlengde dienste gelewer word.

(2) Die munisipaliteit mag die deposito verhoog waar 'n verbruiker versuim om sy volle uitstaande skuld vir munisipale dienste te betaal of waar dienste afgesluit word of beperk word ooreenkomstig paragraaf 11(2).

(3) Die verhoging sal gelykstaande wees aan die gemiddelde verbruik oor 'n tydperk van 12maande.

(4) Wanneer 'n verbruiker van een perseel binne die reggebied van die munisipaliteit na 'n ander perseel binne die reggebied verhuis, kan die deposito verhoog word indien sodanige verhuisng 'n hoër deposito vereis.

(5) Wanneer dienste op versoek van 'n verbruiker beëindig word, of wanneer rekenings oorgeskakel word ingevolge paragraaf 4, mag die deposito gebruik word om bedrae wat deur die verbruiker verskuldig is te delg en die orige gedeelte, indien enige, sal terugbetaal word.

(6) Die munisipaliteit kan te eniger tyd enige deposito ingevolge sub paragraaf (1) verhoog, welke verhoging gelykstaande sal wees aan die gemiddelde verbruik oor 'n tydperk van 12maande.

(7) Die munisipaliteit is nie aanspreeklik vir die betaling van rente op deposito's wat gehou word nie.

15. Instelling van geregtelike stappe

(1) Die instelling van geregtelike stappe sluit in, maar is nie beperk nie tot—

(a) dagvaarding vir betaling van agterstallige bedrae;

(b) die beslaglegging van huur betaalbaar op 'n eiendom waar van toepassing;

(d) die beslaglegging op 'n verbruiker se vergoeding;

(e) die beslaglegging en verkoop in eksekusie van roerende eiendom;

(f) die beslaglegging en verkoop in eksekusie van onroerende eiendom;

- (g) the eviction of an occupier of any municipal property.
- (2) The institution of legal proceedings must be undertaken with due consideration of all legal requirements and in compliance with the applicable regulations and rules.
- (3) Where a consumer's debt is less than R500 and older than 150 days, the Director: Financial Services may decide whether—
- (a) an account should be handed over for collection; or
 - (b) legal proceedings should be instituted against him or her.
- (4) The Director: Financial Services may determine, where debt is more than R500 and older than 150 days, which of the judicial measures listed in sub paragraph (1) will be the most appropriate and effective in each case.

16. Writing off outstanding debt

The Director: Financial Services may recommend the write-off of outstanding debt after all the available steps have been taken to collect outstanding debts, provided that a list of irrecoverable debt is submitted to the Executive Mayoral Committee at least quarterly and that the reasons for write-off are motivated.

CHAPTER 4: GENERAL PROVISIONS

17. Collection cost

All legal costs, collection commission, and any other expenses incurred by the municipality in order to recover monies owing by a consumer, shall be debited against that owner or tenant's account and collected from him or her.

18. Dishonoured payments

- (1) The municipality shall impose costs and administration fees on the account of the consumer where any payment by means of a negotiable instrument is dishonoured by a bank.
- (2) Where payment has been dishonoured for a third time within a financial year time, future payments may only be made in cash.

19. Access to premises

Authorised officials of the municipality or of a service provider shall have access at all reasonable hours to premises for the purposes of implementation of this policy provided that such official must provide the necessary identification upon request.

20. Safe accommodation of service connections and appliances

A consumer shall be responsible for the safe accommodation of any service connections, meters, stopcocks, as well as appliances and equipment for the safeguarding of services on their premises, and shall be liable for any costs or losses incurred, or damages suffered by the municipality in respect thereof.

21. Unauthorised use of services

- (1) A consumer who—
- (a) uses or gains access to municipal services without approval in terms of paragraph 8(1); or
 - (b) tampers with, breaks or damages any seal, or removes any appliance or equipment which had been installed to measure, provide or restrict the supply of services, shall be held liable for payment of any unauthorised consumption of services.
- (2) The municipality has the right to disconnect water or electricity supply to premises—
- (a) if such services are used without approval as contemplated in sub paragraph (1)(a); and
 - (b) if metering equipment has been wilfully damaged or tampered with as contemplated in sub paragraph (1)(b).

- (g) die uitsetting van 'n bewoner vanaf munisipale eiendom.
- (2) Die instelling van geregtelike stappe moet geneem word met inagneming van alle wetlike vereistes en die nakoming van die toepaslike regulasies en reëls.
- (3) Indien skuld minder as R500 en 150 dae of ouer is, kan die Direkteur: Finansiële Dienste besluit of—
- (a) 'n rekening vir invordering oorhandig moet word; of
 - (b) geregtelike stappe teen hom of haar ingestel moet word.
- (4) Die Direkteur: Finansiële Dienste kan bepaal, indien die skuld meer is as R500 en ouer is as 150 dae, welke van die geregtelike stappe wat in subparagraaf (1) genoem word, die mees aangewese en doeltreffende stap vir elke geval sal wees.

16. Afskrywing van agterstallige skuld

Die Direkteur: Finansiële Dienste kan aanbeveel dat agterstallige skuld afgeskryf word nadat al die beskikbare stappe geneem is om uitstaande bedrae in te vorder, met dien verstande dat 'n lys van onverhaalbare skuld minstens kwartaalliks aan die Uitvoerende Burgemeesterskomitee voorgelê word en dat die redes vir die afskrywings gemotiveer word.

HOOFTUK 4: ALGEMENE BEPALINGS

17. Koste van invordering

Alle regskostes, invorderingskommissies en enige ander uitgawes wat deur die munisipaliteit aangegaan word om geld te verskuldig is in te vorder, sal teen sy of haar rekening gedebiteer word en van hom of haar verhaal word.

18. Gedishonoreerde betalings

- (1) Die munisipaliteit sal koste- en administrasiefees op die rekening van 'n verbruikerhef indien enige betaling deur middel van 'n verhandelbare instrument deur 'n bank gedishonoreer word.
- (2) Indien 'n betaling vir die derde keer binne 'n finansiële jaar deur die bank gedishonoreer word, mag toekomstige betalings slegs in kontant gemaak word.

19. Toegang tot persele

Gemagtigde amptenare van die munisipaliteit of 'n diensverskaffer sal gedurende alle redelike ure toegang hê tot persele met die doel om hierdie beleid te implementeer en sodanige amptenaar moet die nodige identifikasie beskikbaar stel indien daar toe versoek.

20. Veilige akkommadasie van diensaansluitings en apparaat

'n Verbruiker sal verantwoordelik wees vir die veilige akkommadasie van enige diensaansluitings, meters, afsluitkrane, sowel as diensbeveiligingstoestelle en-toerusting op hulle persele en sal aanspreeklik wees vir enige kostes of verliese of skade wat die munisipaliteit ten opsigte daarvan mag aangaan of ly.

21. Ongemagtigde gebruik van dienste

- (1) 'n Verbruiker wat—
- (a) munisipale dienste gebruik of toegang daar toe verkry sonder goedkeuring in ooreenstemming met paragraaf 8(1); of
 - (b) met enige seël of enige toestel of toerusting wat geïnstalleer is om dienste te meet, te verskaf of te beperk, peuter, dit breek of beskadig, sal aanspreeklik gehou word vir betaling vir enige ongemagtigde verbruik van dienste.
- (2) Die munisipaliteit het die reg om water- of elektrisiteitsvoorsiening af te sluit na persele—
- (a) indien sodanige dienste gebruik word sonder goedkeuring soos beoog in subparagraaf (1)(a); en
 - (b) indien meettoerusting opsetlik beskadig is of mee gepeuter is soos beoog in subparagraaf (1)(b).

(3) Without prejudice to the municipality's right to institute criminal proceedings, a consumer who tampers with or damages any appliance or equipment as contemplated in sub paragraph (b) shall be liable to pay the costs as contemplated in paragraph 13(2).

22. Signing and certification of documents

Any order, notice or other document which needs to be signed or certified by the municipality shall be regarded as sufficiently signed and certified if done by the municipal manager or a duly authorised official of the municipality.

23. Prima facie evidence

In lawsuits initiated by the municipality, the mere submission of a certificate reflecting the amount due and payable to the municipality and signed by the municipal manager or a duly authorised official thereto, may be accepted by the court as prima facie evidence that the amount is due.

24. Clearance certificates

(1) On the sale of any property the municipality shall withhold the required clearance certificate in terms of section 118(1) of the Act until all amounts that became due in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for the certificate have been fully paid.

(2) All payments shall be allocated to the seller's municipal accounts and all refunds shall be made to such seller.

(3) No interest shall be paid in respect of such payments.

(4) The clearance certificate validation period is 60 days and the amount due shall be calculated as follows—

- (a) applications received on 30 June shall include 3 (three) months' advance payments;
- (b) applications received on 1st July shall include—
 - (i) rates and availability charges in advance for the full financial year; and
 - (ii) 3 (three) months advance payments for water, electricity, sewerage and refuse removal.
- (c) all other applications shall include 3 (three) month's advance payments.

(5) Payments in terms of sub paragraphs (a) to (c) shall include all outstanding debt on the property.

(6) In terms of section 118(3) of the Act, an amount due for municipal services, surcharges on fees, property rates and other municipal taxes, levies fees and charges is a charge upon the property in terms of which the amount is owed and enjoys preference over any mortgage bond registered against the property.

(7) The amount owing shall be for the account of the registered owner regardless of who incurred the debt.

(8) The municipality may, after obtaining an appropriate court order, sell any property in execution to recover outstanding debt.

(3) 'n Verbruiker wat met enige toestel of toerusting peuter of dit beskadig, soos beoog in subparagraph (b), sal aanspreeklik gehou word vir die kostes soos beoog in paragraaf 13(2) sonder benadeling van die munisipaliteit se reg om geregtelike stappe te neem.

22. Ondertekening en sertifisering van dokumente

'n Bevel, kennisgewing of ander dokument wat deur die munisipaliteit onderteken of gesertifiseer moet word, word geag behoorlik onderteken en gesertifiseer te wees indien dit deur die munisipale bestuurder of 'n behoorlik gemagtigde amptenaar van die munisipaliteit gedoen is.

23. Prima facie-getuienis

In regsgedinge wat deur die munisipaliteit aanhangig gemaak word, kan die blote voorlegging van 'n sertifikaat wat die bedrag verskuldig en betaalbaar aan die munisipaliteit reflekter, en onderteken deur die munisipale bestuurder of deur 'n gemagtigde amptenaar, deur die hof aanvaar word as prima facie-getuienis dat die bedrag verskuldig is.

24. Uitklaringsertifikate

(1) Met die verkoop van enige eiendom sal die munisipaliteit die vereiste uitklaringsertifikaat ingevolge artikel 118(1) van die Wet terghou tot alle bedrae wat met betrekking tot daardie eiendom vir munisipale dienste, bykomende bedrae, eiendomsbelasting en ander munisipale belastings, heffings en belastings verskuldig geword het gedurende die twee jaar voor die datum van aansoek om die sertifikaat, ten volle betaal is.

(2) Alle betalings sal aan die verkoper se munisipale rekenings toegewys word en alle terugbetalings sal aan sodanige verkoper gedoen word.

(3) Geen rente sal met betrekking tot sodanige betalings betaal word nie.

(4) Die uitklaringsertifikaat is vir 'n tydperk van 60 dae geldig en die bedrag wat verskuldig is, sal soos volg bereken word—

- (a) aansoeke wat op 30 Junie ontvang word, moet 3 (drie) maande se vooruit betalings insluit;
- (b) aansoeke wat op 1 Julie ontvang word, moet die volgende insluit—
 - (i) eiendomsbelastings en beskikbaarheidsheffings vooruit vir die volle boekjaar; en
 - (ii) 3 (drie) maande se vooruit betalings vir water, elektrisiteit, riool en vullisverwydering.
- (c) alle ander aansoeke sal 3 (drie) maande se vooruit betalings insluit.

(5) Betalings met betrekking tot subparagraph (a) tot (c) sal alle uitstaande skuld op die eiendom insluit.

(6) Ingevolge artikel 118(3) van die Wet is 'n bedrag verskuldig vir munisipale dienste, bykomende bedrae, eiendomsbelastings en ander munisipale belastings en heffingsgelde 'n heffing teen die eiendom in terme waarvan die bedrag verskuldig is en voorkeur geniet bo enige verband wat teen die eiendom geregistreer is.

(7) Die verskuldigde bedrag sal vir die rekening van die geregistreerde eienaar wees, ongeag wie die skuld aangegaan het.

(8) Die munisipaliteit kan, nadat 'n toepaslike hofbevel verkry is, enige eiendom in eksekusie verkoop om uitstaande skuld te verhaal.

CHAPTER 5: INDIGENT SUPPORT

25. Criteria for financial assistance to indigents

(1) Financial assistance may be granted by the municipality to an owner of property that meets the following criteria—

- (a) where the property occupied by such owner is valued at R100 000.00 or less, or as determined by council annually, provided that the R15 000.00 exemption as contemplated in section 17(1)(h) of the Act shall be excluded from the R100 000.00; or

HOOFSTUK 5: DEERNISONDERSTEUNING

25. Kriteria vir finansiële bystand aan hulpbehoewendes

(1) Die munisipaliteit kan finansiële bystand verleen aan 'n eienaar van eiendom wat aan die volgende kriteria voldoen—

- (a) waar die eiendom wat deur die eienaar bewoon word teen R100 000.00 of minder gewaardeer word, of soos jaarliks deur die raad bepaal, met dien verstaande dat die vrystelling van R15 000.00 soos beoog in artikel 17(1)(h) van die Wet uitgesluit sal wees van die R100 000.00; of

(b) where the property that is occupied by the owner is valued at more than R100 000.00, but the combined income of all the persons residing on the property does not exceed four times the old age grant paid by the State; or (c) where the occupier is not the owner of the property and the combined income of all the persons residing on the property is equal to or less than four times the old age grant paid by the State.

(2) None of the persons residing on a property mentioned in subparagraphs (a) to (c) may own other immovable property.

(3) The Director: Financial Services may increase the income limitation in sub paragraph (c) where extraordinary circumstances prevail, such as—

- (a) where a large number of the persons residing on the property are without any income; or
 - (b) where they have to care for dependents or family members who are handicapped or who suffer from chronic or terminal illness.
- (4) The discretionary increase must be reported to the Executive Mayoral Committee monthly where applicable.

26. Appropriation of financial assistance

(1) Subject to sustainability and affordability, financial assistance to an indigent owner or tenant shall be appropriated as follows—

- (a) 50 kWh electricity per month;
- (b) sewerage fees or the fees payable in respect of the pumping of a suction tank to an amount equal to the tariff determined;
- (c) fees for refuse removal;
- (d) 325 litres of water per day as permitted by the water demand management meter;
- (e) rates payable to a maximum amount calculated at the tariff multiplied by R100 000.00.

(2) The unused portions of the 50 kw electricity and 10.5 kl water shall not be transferable from one month to another.

(3) The municipality shall, annually during the budget process, revise the financial assistance given to indigents.

(4) Where a pre-paid electricity meter is installed on premises occupied by an indigent person, and the electricity connection is limited to 20 ampère, such indigent shall likewise be considered for financial assistance in respect of the use of electricity and to the extent determined by sub paragraph (1)(a), provided that credit earned on such an account will be utilised for the settlement of rates due or amounts due in respect of any other municipal services.

27. Cancellation of financial assistance

(1) The Director: Financial Services may at any time investigate the financial circumstances of an indigent and may—

- (a) request documentary proof or information pertaining to the income or lifestyle of persons residing on the property;
- (b) verify the information furnished by a household or member thereof by conducting interviews with and the taking of statements from such members or any other person;
- (c) after proper notice, review or cancel the household's financial assistance if—
 - (i) illegal practises are present on the premises which include, but are not limited to—
 - (aa) building operations without approval;
 - (bb) business or commercial uses in contravention of the Town Planning Scheme Regulations; or
 - (cc) dealing in liquor or prohibited substances;
 - (ii) false information had been furnished in an effort to obtain or retain financial assistance; or

(b) waar die eiendom wat deur die eienaar bewoon word teen meer as R100 000.00 gewaardeer word, maar die gekombineerde inkomste van al die persone wat op die eiendom woon nie vier maal die ouderdomstoelaag wat deur die Staat betaal word oorskry nie; of

(c) waar die okkuperde nie die eienaar van 'n eiendom is nie en die gekombineerde inkomste van al die persone wat op die eiendom woon, gelyk is aan of minder is as vier keer die ouderdomstoelaag wat deur die Staat betaal word.

(2) Geeneen van die persone wat op 'n eiendom genoem in subparagraphs (a) tot (c) woon, mag ander onroerende eiendom besit nie.

(3) Die Direkteur: Finansiële Dienste mag die inkomsteperk in subparagraaf (c) verhoog in gevalle waar buitengewone omstandighede voorkom, byvoorbeeld—

- (a) waar 'n groot getal persone wat op die perseel woon sonder enige inkomste is; of
 - (b) waar hulle moet sorg vir afhanglikes of familielede wat aan chroniese of terminale siektes of gestremdheid ly.
- (4) Daar moet aan die Uitvoerende Burgemeesterskomitee verslag gedoen word oor die diskresionêre verhoging, waarvan toepassing.

26. Toewysing van finansiële hulp

(1) Onderworpe aan die volhoubaarheid en bekostigbaarheid daarvan sal finansiële bystand aan 'n hulpbehoewende as volg toegeken word—

- (a) 50 kWh elektrisiteit per maand;
- (b) rioolgelde of die gelde betaalbaar ten opsigte van die pomp van 'n suigtenk tot 'n bedrag gelyk aan die vasgestelde tarief;
- (c) vullisverwyderings gelde;
- (d) 325 liter water per dag soos toegelaat deur die water aanvraag be-stuurmeter;
- (e) eiendomsbelasting betaalbaar tot 'n maksimum bedrag wat bereken is teen die tarief vermenigvuldig met R100 000,00.

(2) Die ongebruikte gedeeltes van die 50 kW elektrisiteit en 10,5 kl water sal nie oordraagbaar wees van een maand na 'n volgende nie.

(3) Die munisipaliteit moet die finansiële hulp wat aan hulpbehoewendes verleen word jaarliks gedurende die begrotingsproses hersien.

(4) Waar 'n voorafbetaalde elektrisiteitsmeter op 'n perseel wat deur 'n hulpbehoewende bewoon word, geïnstalleer is, en die elektrisiteitsaansluiting tot 20 ampère beperk is, sal sodanige hulpbehoewende eweneens in aanmerking kom vir finansiële bystand ten opsigte van die gebruik van elektrisiteit tot die mate soos bepaal in subparagraph (1)(a), met dien verstaande dat krediet wat op sodanige rekening verwerf is, gebruik sal word vir die vereffening van eiendomsbelasting wat verskuldig is of vir bedrae wat ten opsigte van enige ander munisipale dienste verskuldig is.

27. Kansellasie van finansiële hulp

(1) Die Direkteur: Finansiële Dienste kan die finansiële omstandighede van 'n hulpbehoewende te eniger tyd ondersoek en kan—

- (a) dokumentêre bewys of inligting met betrekking tot die inkomste of leefstyl van persone wat op die eiendom woon, versoek;
- (b) die inligting wat deur 'n huishouding of 'n lid van die huishouding verstrek is, verifieer deur onderhoude te voer met en verklarings te neem van sodanige lede of enige ander persoon;
- (c) na behoorlike kennisgewing, die huishouding se finansiële bystand hersien of kanselleer indien—
 - (i) onwettige praktyke op die perseel plaasvind wat insluit, maar nie beperk is nie tot—
 - (aa) bouwerk sonder goedkeuring;
 - (bb) sake- of kommersiële gebruikte teenstrydig met die Stadsbeplanning Skemaregulasies;
 - (cc) handeldryf in drank of verbode middels; of
 - (ii) valse inligting verstrek is in 'n poging om finansiële bystand te kry of te behou;

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| <p>(iii) circumstances have changed to such an extent that the indigent no longer complies with one or more of the requirements mentioned in paragraph 25;</p> <p>(d) take any steps necessary to prevent unlawful access to financial assistance as an indigent.</p> <p>(2) In case of cancellation of financial assistance in terms of sub paragraph (1)(c) the indigent shall forfeit all financial assistance with immediate effect and the municipality shall be entitled to re-claim the financial assistance granted to him or her—</p> <p>(a) from the date it was originally granted where sub paragraph (1)(c)(i) applies; or</p> <p>(b) from the date on which the circumstances referred to in sub paragraph (1)(c)(ii) changed or, if such date cannot be determined, from the date on which it was established that the owner or tenant no longer complied with the qualifying requirements.</p> <p>(3) An indigent whose indigent support has been cancelled, shall at the discretion of the Director: Financial Services, be reconsidered for support if the circumstances leading to cancellation have been rectified.</p> | <p>(iii) omstandighede tot so 'n mate verander het dat die hulpbehoewende nie meer aan een of meer van die vereistes in paraaf 25 genoem, voldoen nie;</p> <p>(d) enige stappe neem om onwettige toegang tot finansiële hulp as 'n hulpbehoewende te verhoed.</p> <p>(2) In geval van kansellasie van finansiële bystand ingevolge subparaaf (1)(c), sal die hulpbehoewende onmiddellik alle finansiële bystand verbeur en die munisipaliteit sal geregtig wees om die finansiële bystand wat aan hom of haar toegestaan is terug te eis—</p> <p>(a) vanaf die datum waarop dit oorspronklik verleen is in gevalle waar subparagraaf (1)(c)(i) van toepassing is; of</p> <p>(b) vanaf die datum waarop die omstandighede waarna in subparaaf (1)(c)(ii) verwys word, verander het, of indien sodanige datum nie bepaal kan word nie, vanaf die datum waarop daar vastgestel is dat die huishouding nie meer aan die vereistes vir kwalifisering voldoen het nie.</p> <p>(3) 'n Hulpbehoewende wie se deernisondersteuning gekanselleer is, sal volgens die diskresie van die Direkteur: Finansiële Dienste hereoorweeg word vir ondersteuning indien die omstandighede wat tot kansellasie gelei het, uit die weg geruim is.</p> |
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SWARTLAND MUNICIPALITY
ELECTRICITY SUPPLY BY-LAW

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Swartland Municipality, enacts as follows:—

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SWARTLAND MUNISIPALITEIT
VERORDENING INSAKE ELEKTRISITEITSVOORSIENING

Kragtens die bepalings van artikel 156 van die Grondwet van Suid-Afrika, 1996, bepaal die Swartland Munisipaliteit hiermee soos volg:—

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1. Definitions

(1) In this by-law, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates—

"accredited person" means a person registered in terms of the Regulations as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

"applicable standard specification" means—

SANS 1019 Standard voltage-, currents- and insulation levels for electricity supply

SANS 1607 Electromechanical watt-hour meters,

SANS 1524 Parts 0,1 & 2—Electricity dispensing systems,

SANS IEC 60211 Maximum demand indicators, Class1.0,

1. Woordomskrywing

In hierdie verordening, geniet die Engelse teks voorrang in die geval van 'n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenis:

"bewys" die noodsaaklike element van 'n voorafbetaalde meterstelsel wat gebruik word om inligting oor te dra van 'n verkooppunt vir elektrisiteitkrediet na 'n voorafbetaalde meter en vice versa;

"bystandstoever" 'n alternatiewe toevoer van elektrisiteit wat nie gewoonlik deur die verbruiker verbruik word nie;

"die Wet" enige toepaslike wet, proklamasie, ordonnansie, wet van die Parlement of wetsbepaling wat regskrag het;

"dienaansluiting" al die kabels en toerusting wat nodig is om die hoofleiding by die verbruiker se elektriese installasie aan te sluit by die voorsieningspunt;

SANS IEC 60521 Alternating current electromechanical watt-hour meter (Classes 0.5, 1 & 2);

SANS 0142 Code of practice for the wiring of premises;

NRS 047 National Rationalized Specification for the Electricity Supply—Quality of Service

NRS 048 National Rationalized Specification for the Electricity Supply—Quality of Supply, and

NRS 057 Electricity Metering: Minimum Requirements;

“certificate of compliance” means a certificate issued in terms of the Regulations in respect of an electrical installation or part of an electrical installation by an accredited person;

“consumer” in relation to premises means—

- (a) any occupier thereof or any other person with whom the municipality has contracted to supply or is actually supplying electricity thereat; or
- (b) if such premises are not occupied, any person who has a valid existing agreement with the municipality for the supply of electricity to such premises; or
- (c) if there is no such person or occupier, the owner of the premises;

“credit meter” means a meter where an account is issued subsequent to the consumption of electricity;

“electrical contractor” means an electrical contractor as defined in the Regulations;

“electrical installation” means an electrical installation as defined in the Regulations;

“high voltage” means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of $44 \text{ kV} < U_n < 220 \text{ kV}$. [SANS 1019];

“low voltage” means the set of nominal voltage levels that are used for the distribution of electricity and whose upper limit is generally accepted to be an a.c. voltage of 1000V (or a d.c. voltage of 1500 V). [SANS 1019]

“the law” means any applicable law, proclamation, ordinance, act of parliament or enactment having force of law;

“medium voltage” means the set of nominal voltage levels that lie above low voltage and below high voltage in the range of $1 \text{ kV} < U_n < 44 \text{ kV}$. [SANS 1019];

“meter” means a device which records the demand or the electrical energy consumed and includes conventional and prepayment meters;

“motor load, total connected” means the sum total of the kW input ratings of all the individual motors connected to an installation;

“motor rating” means the maximum continuous kW output of a motor as stated on the maker’s rating plate;

“motor starting current” in relation to alternating current motors means the root mean square value of the symmetrical current taken by a motor when energized at its rated voltage with its starter in the starting position and the rotor locked;

“municipality” means the municipality of Swartland, 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;

“occupier” in relation to any premises means—

- (a) any person in actual occupation of such premises;
- (b) any person legally entitled to occupy such premises;
- (c) in the case of such premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants, whether on his own account or as agent for any person entitled thereto or interested therein, or
- (d) any person in control of such premises or responsible for the management thereof, and includes the agent of any such person

“diensbeveiligingstoestel” enige sekering of stroombreker wat geïnstalleer word met die doel om die munisipaliteit se toerusting te beskerm teen oorbelasting of foute wat op die installasie of op die interne diensaansluiting voorkom;

“eienaar” met betrekking tot ’n perseel, die persoon by wie die regsttel daarvan berus; met dien verstande dat—

(a) in die geval van onroerende eiendom—

- (i) wat vir ’n tydperk van minstens 50 jaar verhuur word, ongeag of die huurkontrak geregistreer is of nie, die huurder daarvan, of
- (ii) wat voordelig geokkupeer word kragtens ’n serwituut of reg analoog daar mee, die okkupeerder daarvan;

(b) indien die eienaar soos hierbo omskryf—

- (i) dood of insolvent is, sy of haar boedel tot voordeel van sy of haar skuldeisers afgestaan het, ingevolge ’n hofbevel onder kuratele geplaas is, of ’n maatskappy is wat gelikwiede of onder geregeltlike bestuur geplaas is, die persoon by wie die administrasie van sodanige eiendom berus as eksekuteur, administrateur, trustee, regverkrygende, kurator, likwidateur of geregeltlike bestuurder, na gelang van die geval, of
- (ii) nie in die Republiek van Suid-Afrika aanwesig is nie, of indien sy of haar adres aan die munisipaliteit onbekend is, iemand wat as agent of andersins die huurgeld ten opsigte van sodanige eiendom ontvang of geregtig is om dit te ontvang, en
- (iii) indien die munisipaliteit nie kan vasstel wie sodanige persoon is nie, word die persoon wat geregtig is op die voordelige gebruik van sodanige eiendom geag die eienaar daarvan te wees met die uitsluiting van die persoon by wie die regsttel daarvan berus;

“elektriese installasie” ’n elektriese installasie soos omskryf in die Regulasies;

“elektriese kontrakteur” ’n elektriese kontrakteur soos omskryf in die Regulasies;

“geakkrediteerde persoon” ’n persoon wat ingevolge die Regulasies na gelang van die geval as ’n elektriese toets vir enkelfase, ’n installasie-elektrisiën of ’n meesterinstallasie-elektrisiën, geregistreer is;

“hoogspanning” die stel nominale spanningsvlakke wat in kragstelsels vir grootmaattransmissie van elektrisiteit in die omgewing van $44 \text{ kV} < U_n < 220 \text{ kV}$ gebruik word.[SANS 1019];

“hoofleiding” enige deel van die munisipaliteit se elektrisiteitsnetwerk;

“voorafbetaalde meter” ’n vooruitbetaalmeter wat geprogrammeer kan word om die vloeい van hoevelhede vooruitbetaalde energie in ’n elektriese stroomkring toe te laat;

“kredietmeter” ’n meter waar ’n rekening uitgereik word nadat elektrisiteit verbruik is;

“laagspanning” die stel nominale spanningsvlakke wat gebruik word vir die verspreiding van elektrisiteit en waarvan die boonste perk oor die algemeen aanvaar word as ’n ws-spanning van 1000 V (of ’n gs-spanning van 1500 V). [SANS 1019];

“medium spanning” die stel nominale spanningsvlakke bo laagspanning en benede hoogspanning in die omgewing van $1 \text{ kV} < U_n < 44 \text{ kV}$ [SANS 1019];

“meetpunt” die punt waar die verbruiker se elektrisiteitsverbruik gemeet word en wat by die voorsieningspunt of by enige ander punt op die verspreidingstsel van die munisipaliteit of die elektriese installasie van die verbruiker kan wees soos deur die munisipaliteit of enige behoorlik gemagtigde amptenaar van die munisipaliteit aangedui met dien verstande dat dit alles, en slegs, die verbruiker se verbruik van elektrisiteit meet;

“meter” ’n toestel wat die aanvraag of die elektriese energie wat verbruik word, aandui en dit behels ook konvensionele meters en voorafbetaalde meters;

“motoraansitstroom” met betrekking tot wisselstroommotore, die gemiddelde vierkantwortelwaarde van die simmetriese stroom wat deur ’n motor verbruik word wanneer dit aangedryf word volgens die

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| <p>when he or she is absent from the Republic of South Africa or his/her whereabouts are unknown;</p> <p>“owner” in relation to premises means the person in whom is vested the legal title thereto; provided that—</p> <ul style="list-style-type: none"> (a) in the case of immovable property— <ul style="list-style-type: none"> (i) leased for a period of not less than 50 years, whether the lease is registered or not, the lessee thereof, or (ii) beneficially occupied under a servitude or right analogous thereto, the occupier thereof; (b) if the owner as hereinbefore defined— <ul style="list-style-type: none"> (i) is deceased or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be, or (ii) is absent from the Republic of South Africa, or if his address is unknown to the municipality, any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property, and (iii) if the municipality is unable to determine who such person is, the person who is entitled to the beneficial use of such property, <p>shall be deemed to be the owner thereof to the exclusion of the person in whom is vested the legal title thereto;</p> <p>“point of consumption” means a point of consumption as defined in the Regulations;</p> <p>“point of metering” means the point at which the consumer’s consumption of electricity is metered and which may be at the point of supply or at any other point on the distribution system of the municipality or the electrical installation of the consumer, as specified by the municipality or any duly authorised official of the municipality; provided that it shall meter all of, and only, the consumer’s consumption of electricity;</p> <p>“point of supply” means the point determined by the municipality or any duly authorised official of the municipality at which electricity is supplied to any premises by the municipality;</p> <p>“premises” means any land or any building or structure above or below ground level and includes any vehicle, aircraft or vessel;</p> <p>“prepayment meter” means a meter that can be programmed to allow the flow of pre-purchased amounts of energy in an electrical circuit;</p> <p>“Regulations” means Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended;</p> <p>“safety standard” means the Code of Practice for the Wiring of Premises SANS 10142-1 incorporated in the Regulations;</p> <p>“service connection” means all cables and equipment required to connect the supply mains to the electrical installation of the consumer at the point of supply;</p> <p>“service protective device” means any fuse or circuit breaker installed for the purpose of protecting the municipality’s equipment from overloads or faults occurring on the installation or on the internal service connection;</p> <p>“standby supply” means an alternative electricity supply not normally used by the consumer;</p> <p>“supply mains” means any part of the municipality’s electricity network;</p> <p>“tariff” means the municipality’s tariff for the supply of electricity;</p> <p>“token” means the essential element of a prepayment metering system used to transfer information from a point of sale for electricity credit to a prepayment meter and vice versa;</p> | <p>geraamde spanning daarvan met die aansitter in aansitposisie en die rotor gesluit;</p> <p>“motorlas totaal aangeskakel” die somtotaal van die kW-vermoë van al die afsonderlike motore wat by ’n installasie aangesluit is;</p> <p>“motorvermoë” die maksimum aanhouende kW-lewering van ’n motor soos vermeld op die vervaardiger se kenplaatjie;</p> <p>“munisipaliteit” beteken die Swartland Munisipaliteit, ingestel kragtens artikel 12 van die Munisipale Strukturewet, 117 van 1998, en sluit in enige politieke struktuur, politieke ampsdraer, raadslid, behoorlik gemagtigde agent of enige amptenaar wat ingevolge hierdie verordening handel kragtens ’n bevoegdheid van die munisipaliteit wat gedelegeer is of gesubdelegeer is aan sodanige politieke struktuur, politieke ampsdraer, raadslid, agent of amptenaar;</p> <p>“nakomingsertifikaat” ’n sertifikaat wat ingevolge die Regulasies ten opsigte van ’n elektriese installasie of gedeelte van ’n elektiese installasie deur ’n geakkrediteerde persoon uitgereik word;</p> <p>“okkupeerder” met betrekking tot ’n perseel—</p> <ul style="list-style-type: none"> (a) iemand wat sodanige perseel werklik okkupeer; (b) iemand wat wetlik daarop geregtig is om sodanige perseel te okkupeer; (c) in geval van sodanige perseel wat onderverdeel is en wat aanloseerders of verskillende huurders verhuur word, die persoon wat die huurgeld ontvang wat deur sodanige loseerders of huurders betaalbaar is, hetsy vir sy of haar eie rekening of as agent vir iemand wat daarop geregtig is of belang daarby het, of (d) iemand wat by die beheer of bestuur van sodanige perseel betrokke is, en behels ook die agent van sodanige persoon wanneer hy of sy nie in die Republiek aanwesig is, of as sy of haar verbyfplek onbekend is; <p>“perseel” enige grond of enige struktuur bo of benede grondvlak en behels ook enige voertuig, vliegtuig of vaartuig;</p> <p>“Regulasies” die Regulasies opgestel ingevolge die Wet op Beroepsgeondheid en—Veiligheid, 1993 (Wet 85 van 1993), soos gewysig;</p> <p>“spanning” die gemiddelde vierkantswortelwaarde van elektiese potensiaal tussen twee geleiers;</p> <p>“tarief” die munisipaliteit se tarief gehef vir die voorsiening van elektrisiteit;</p> <p>“toepaslike standaardspesifikasie”</p> <p>SANS 1019 Standaardspanning,—stroombane en isolasievlekke vir die tovoer van elektrisiteit;</p> <p>SABS 1607 Elektromeganiese watt-uurmeters;</p> <p>SABS 1524 Dele 0,1 & 2—Voorafbetaalde meterstelsels;</p> <p>SABS IEC 60211 Maksimumaanvraagaanwysers, Klas 1.0;</p> <p>SABS IEC 60521 Wisselstroom-elektromeganiese-watt-uurmeter (Klasse 0,5,1 & 2);</p> <p>SANS 10142-1 Gebruikskode vir die bedrading van persele;</p> <p>NRS 047 Nasionale gerasonaleerde spesifikasie vir elektrisiteitsvoorsiening—gehalte van diens;</p> <p>NRS 048 Nasionale gerasonaleerde spesifikasie vir elektrisiteitsvoorsiening—gehalte van voorsiening, en</p> <p>NRS 057 Meet van elektrisiteit: minimum vereistes;</p> <p>“veiligheidstandaard” die Gebruikskode vir die Bedrading van Persele SANS 10142-1 geinkorporeer in die Regulasies;</p> <p>“verbruiker”, met betrekking tot ’n perseel—</p> <ul style="list-style-type: none"> (a) enige okkupeerder daarvan of enige ander persoon met wie die munisipaliteit ooreengekom het om elektrisiteit daar te voorsien of dit inderdaad daar voorsien; of (b) indien sodanige perseel nie bewoon word nie, iemand wat ’n geldige bestaande ooreenkoms met die munisipaliteit het vir die voorsiening van elektrisiteit aan sodanige perseel, of (c) indien daar geen sodanige persoon of okkupeerder is nie, die eienaar van die perseel; |
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voltage means the root-mean-square value of electrical potential between two conductors.

CHAPTER 1

GENERAL CONDITIONS OF SUPPLY

2. Provision of electricity services

Only the municipality shall supply or contract for the supply of electricity within the jurisdiction of the municipality in terms of NERSA distribution license areas, which incorporates the approved urban edge of towns included in the distribution license.

3. Electricity Supply

No person may use or be entitled to use an electricity supply from the municipality without approval of the municipality.

4. Service of notice

- (1) Any notice or other document that is served on any person in terms of this by-law is regarded as having been served—
 - (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
 - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises to which it relates.
- (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
- (3) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

5. Compliance with notices

Any person on whom a notice duly issued or given under this by-law must, within the time specified in such notice, comply with its terms.

6. Application for supply

- (1) Application for the supply of electricity shall be made in writing by the prospective consumer on the prescribed form obtainable at the office of the municipality, and the estimated load, in kVA, of the installation, shall be stated therein; the application must be made as early as possible before the supply of electricity is required in order to facilitate the work of the municipality.
- (2) An application for an electricity supply for a period of less than one year shall be regarded as an application for a temporary supply of electricity and shall be considered at the discretion of the municipality who may specify any special conditions.

"verbruikspunt" 'n verbruikspunt soos omskryf in die Regulasies;
"voorsieningspunt" die punt soos bepaal deur die munisipaliteit of enige ander behoorlik gemagtigde amptenaar van die munisipaliteit vanwaar elektrisiteit aan enige perseel deur die munisipaliteit voorsien word;

HOOFSTUK 1

ALGEMENE VOORWAARDES VIR VOORSIENING

2. Voorsiening van elektrisiteitsdienste

Slegs die munisipaliteit mag elektrisiteit voorsien of 'n ooreenkoms aangaan om elektrisiteit binne sy regsgebied te voorsien ingevolge die NERSA verspreidingslisensie gebiede met insluiting van die goedgekeurde stedelike randgebiede van dorpe wat ingesluit is in die verspreidingslisensie.

3. Elektrisiteitsvoorsiening

Niemand mag gebruik maak van 'n toevoer van elektrisiteit van die munisipaliteit sonder goedkeuring van die munisipaliteit nie.

4. Betekening van kennisgewing

- (1) Enige kennisgewing of ander dokument word geag beteken te wees wanneer dit—
 - (a) persoonlik by daardie persoon afgelewer is;
 - (b) by daardie persoon se woonplek of sakeonderneming in die Republiek gelaat is by 'n persoon wat klaarblyklik ouer as sestien jaar is;
 - (c) per geregistreerde of gesertifiseerde pos na daardie persoon se laaste bekende woonadres of sakeadres in die Republiek gepos is en 'n erkenning dat dit gepos is van die posdiens verkry is;
 - (d) indien daardie persoon se adres in die Republiek onbekend is, wanneer dit op daardie persoon se agent of verteenwoordiger in die Republiek beteken word op 'n manier bepaal in paragrawe (a), (b) of (c); of
 - (e) indien daardie persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, wanneer dit op 'n oopsigtelike plek gepos is op die eiendom of perseel waarmee dit verband hou.
- (2) Wanneer enige kennisgewing of ander dokument gemagtig of beteken word op die eienaar, okkuperdeer of houer van enige eiendom of regte in enige eiendom, is dit voldoende indien daardie persoon in die kennisgewing of ander dokument beskryf word as die eienaar, okkuperdeer of houer van die eiendom of betrokke reg, en is dit nie nodig om daardie persoon se naam te verstrek nie.
- (3) Enige regsproses is doeltreffend en voldoende aan die munisipaliteit beteken as dit by die munisipale bestuurder se kantoor afgelewer word of by 'n persoon wat by die munisipale bestuurder se kantoor beskikbaar is.

5. Nakoming van kennisgewings

Iemand aan wie 'n kennisgewing wat behoorlik uitgerek afgelewer word of bepaalings daarvan binne die tydperk wat daarin vermeld word, nakom.

6. Aansoek om voorsiening van elektrisiteit

- (1) Aansoek om die voorsiening van elektrisiteit moet skriftelik deur die voornemende verbruiker op die voorgeskrewe vorm verkrygbaar by die kantoor van die munisipaliteit gedoen word en die installasie se geraamde las in kVA moet op die aansoek vermeld word. Die aansoek moet gerig word so gou as moontlik voor die toevoer verlang word ten einde die werk van die munisipaliteit te vergemaklik.
- (2) 'n Aansoek om voorsiening van elektrisiteit vir 'n tydperk van minder as een jaar word beskou as 'n aansoek om 'n tydelike voorsiening van elektrisiteit en word oorweeg na goedgunke van die munisipaliteit wat enige spesiale voorwaardes mag stel.

7. Processing of requests for supply

Applications for the supply of electricity must be processed and the supply made available within the periods stipulated in NRS 047.

8. Way leaves

(1) The municipality may refuse to lay or erect a service connection above or below ground on any thoroughfare or land not vested in the municipality or on any private property, unless the prospective consumer has obtained written permission granted by the owner of the said private property.

(2) If such permission is withdrawn at any time or if the aforesaid private property or thoroughfare changes ownership and the new owner refuses to grant or continue such permission, the cost of any alteration required to be made to a service connection in order to continue the supply of electricity and of any removal thereof, shall be borne by the consumer to whose premises the supply of electricity is required to be continued.

(3) A way leave granted in terms of subsection (1) shall be binding on the owner of the property who granted the way leave and his or her successors in title for as long as the electricity connection is operative and may not be withdrawn without permission of the municipality.

9. Statutory Servitude

(1) Subject to the provisions of subsection (3) the municipality may within its municipal area—

- (a) provide, establish and maintain electricity services;
- (b) acquire, construct, lay, extend, enlarge, divert, maintain, repair, discontinue the use of, close up and destroy electricity supply mains;
- (c) construct, erect or lay any electricity supply main on, across, through, over or under any street or immovable property and the ownership of any such main shall vest in the municipality;
- (d) do any other thing necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated in subparagraphs (a) to (c).

(2) If the municipality constructs, erects or lays any electricity supply main on, across, through, over or under any street or immovable property not owned by the municipality or under the control of or management of the municipality it must compensate the owner as agreed upon by such owner or, in the absence of agreement, as determined either by arbitration or a court of law.

(3) The municipality must, before commencing any work other than repairs or maintenance on or in connection with any electricity supply, give the owner or occupier of such property reasonable notice of the proposed work and the date on which it proposes to commence such work.

10. Right of admittance to inspect, test or do maintenance work

(1) The municipality has access to or over any property for the purposes of—

- (a) doing anything authorised or required to be done under this by-law or any other law;
- (b) inspection and examination of any service mains and anything connected therewith;
- (c) investigating any possible source of electricity supply or the suitability of immovable property for any work, scheme or undertaking of the municipality;
- (d) ascertaining whether there is or has been a contravention of the provisions of this by-law or any other law; and
- (e) enforcing compliance with the provisions of this by-law or any other law.

(2) The municipality shall pay compensation, as agreed upon, to any person suffering damage as a result of the exercise of the right of access contemplated by subsection (1).

(3) Subsection (2) does not apply where the municipality is authorised to execute work at the cost of such person or some other person.

7. Verwerking van aansoeke om voorsiening

Aansoeke om die voorsiening van elektrisiteit moet verwerk en die toevoer beskikbaar gestel word binne die tydperke volgens NRS 047.

8. Deurgangsregte

(1) Die munisipaliteit kan weier om 'n diensaansluiting bo of onder die grond op te rig of te lê op enige deurgang wat nie onder beheer van die munisipaliteit is nie of op enige private eiendom, tensy die voornemende verbruiker skriftelike toestemming verkry het van die eienaar van die genoemde private eiendom.

(2) Indien sodanige toestemming op enige tydstip teruggetrek word of as die private eiendom of deurgang van eienaar verwissel en die nuwe eienaar weier om sodanige toestemming te verleen of te laat voortduur, moet die koste van enige verandering wat aan die diensaansluiting aangebring moet word ten einde die toevoer van elektrisiteit in stand te hou of te verwyder, deur die verbruiker van die perseel waarna die toevoer voortgesit word, gedra word.

(3) 'n Deurgangsreg verleen ingevolge subartikel (1) is bindend op die eienaar van eiendom wie die reg verleen het sowel as sy titelopvolgers vir solank as wat die elektrisiteitsaansluiting gebruik word en mag nie sonder die toestemming van die munisipaliteit gekanselleer word nie.

9. Statutêre servitut

(1) Onderworpe aan die bepalings van subartikel (3) mag die munisipaliteit binne sy munisipale gebied:

- (a) elektrisiteitsdienste voorsien, vestig en in stand hou;
- (b) hoofleiding vir elektrisiteit verkry, oprig, lê, verleng, vergroot, omlei, in stand hou, herstel, die verbruik beëindig, sluit en vernietig;
- (c) enige hoofleiding vir elektrisiteit aanlê, oprig of lê op, oor, deur, bo of onder enige straat of onroerende eiendom en die eienaarskap van enige sodanige hoofleiding bly by die munisipaliteit.;
- (d) enigets anders doen wat nodig of wenslik is vir, of bykomstig of aanvullend tot of ondergeskik aan enige saak soos bedoel in subparagraph (a) tot (c).

(2) Indien die munisipaliteit enige hoofleiding vir elektrisiteit aanlê, oprig of lê op, oor, deur, bo of onder enige straat of onroerende eiendom wat nie aan die munisipaliteit behoort of nie deur die munisipaliteit beheer of bestuur word nie, moet die munisipaliteit die eienaar volgens ooreenkoms vergoed of, by afwesigheid van 'n ooreenkoms, soos of deur arbitrasie of deur 'n gereghof bepaal.

(3) Die munisipaliteit moet, voordat dit begin met enige werk behalwe herstelwerk of instandhouding aan of in verband met enige toevoer van elektrisiteit, redelike kennis gee aan die eienaar of ookkoperdeer van die eiendom van die voorgestelde werk en die datum waarop die munisipaliteit beoog om met sodanige werk te begin.

10. Reg van toegang om inspeksie te doen, te toets of instandhoudingswerk te doen

(1) Die munisipaliteit het toegang tot en oor enige eiendom ten einde:

- (a) enigets te doen wat ingevolge hierdie verordening of enige ander wet vereis word;
- (b) enige dienshoofleiding en enigets wat daarmee verband hou te inspekteer en te ondersoek;
- (c) ondersoek te doen met betrekking tot enige moontlike bron van toevoer van elektrisiteit of die geskiktheid van onroerende eiendom vir enige skema of onderneming van die munisipaliteit;
- (d) vasstel of daar enige oortreding van die bepalings van hierdie verordening of enige ander wet is of was; en
- (e) nakoming van die bepalings van hierdie verordening of enige ander wet af te dwing.

(2) Die munisipaliteit moet vergoeding betaal soos ooreengekom aan iemand wat skade gely het as gevolg van die uitoefening van die reg van toegang ingevolge subartikel (1);

(3) Subartikel (2) is nie van toepassing waar die munisipaliteit gemagtig is om op die betrokke eiendom werk te verrig op die koste van sodanige persoon of enige ander persoon nie.

- (4) In the absence of agreement compensation may be determined by arbitration or a court of law.
- (5) An employee of the municipality may, by notice in writing require such owner or occupier, to provide access to such property for a purpose referred to in subsection (1).
- (6) In case of emergency the municipality may enter any premises or property without notice and may take whatever action is necessary or desirable to protect life or property.
- (7) A person representing the municipality must, on request, provide his or her identification.

11. Refusal or failure to give information

No person may refuse or fail to give information that may be reasonably required of him or her by an authorised official of the municipality or render any false information regarding any electrical installation work completed or contemplated.

12. Refusal of admittance

No person may willfully hinder, obstruct, interfere with or refuse admittance to any authorised official of the municipality in the performance of his duty under this by-law.

13. Improper use

(1) If a consumer uses electricity for any purpose or deals with the electricity in any manner which the municipality has reasonable grounds to believe interferes in an improper or unsafe manner, or is calculated to interfere in an improper or unsafe manner with the efficient supply of electricity to any other consumer, the municipality may, with or without notice, disconnect the electricity supply but such supply shall be restored as soon as the cause for the disconnection has been permanently remedied or removed.

(2) The tariff as prescribed by the municipality for the disconnection and re-connection shall be paid by the consumer before the electricity supply is restored, unless it can be shown that the consumer did not use or deal with the electricity in an improper or unsafe manner.

14. Electricity tariffs

Copies of tariffs may be obtained free of charge at the offices of the municipality.

15. Deposits

The municipality reserves the right to require the consumer to deposit a sum of money as security in payment of any tariff which is due or may become due to the municipality.

16. Payment of tariffs

(1) The consumer is liable for all tariffs determined in terms of the Tariff Policy of the municipality for the electricity service which may include all other electricity services provided by the municipality.

(2) Recovery of payments due to the municipality shall be dealt with in terms of the municipality's Credit Control and Debt Collection Policy.

17. Interest on overdue accounts

The municipality may charge interest on arrear accounts in terms of its Credit Control and Debt Collection Policy.

18. Principles for the resale of electricity

(1) Unless authorised by the municipality, no person may sell or supply electricity supplied to his or her premises to any other person or persons for use on any other premises, or permit or allow such resale or supply to take place. If electricity is resold for use upon the same premises, the electricity resold shall be measured by a submeter of a

- (4) In die afwesigheid van enige ooreenkoms mag vergoeding bepaal word deur arbitrasie of 'n bevoegde hof.
- (5) 'n Werknemer van die munisipaliteit mag deur skriftelike kennisgewing van die eienaar of okkuperde van enige eiendom vereis om toegang te verleen tot sodanige eiendom vir doeleindes van subartikel (1).
- (6) In 'n noodtoestand mag die munisipaliteit sonder kennisgewing enige perseel of eiendom betree en kan enige stappe neem wat nodig is om lewe of eiendom te beskerm.
- (7) 'n Persoon wat die munisipaliteit verteenwoordig moet op aanvraag sy identiteit toon.

11. Weiering of versuim om inligting te verstrek

Niemand mag weier of versuim om inligting te verstrek wat 'n gemagtigde amptenaar van die munisipaliteit redelikerwys van hom of haar verlang nie, of vals inligting verstrek insake enige installasiewerk wat voltooi is of beoog word nie.

12. Weiering van toegang

Niemand mag enige gemagtigde amptenaar van die munisipaliteit in die uitvoering van sy of haar pligte ingevalgelyke hierdie verordening opsetlik hinder, belemmer of toegang weier nie.

13. Onbehoorlike verbruik

(1) As die munisipaliteit redelike gronde het om te glo dat 'n verbruiker elektrisiteit vir enige doel of op enige wyse gebruik wat op 'n onbehoorlike en onveilige wyse inmeng of daarop bereken is om op 'n onbehoorlike en onveilige wyse in te meng met die doeltreffende voorsiening van elektrisiteit aan enige verbruiker, kan die munisipaliteit met of sonder kennisgewing sodanige toevoer afsluit, maar sodanige toevoer moet herstel word sodra die oorsaak van die afsluiting permanent reggestel of verwyder is.

(2) Die verbruiker moet die tarief betaal soos deur die munisipaliteit voorgeskryf vir die afsluiting en aansluiting voor die tovoer van elektrisiteit herstel word, tensy dit bewys kan word dat die verbruiker nie die elektrisiteit op 'n onbehoorlike of onveilige wyse verbruik of hanteer het nie.

14. Elektrisiteitstariewe

Afskrifte van tariewe is gratis by die munisipaliteit se kantore verkrybaar.

15. Deposito's

Die munisipaliteit behou die reg voor om te vereis dat die verbruiker 'n deposito betaal as sekuriteit vir die betaling van enige tarief wat aan die munisipaliteit betaalbaar is.

16. Betaling van tariewe

(1) Die verbruiker is aanspreeklik vir alle tariewe soos bepaal ingevalgelyke die munisipaliteit se Tariefsbeleid vir elektrisiteitsvoorsiening en sluit in enige ander elektrisiteitsdienste deur die munisipaliteit voorsien.

(2) Verhaling van enige betalings verskuldig aan die munisipaliteit sal ingevalgelyke die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid geskied.

17. Rente op agterstallige rekeninge

Die munisipaliteit kan rente hef op agterstallige rekeninge ingevalgelyke sy Kredietbeheer- en Skuldinvorderingsbeleid.

18. Beginsels vir die herverkoop van elektrisiteit

(1) Tensy skriftelik deur die munisipaliteit gemagtig, mag niemand elektrisiteit wat aan sy of haar perseel voorsien word, aan enige ander persoon verkoop of voorsien vir verbruik op ander persele nie, of toelaat of duld dat sodanige herverkoop of voorsiening plaasvind nie. As elektrisiteit herverkoop word vir verbruik op dieselfde perseel, moet die elektrisiteit gemeet word deur 'n submeter van die soort wat

type which has been approved by South African National Standards and supplied, installed and programmed in accordance with the standards of the municipality.

(2) The tariff at which and the conditions of sale under which electricity is thus resold may not be less favorable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.

(3) Every reseller must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity consumers.

19. Right to disconnect supply

(1) The municipality has the right to disconnect the supply of electricity to any premises—

(a) without notice where—

- (i) there is grave risk to person or property if the supply is not disconnected; or
- (ii) there is evidence of tampering as contemplated in section 24; or

(b) with reasonable written notice where—

- (i) a consumer fails to pay any amount due to the municipality in connection with the supply of electricity;
- (ii) any provision of this by-law has been contravened and the consumer has failed to comply with a notice of compliance;
- (iii) access to inspect metering equipment has been denied;
- (iv) the metering accommodation provided by the consumer is not secure, in compliance with safety regulations and lockable; or
- (v) in the opinion of the municipality, there is a defect in the installation on premises or in any appliance used in or on premises which is likely to cause injury or damage to persons or property.

(2) In the case of a contravention of section 18(1) of this by-law, the municipality has the right to limit the supply of electricity to the premises from which electricity is supplied or sold or to remove and destroy the illegal connections between premises.

(3) After disconnection for non-payment of accounts or the improper or unsafe use of electricity, the tariff as prescribed by the municipality shall be paid for re-connection of such supply.

(4) In the case where an installation has been illegally re-connected on premises after having been disconnected by the municipality, or in the case where the municipality's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the municipality may remove the electricity supply from those premises.

20. Non-liability of the municipality

(1) The municipality shall not be liable for any loss or damage, direct or consequential, suffered or sustained by a consumer as a result of or arising from the cessation, interruption or any other abnormality of the supply of electricity, unless caused by negligence on the part of the municipality.

(2) The consumer shall be responsible to install and maintain devices on his or her premises to protect installations against all hazards, damage or failure as a result of electricity interruptions, under- and over-voltages, swells, flicker, surges, dips, single phasing, phase unbalance, harmonic distortion, frequency variations, loss of neutral conductor, inadequate earthing and earth leakages.

(3) The municipality shall not be liable for any incident, injury, loss or damage, direct or consequential, suffered or sustained if such protection devices are not installed or if they do not function effectively.

21. Leakage of electricity

No rebate shall be allowed in respect of electricity wasted owing to leakage or any other fault in the electrical installation.

voldoen aan die Suid-Afrikaanse Nasionale Standaarde en voorsien, geïnstalleer en geprogrammeer word ooreenkomsdig die munisipaliteit se standaarde.

(2) Die tariewe waarteen en die verkoopvooraardes ingevolge waarvan die elektrisiteit herverkoop word, mag nie minder gunstig vir die koper wees as dit wat betaalbaar en van toepassing sou wees indien die munisipaliteit elektrisiteit direk aan die koper sou voorsien nie.

(3) Elke herverkoper moet aan die koper maandelikse state voorsien wat ten minste net soveel besonderhede bevat as die tersaaklike besonderhede oor rekeninginligting wat die munisipaliteit aan sy elektrisiteitverbruikers voorsien.

19. Reg om die toevoer van elektrisiteit af te sluit

(1) Die munisipaliteit het die reg om die elektrisiteitstoevoer na enige perseel af te sluit—

(a) sonder kennisgewing, waar—

- (i) ernstige gevraag of risiko vir persoon of eiendom bestaan indien die toevoer nie afgesluit word nie; of
- (ii) daar bewys bestaan dat met 'n meter gepeuter is soos bedoel in artikel 24; of

(b) met redelike kennisgewing, waar

- (i) 'n verbruiker versuim om enige bedrag verskuldig aan die munisipaliteit te betaal ten opsigte van elektrisiteitsvoorsiening;
- (ii) enige bepaling van hierdie verordening oortree is en die verbruiker versuim het om te voldoen aan die bepalings van 'n kennisgewing van nakoming;
- (iii) toegang tot die inspeksie van meettoerusting geweier is;
- (iv) die meter akkommodasie voorsien deur die verbruiker nie beveilig is nie, nie voldoen aan veiligheidsregulasies nie en nie sluitbaar is nie; of
- (v) die installasie of enige toestel in gebruik in of op 'n perseel na die mening van die munisipaliteit defektief is en waarskynlik beserings of skade aan persoon of eiendom kan veroorsaak.

(2) In die geval van 'n oortreding van artikel 18(1) van hierdie verordening, het die munisipaliteit die reg om die elektrisiteitstoevoer na die perseel vanwaar die elektrisiteit verkoop word te verminder en die onwettige aansluiting tussen persele te verwijder en te vernietig.

(3) Na afsluiting van elektrisiteitstoevoer weens wanbetaling of vir die onbehoorlike of onveilige gebruik van elektrisiteit sal die tariewe voorgeskryf vir heraansluiting betaalbaar wees.

(4) Waar enige installasie op 'n perseel onwettig heraangesluit word nadat die munisipaliteit dit afgesluit het, of waar met die munisipaliteit se meettoerusting gepeuter is om die volle registrasie van verbruik te voorkom, het die munisipaliteit die reg om die elektrisiteitstoevoer na die perseel te verwijder.

20. Nie-aanspreeklikheid van die munisipaliteit

(1) Die munisipaliteit is nie aanspreeklik vir enige regstreekse verlies of skade wat deur 'n verbruiker gely of opgedoen word as gevolg van voortspruitend uit die beëindiging en onderbreking van of enige ander awyking van die toevoer van elektrisiteit nie, tensy dit deur nalatigheid aan die kant van die munisipaliteit veroorsaak is.

(2) Die verbruiker is verantwoordelik vir die installering van toerusting op sy of haar perseel vir die beveiliging van installasies teen enige gevare, skade of faling as gevolg van kragonderbrekings, onder- of oorspannings, spanningstyngs, flikkering, stuwing, dalings, enkelfassering, fase-onbalans, bofrekewensies, frekwensië awykiës, verlies van neutraal geleier, onvoldoende aarding en aardlekkesies.

(3) Die munisipaliteit is nie verantwoordelik vir enige incident, besering, verlies of skade, hetsy regstreeks of onregstreeks veroorsaak as gevolg beveiligingstoerusting wat nie geïnstalleer is nie of indien dit nie effektiel funksioneer nie.

21. Lekkasie van elektrisiteit

Geen korting sal toegestaan word ten opsigte van verlies van elektrisiteit wat te wyte is aan 'n lekkasie of 'n ander fout in die elektriese installasie nie.

22. Failure of supply

(1) The municipality is not obliged to attend to a failure of supply of electricity due to a fault in the electrical installation of the consumer, except when such failure is due to the operation of the service protective device of the municipality.

(2) When any failure of supply of electricity is found to be due to a fault in the electrical installation of the consumer or to the faulty operation of apparatus used in connection therewith, the municipality shall have the right to charge the consumer the prescribed tariff for each restoration of the supply of electricity in addition to the cost of making good or repairing any damage caused to the service main and meter by such fault or faulty operation.

23. Seals of the municipality

The meter, service protective devices and all apparatus belonging to the municipality shall be sealed or locked by a duly authorised official of the municipality, and no person shall in any manner or for any reason whatsoever remove, break, deface, or tamper or interfere with such seals or locks.

24. Tampering with service connection or supply mains

(1) No person shall in any manner or for any reason whatsoever tamper or interfere with any meter or metering equipment or service connection or service protective device or supply mains or any other equipment of the municipality.

(2) Where prima facie evidence exists of a consumer or any person having contravened subsection (1), the municipality shall have the right to disconnect the supply of electricity immediately in terms of section 19 of this by-law.

(3) Where a consumer or any person has contravened subsection (1) and such contravention has resulted in the meter recording less than the true consumption, the municipality shall have the right to recover from the consumer the full cost of his estimated consumption, the full cost of damage inflicted and may levy tampering fees in terms of approved tariffs.

25. Protection of municipality's supply mains

(1) No person shall, except with the consent of the municipality and subject to such conditions as may be imposed—

- (a) construct, erect or lay, or permit the construction, erection or laying of any building, structure or other object, or plant trees or vegetation over or in such a position or in such a manner as to interfere with or endanger the supply mains;
- (b) excavate, open up or remove the ground above, next to, under or near any part of the supply mains;
- (c) damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the supply mains; or
- (d) make any unauthorised connection to any part of the supply mains or divert or cause to be diverted any electricity there from.

(2) An owner or occupier shall limit the height of trees or length of projecting branches in the proximity of overhead lines to prevent the tree from interfering with the conductors should the tree or branch fall or be cut down.

(3) Should the owner or occupier fail to observe this provision the municipality shall have the right, after notice, or at any time during an emergency, to cut or trim the trees or other vegetation in such a manner as to comply with this provision and shall be entitled to enter the property for this purpose.

(4) The municipality may, subject to obtaining an order of court, demolish, alter or otherwise deal with any building, structure or other object constructed, erected or laid in contravention with this by-law.

(5) The municipality may in the case of an emergency or disaster remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.

22. Onderbreking van tovoer

(1) Die munisipaliteit is nie verplig om aandag te skenk aan 'n onderbreking in die tovoer van elektrisiteit as dit as gevolg van 'n fout in die verbruiker se elektriese installasie is nie, behalwe wanneer sodanige onderbreking te wye is aan die werking van die munisipaliteit se diensbeveiligstoestel.

(2) Indien enige onderbreking van die tovoer van elektrisiteit die gevolg is van 'n fout in die verbruiker se elektriese installasie of van die foutiewe werking van die apparaat wat in verband daarvan gebruik word, het die munisipaliteit die reg om die voorgeskrewe tarief van die verbruiker te verhaal vir elke geval van herstel van die tovoer van elektrisiteit, bykomend tot die koste van die regmaak of herstel van enige skade aan die dienshooifleiding en meter veroorsaak deur sodanige fout of foutiewe werking.

23. Seëls van die munisipaliteit

Die meter, diensbeveiligstoestelle en alle apparaate wat aan die munisipaliteit behoort, word deur 'n behoorlik gemagtigde amptenaar van die munisipaliteit versêl of gesluit en niemand mag op enige wyse of om enige rede hoegenaamd sodanige seëls of slotte verwijder, breek, skend, daaraan peuter of hom van haar daarmee bemoei nie.

24. Peuter met diensaansluiting of hoofleiding

(1) Niemand mag op enige wyse of om enige rede hoegenaamd met enige meter, meettoerusting of dienshooifleiding of diensbeveiligstoestel of hoofleiding van die munisipaliteit peuter of daarmee inmeng nie.

(2) Waar prima facie-beweys bestaan dat 'n verbruiker of iemand subartikel (1) oortree het, het die munisipaliteit die reg om die tovoer van elektrisiteit onmiddellik ingevolge artikel 19 te staak.

(3) Waar 'n verbruiker of iemand subartikel (1) oortree en sodanige oortreding lei daartoe dat die meter minder verbruik as die regte verbruik registreer, het die munisipaliteit die reg om die volle koste van sy van geraamde verbruik van die verbruiker te verhaal asook die koste van skade veroorsaak en mag foerie hef vir peuntinging ingevolge goedgekeurde tariewe.

25. Beveiliging van die munisipaliteit se hoofleiding

(1) Niemand mag, behalwe met die munisipaliteit se goedkeuring en onderworpe aan sodanige voorwaardes as wat opgelê is,—

- (a) enige konstruksie oprig of lê of die oprigting of lê van enige gebou, struktuur of ander voorwerp toelaat, of bome en ander plantegroei oor of in sodanige posisie of op sodanige manier plant dat dit sal inmeng met die hoofleiding of dit bedreig nie;
- (b) enige deel van die hoofleiding uitgrawe, oopmaak of die grond bo, langsaan, onder of naby dit verwijder nie;
- (c) enige deel van die hoofleiding beskadig, bedreig, verwijder of vernietig nie, of enige daad pleeg wat die hoofleiding sal beskadig, bedreig of enige deel daarvan vernietig nie; of
- (d) enige ongemagtigde aansluiting aan enige deel van die hoofleiding maak of elektrisiteit daarvandaan omlei of veroorsaak dat dit omlei word nie.

(2) 'n Eienaar of okkuperdeer moet die hoogte van die bome of die lengte van die takke wat uitsteek naby bogrondse lyne beperk om te verhoed dat die boom met die geleiers inmeng as die boom omval of 'n tak breek of 'n tak afgesny word.

(3) Indien 'n eienaar of okkuperdeer versuim om hierdie bepaling na te kom, het die munisipaliteit die reg, na skriftelike kennisgewing, of te eniger tyd in 'n noodgeval, om die bome of ander plantegroei af te sny of te snoei op so 'n wyse soos beoog in hierdie bepaling, en sal geregtig wees om die eiendom vir hierdie doel te betree.

(4) Die munisipaliteit mag, onderworpe aan die verkryging van 'n hofbevel, enige gebou, struktuur of enige ander voorwerp wat strydig met hierdie verordening gebou, opgerig of gelê is, afbreek, verander of op enige ander wyse daarmee handel.

(5) Die munisipaliteit mag in 'n noodgeval of ramp enigets verwijder wat enige deel van die elektrisiteitsverspreidingstelsel beskadig, belemmer of bedreig of wat dit waarskynlik kan beskadig, belemmer, bedreig of vernietig.

26. Prevention of tampering with service connection or supply mains

If the municipality decides that it is necessary or desirable to take precautions in order to prevent tampering with any portion of the supply mains, service connection or service protective device or meter or metering equipment, the consumer shall either supply and install the necessary protection or pay the costs involved where such protection is supplied by the municipality.

27. Unauthorised connections

No person other than a person authorised thereto by the municipality in writing shall directly or indirectly connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the supply mains or service connection.

28 Unauthorised re-connections

(1) No person other than a person authorised thereto by the municipality in writing shall reconnect, attempt to re-connect or cause or permit to be re-connected to the supply mains or service connection any electrical installation or installations which has or have been disconnected by the municipality.

(2) Where the supply of electricity that has previously been disconnected is found to have been re-connected, the consumer using the supply of electricity shall be liable for all tariffs for electricity consumed between the date of disconnection and the date the electricity supply was found to be re-connected and any other tariff raised in this regard.

(3) Furthermore, the municipality reserves the right to remove part or all of the supply equipment until such time as payment has been received in full and in addition, the consumer will be responsible for all the costs associated with the reinstatement of such supply equipment.

29. Temporary disconnection and re-connection

(1) The municipality shall, at the request of the consumer, temporarily disconnect and re-connect the supply of electricity to the consumer's electrical installation upon payment of the prescribed tariff for each such disconnection and subsequent re-connection.

(2) The municipality may only under exceptional circumstances temporarily disconnect the supply of electricity to any premises without notice, for the purpose of effecting repairs or carrying out tests or for any other legitimate purpose.

30. Temporary supplies

If electricity supply is found to interfere with the efficient and economical supply to other consumers, the municipality may, with notice, or under exceptional circumstances without notice, terminate such temporary supply at any time and the municipality shall not be liable for any loss or damage occasioned by the consumer by such termination.

31. Temporary work

(1) Electrical installations requiring a temporary supply of electricity may not be connected directly or indirectly to the supply mains except with the written permission of the municipality.

(2) Full information as to the reasons for and nature of such temporary work shall accompany the application for the aforesaid permission, and the municipality may refuse such permission or may grant the same upon such terms and conditions.

32. Load reduction

(1) At times of peak load, or in an emergency, or when it is necessary for any reason to reduce the load on the electricity supply system of the municipality, it may without notice interrupt and for such period as may be necessary, discontinue the electricity supply to any consumer's electrically operated thermal storage water heater or any specific appliance or the whole installation.

26. Voorkoming van peuter met die diensaansluiting of hoofleiding

Indien die munisipaliteit dit nodig of wenslik ag om voorsorgmaatreëls te tref om te verhoed dat daar aan enige deel van die hoofleiding, dienshoofleiding of diensbeveiligingstoestel of meter of meettoerusting gepeuter word, moet die verbruiker óf die nodige beveiligingstoerusting voorsien en installeer, óf die betrokke koste betaal waar sodanige beveiligingstoerusting deur die munisipaliteit voorsien word.

27. Ongemagtigde aansluitings

Niemand behalwe 'n persoon wat skriftelik deur die munisipaliteit daartoe gemagtig is mag regstreeks of onregstreeks enige elektriese installasie of deel daarvan by die hoofleiding of diensaansluiting aansluit, probeer aansluit of sodanige aansluiting veroorsaak of toelaat nie.

28. Ongemagtigde heraansluiting

(1) Niemand behalwe 'n persoon wat skriftelik deur die munisipaliteit daartoe gemagtig is, mag enige elektriese installasie of installasies wat deur die munisipaliteit afgesluit is, by die hoofleiding of diensaansluiting heraansluit, probeer heraansluit of sodanige heraansluiting veroorsaak of toelaat nie.

(2) Waar die toevoer van elektrisiteit wat voorheen deur die munisipaliteit afgesluit is, weer aangesluit is, is die verbruiker wat die toevoer van elektrisiteit verbruik, aanspreeklik vir alle koste van die elektrisiteitsverbruik vanaf die datum van afsluiting tot die datum waarop gevind is dat die toevoer heraangesluit is, en ook vir enige ander koste wat in dié verband aangegaan is.

(3) Die munisipaliteit behou die reg om enige deel van of al die aansluitingstoerusting te verwijder tot tyd en wyl volle betaling ontvang is en die verbruiker is benewens dit ook verantwoordelik vir die koste wat met die herstel van sodanige aansluitingstoerusting gepaardgaan.

29. Tydelike afsluiting en heraansluiting

(1) Die munisipaliteit moet op versoek van 'n verbruiker die toevoer van elektrisiteit na die verbruiker se elektriese installasie tydelik afsluit en dit heraansluit teen betaling van die voorgeskrewe tarief vir elke afsluiting en heraansluiting.

(2) Die munisipaliteit mag slegs onder buitengewone omstandighede die toevoer van elektrisiteit na enige perseel sonder kennisgewing tydelik afsluit ten einde herstelwerk te doen of toetse uit te voer of vir enige ander regmatige doel.

30. Tydelike voorsiening van elektrisiteit

Indien daar gevind word dat elektrisiteitstoever inbreuk maak op die doeltreffende en ekonomiese toevoer na ander verbruikers, is die munisipaliteit geregtig om met kennisgewing, of in buitengewone omstandighede sonder kennisgewing, sodanige tydelike toevoer te eniger tyd te beëindig en die munisipaliteit is nie aanspreeklik vir enige skade of verlies wat die verbruiker as gevolg van sodanige beëindiging mag ly nie.

31. Tydelike werk

(1) Elektriese installasies wat 'n tydelike toevoer van elektrisiteit benodig, mag nie sonder die skriftelike toestemming van die munisipaliteit regstreeks of onregstreeks by die hoofleiding aangesluit word nie.

(2) Volledige inligting oor die redes vir die aard van sodanige tydelike werk moet die aansoek om die bogemelde toestemming vergesel en die munisipaliteit mag sodanige toestemming weier of toestaan.

32. Lasvermindering

(1) Gedurende tye van spitsslas, of in 'n noodgeval, of wanneer dit om enige rede nodig is om die las op die munisipaliteit se elektrisiteitsvoorsieningstelsel te verminder, kan die munisipaliteit die toevoer sonder kennisgewing onderbreek vir sodanige tydperk as wat nodig is en die toevoer van elektrisiteit na enige verbruiker se warmwatersilinder wat deur elektrisiteit verwarm word of na enige spesifieke toestel of die hele installasie beëindig.

(2) Except at times of peak load or in cases of emergency, the municipality shall where possible and practically viable not interrupt the electricity supply system to a consumer without reasonable notice.

(3) The municipality may install upon the premises of the consumer such apparatus and equipment as may be necessary to give effect to the provisions of subsection (1), and any duly authorised official of the municipality may at any reasonable time and subject to section 10(7) enter any premises for the purpose of installing, inspecting, testing adjusting or changing such apparatus and equipment.

(4) Notwithstanding the provisions of subsection (3), the consumer or the owner, as the case may be, shall, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring as the municipality may decide, to facilitate the later installation of the apparatus and equipment.

33. High, medium and low voltage switchgear and equipment

(1) In cases where a supply of electricity is given at either high, medium or low voltage, the supply and installation of the switchgear, cables and equipment forming part of the service connection shall, unless otherwise approved by the municipality, be paid for by the consumer.

(2) All equipment installed on the consumer's premises shall be compatible with the municipality's electrical performance standards.

(3) No person shall open, close, isolate, link or earth high or medium voltage switchgear or equipment without giving reasonable prior notice to the municipality.

(4) In the case of installation of high or medium voltage supply of electricity the municipality must be notified of the competent person appointed by the consumer in terms of the Regulations, and of any changes made to such appointment.

(5) In the case of a low voltage supply of electricity, the consumer must provide and install a low voltage main switch or any other equipment required by the municipality.

34. Substation accommodation

(1) The municipality may require a consumer to provide and maintain accommodation which shall constitute a substation and which shall consist of a separate room or rooms to be used exclusively for the purpose of housing medium voltage cables and switchgear, transformers, low voltage cables and switchgear and other equipment necessary for the supply of electricity requested by the owner.

(2) The accommodation shall be situated at a point to which free and unrestricted access is available for purposes connected with the operation and maintenance of the equipment.

(3) The municipality reserves the right to supply its own networks from its own equipment installed in such accommodation, and if additional accommodation is required by the municipality, it shall provide such accommodation.

35. Wiring diagram and specification

(1) Where more than one electrical installation or electricity supply from a common main or more than one distribution board or meter is required for any building or block of buildings, the wiring diagram of the circuits starting from the main switch and a specification shall on request be supplied to the municipality for approval before the work commences.

(2) Where an electrical installation is supplied from a substation on which the current is transformed from high voltage, or from one of the substations of the municipality through mains separate from the general distribution system, a complete specification and drawings for the plant to be installed by the consumer shall, if so required, be forwarded to the municipality for approval before any material in connection therewith is ordered.

36. Standby supply

Standby supply of electricity from the municipality for any premises having a separate source of electricity may only be supplied with the written consent of the municipality.

(2) Behalwe gedurende tye van spitslas of in noodgevalle, sal die munisipaliteit waar prakties moontlik nie die elektrisiteitstoevoer na 'n verbruiker verbreek sonder redelike kennisgewing nie.

(3) Die munisipaliteit kan sodanige apparaat en toerusting op die perseel van die verbruiker installeer as wat nodig geag word om gevog te gee aan die bepalings van subartikel (1), en enige behoorlik gemagtigde amptenaar van die munisipaliteit kan op enige redelike tyd enige perseel betree met die doel om sodanige apparaat en toerusting te installeer, te inspekteer, te toets, te verstel of te verander.

(4) Nienteenstaande die bepalings van subartikel (3) moet die verbruiker of eienaar, na gelang van die geval, wanneer hy of sy 'n watersilinder installeer wat deur elektrisiteit verwarm word, die nodige akkommodesie en bedrading ooreenkomsdig die munisipaliteit se keuse voorsien ten einde die installasie van die apparaat en toerusting later te vergemaklik.

33. Hoë-, medium- en laagspanningskakeltuig en toerusting

(1) In die geval van hoë-, medium- of laagspannings elektrisiteitsvoorsiening moet die verbruiker betaal vir die voorsiening en installasie van die skakeltuig, kabels en toerusting wat deel van die diensaansluiting uitmaak, tensy dit andersins deur die munisipaliteit bepaal word.

(2) Alle toerusting wat op die verbruiker se perseel geïnstalleer word, moet voldoen aan die munisipaliteit se spesifikasies en standarde.

(3) Niemand mag hoë- of mediumspanningskakeltuig of toerusting oopmaak, toemaak, isoleer, koppel of aard sonder om vooraf redelike kennis aan die munisipaliteit te gee nie.

(4) In die geval van installering van 'n hoë- of mediumspanning-aansluitings moet die munisipaliteit ingelig word aangaande die bevoegde persoon wat die verbruiker ingevolge die Regulasies aanstel, en van enige verandering van sodanige aanstelling.

(5) In die geval van laagspanningsaansluitings moet die verbruiker 'n laagspanningshoofskakelaar of enige ander toerusting vereis deur die munisipaliteit, voorsien en installeer.

34. Substasie-akkommodesie

(1) Die munisipaliteit mag van 'n verbruiker vereis om akkommodesie te voorsien en in stand te hou bestaande uit 'n substasie met 'n afsonderlike kamer of kamers uitsluitlik vir die doel om mediumspanningskabels en skakeltuig, transformators, laagspanningskabels en skakeltuig en ander toerusting noodsaaklik vir die voorsiening van elektrisiteit versoek deur die eienaar, te akkommodeer.

(2) Die akkommodesie moet geleë wees by 'n punt met vrye en onbeperkte toegang vir die doeleinnes wat met die bedryf en instandhouding van die toerusting verband hou.

(3) Die munisipaliteit behou die reg voor om sy eie netwerke te voorsien met sy eie toerusting wat in sodanige akkommodesie geïnstalleer is, en indien die munisipaliteit bykomende akkommodesie verlang, moet sodanige akkommodesie deur die munisipaliteit voorsien word.

35. Bedradingsdiagram en spesifikasie

(1) Waar meer as een elektriese installasie of toevoer van elektrisiteit van 'n gemeenskaplike hoofleiding verkry word, of meer as een verdeelbord of meter nodig is vir enige gebou of blok geboue, moet die bedradingdiagram asook 'n spesifikasie van die stroombane wat by die hoofskakelaar begin op versoek aan die munisipaliteit voorsien word vir goedkeuring voordat daar met installering begin word.

(2) Waar 'n elektriese installasie voorsien word vanaf 'n substasie wat vanaf hoogspanning transformeer, of vanaf een van die munisipaliteit se substasies deur 'n hoofleiding afsonderlik van die algemene verspreidingsstelsel, moet, indien dit vereis word, 'n volledige spesifikasie en tekeninge van die aanleg wat deur die verbruiker geïnstalleer word, aan die munisipaliteit vir goedkeuring voorgelê word voordat enige tersaaklike benodigdhede bestel word.

36. Bystandstoevoer

Bystandstoevoer vir enige perseel met 'n afsonderlike bron van toevoer van elektrisiteit mag slegs met skriftelike toestemming van die munisipaliteit voorsien word.

37. Consumer's emergency standby supply and generating equipment

(1) No emergency standby or generating equipment provided by a consumer in terms of any Regulations or for his own operational requirements shall be connected to any installation without the written approval of the municipality.

(2) Application for such approval shall be made in writing and shall include a full specification of the equipment and a wiring diagram.

(3) The standby and generating equipment shall be so designed and installed, that it is impossible for the municipality's supply mains to be energised by means of a back-charge from such equipment.

(4) Where a consumer's standby or generating equipment is permitted, in terms of a special agreement, to be electrically coupled and run in parallel with the municipality's supply mains, the consumer shall be responsible for providing, installing and maintaining all the necessary synchronising and protective equipment required for such safe parallel operation.

(5) Under normal operating circumstances, any export of surplus energy from the consumer to the municipality's network shall be subject to a special agreement.

(6) In the event of a general power failure on the municipality's network, the consumer must install protection equipment, subject to approval by the municipality, so as to ensure isolation of the consumer's installation from that of the municipality until restoration of normal operating conditions.

(7) The cost of any specialised metering equipment shall be borne by the consumer.

(8) Generation equipment must comply with the appropriate SANS regulations and municipal specifications.

38. Circular letters

The municipality may issue circulars detailing its requirements regarding matters not specifically covered in the Regulations or this by-law but which are necessary for the safe, efficient operation and management of the supply of electricity.

CHAPTER 2

RESPONSIBILITIES OF CONSUMERS

39. Consumer to erect and maintain electrical installation

Any electrical installation connected or to be connected to the supply mains, and any additions or alterations thereto shall be provided and maintained by the consumer at his own expense and in accordance with this by-law and the Regulations.

40. Fault in electrical installation

(1) If any fault develops in an electrical installation, which constitutes a hazard to persons, livestock or property, the consumer shall immediately disconnect the electricity supply and without delay notify the municipality and immediately take steps to remedy the fault.

(2) The municipality may require the consumer to reimburse it for any expenses incurred in connection with a fault in the electrical installation.

41. Discontinuance of use of supply

A consumer who wishes to discontinue the electricity supply must give at least two full working days' notice in writing.

42. Change of occupier

(1) A consumer vacating premises shall give the municipality at least two full working days' notice in writing of his intention to discontinue using the electricity supply, failing which he or she shall remain liable for such supply.

37. Verbruiker se toerusting vir noodbystandstoevoer en opwekking

(1) Geen toerusting wat deur 'n verbruiker vir noodbystandstoevoer of opwekking ingevolge enige Regulasies of vir sy of haar eie bedryfsvereistes voorsien is, mag by enige installasie aangesluit word sonder die skriftelike goedkeuring van die munisipaliteit nie.

(2) 'n Aansoek om sodanige goedkeuring moet skriftelik gerig word en moet 'n volledige spesifikasie van die toerusting en 'n bedradingdiagram bevat.

(3) Die bystandstoerusting en toerusting vir opwekking moet so ontwerp en geïnstalleer word dat dit onmoontlik is vir die munisipaliteit se hoofleiding om vanaf die terugvoer van sodanige toerusting bekragtig te word.

(4) Waar 'n verbruiker se bystandstoerusting of toerusting vir opwekking ingevolge 'n spesiale ooreenkoms elektries gekoppel word en parallel bedryf word met die munisipaliteit se hoofleiding, is die verbruiker verantwoordelik om die vereiste sinchroniserings- en beveiligingstoerusting te voorsien en te installeer.

(5) Enige oordrag van surplus energie vanaf die verbruiker se netwerk na die netwerk van die munisipaliteit, in normale operasionele omstandighede, sal onderhewig wees aan 'n spesiale ooreenkoms.

(6) In die geval van 'n algemene kragonderbreking in die munisipaliteit se netwerk moet 'n verbruiker beskermingsapparaat soos goedkeur deur die munisipaliteit installeer om sy of haar installasie van dié van die munisipaliteit te isoleer totdat die normale operasionele toestand herstel is.

(7) Die koste van enige gespesialiseerde meettoerusting sal deur die verbruiker gedra word.

(8) Opwekkingstoerusting moet voldoen aan die toepaslike SANS regulasies asook munisipale spesifikasies.

38. Omsendbriewe

Die munisipaliteit kan omsendbriewe uitstuur waarin besonderhede voorsien word oor die munisipaliteit se vereistes met betrekking tot sake wat nie spesifiek in die Regulasies of in hierdie verordening bepaal word nie, maar wat nodig is vir die veilige en doeltreffende bedryf en bestuur van elektrisiteitsvoorsiening.

HOOFSTUK 2

VERBRUIKERS SE VERANTWOORDELIKHEDE

39. Verbruiker moet elektriese installasie oprig en in stand hou

Enige elektriese installasie wat by die hoofleiding aangesluit is of aangesluit gaan word, en enige byvoegings daartoe, moet deur die verbruiker op eie koste voorsien, opgerig en in stand gehou word ooreenkomsdig die bepalings van hierdie verordening en die Regulasies.

40. Fout in elektriese installasie

(1) Indien daar enige fout in 'n elektriese installasie ontstaan wat 'n gevare vir mense, diere of eiendom inhoud, moet die verbruiker onmiddellik die elektrisiteitstoevoer afsluit en onverwyld die munisipaliteit daarvan in kennis stel en onmiddellik stappe doen om die fout reg te stel.

(2) Die munisipaliteit kan die verbruiker aanspreeklik hou vir enige uitgawes wat ontstaan as gevolg van 'n fout in die elektriese installasie.

41. Beëindiging van die verbruik van die toevoer van elektrisiteit

Wanneer 'n verbruiker die verbruik van die toevoer van elektrisiteit wil beëindig, moet hy of sy ten minste twee volle werksdae skriftelike kennis aan die munisipaliteit gee.

42. Verandering van okkupeerder

(1) 'n Verbruiker wat enige perseel ontruim, moet die munisipaliteit minstens twee volle werksdae skriftelike kennis gee van sy of haar voorname om die verbruik van die toevoer van elektrisiteit te beëindig, by gebreke waarvan hy of sy aanspreeklik bly vir sodanige toevoer.

(2) The person taking over occupation of the vacated premises must apply in terms of section 3 of this by-law, and if he or she fails to do so within ten working days of occupation of the premises, the supply of electricity shall be disconnected, and he or she shall be liable for consumption from the date of occupation until disconnection.

(3) Where premises are fitted with pre-payment meters any person occupying the premises at that time shall be deemed to be the consumer and until such time as application is made by such person for in terms of section 3 of this by-law, he or she shall be liable for all payments owed to the municipality for that metering point as well as any outstanding amounts whether accrued by that person or not.

(4) The municipality may impose conditions, which may include the withholding of electricity supply to premises where the previous consumer's account is in arrears.

(5) In the event of change of ownership a new certificate of compliance for the premises shall be issued by an accredited electrician, unless the existing certificate was issued within the preceding 24 month period and no subsequent alteration of the electrical installation was effected.

43. Service apparatus

(1) The consumer shall be liable for all costs arising from damage to or loss of any metering equipment, service protective device, service connection or other apparatus on the premises, unless such damage or loss is caused by a natural disaster or an act or omission of an employee of the municipality or caused by an abnormality in the supply of electricity to the premises.

(2) If, during a period of disconnection of an installation from the supply mains, the service main, metering equipment or any other service apparatus of the municipality have been removed without permission or have been damaged so as to render re-connection dangerous, the owner or occupier of the premises shall bear the cost of repair or replacing such equipment.

(3) Where there is a common metering position, the liability detailed in subsection (1) shall devolve on the owner of the premises.

(4) The amount due in terms of subsection (1) shall be evidenced by a certificate from the municipality which shall be final and binding.

(2) 'n Persoon wat die ontruimde perseel oorneem moet ingevolge die bepalings van artikel 3 van hierdie verordening aansoek doen, en indien hy of sy versuim om binne tien werksdae na okkupasie aansoek te doen vir 'n aansluiting, word die toever afgesluit, en is hy of sy aanspreeklik vir die verbruik vanaf die datum van okkupasie tot en met afsluiting.

(3) Waar daar voorafbetaalde meters op persele geïnstalleer word, word iemand wat op daardie tydstip die perseel okkuper, geag 'n verbruiker te wees en tot tyd en wyl sodanige persoon aansoek doen ingevolge artikel 3 van hierdie verordening is hy of sy aanspreeklik vir alle bedrae aan die munisipaliteit verskuldig vir daardie meetpunt asook vir enige uitstaande bedrae ongeag deur wie die skuld opgeloop is.

(4) Die munisipaliteit mag voorwaardes ople, insluitend die reg om eletrisiteitsvoorsiening te weerhou, waar die vorige verbruiker se rekening agterstallig is.

(5) In die geval van verandering van eiendomsreg moet 'n nuwe sertifikaat van voldoening deur 'n geakkrediteerde elektrisïën uitgereik word, behalwe waar die bestaande sertifikaat binne die voorafgaande 24 maande uitgereik is en geen veranderinge daarna aan die installasie aangebring is nie.

43. Diensapparaat

(1) Die verbruiker is aanspreeklik vir koste voortspruitend uit skade aan of verlies van enige meettoerusting, diensbeveiligingstoestel, diensaansluiting of ander apparaat op die perseel, tensy sodanige skade of verlies veroorsaak is deur 'n natuurkatastrof of 'n handeling of versuim deur 'n werknemer van die munisipaliteit of deur 'n afwyking van die toever van elektrisiteit na die perseel.

(2) Indien die hoofleiding, die dienshoofleiding, meettoerusting of enige ander diensapparaat van die munisipaliteit gedurende 'n tydperk waarin die installasie van die hoofleiding afgesluit was sonder die munisipaliteit se toestemming verwyder is, of in so 'n mate beskadig is dat heraansluiting gevaaarlik is, sal die eienaar of okkuper van die perseel aanspreeklik wees vir die herstel of vervanging van sodanige toerusting.

(3) Waar daar 'n gemeenskaplike meetposisie is, berus die aanspreeklikheid ingevolge subartikel (1) by die eienaar van die perseel.

(4) Die bedrag verskuldig ingevolge subartikel (1) word bewys deur 'n sertifikaat van die munisipaliteit wat finaal en bindend is.

HOOFSTUK 3

SPESIFIËKE VOORSIENINGSVOORWAARDES

44 Service connection

(1) The consumer shall bear the cost of the service connection, as approved by the municipality.

(2) Notwithstanding the fact that the consumer bears the cost of the service connection, ownership thereof, laid or erected by the municipality, shall vest in the municipality and the municipality shall be responsible for the maintenance of such service connection up to the point of supply.

(3) The consumer shall not be entitled to any compensation from the municipality in respect of such service connection.

(4) With respect to maintenance and responsibility for safety of the service connection, the point of supply shall be—

(a) where the underground or overhead service connection physically transverses the boundary of the consumer's property; or
 (b) at the connection to the municipal distribution infrastructure if installed within the boundary of the consumer's property.

(5) The work to be carried out by the municipality at the cost of the consumer for a service connection to the consumer's premises shall be determined by the municipality.

(6) A service connection shall be laid underground, whether the supply mains are laid underground or erected overhead, unless an overhead service connection is specifically required by the municipality.

(7) The consumer shall provide, fix or maintain on his premises such ducts, wire ways, trenches, fastenings and clearance to overhead supply

44. Diensaansluiting

(1) Die verbruiker dra die koste van die diensaansluiting soos deur die munisipaliteit goedgekeur.

(2) Neteenstaande die feit dat die verbruiker die koste dra van die diensaansluiting wat deur die munisipaliteit gelê of opgerig word, berus die eienaarskap daarvan by die munisipaliteit wat verantwoordelik is vir die instandhouding van sodanige diensaansluiting tot by die voorsieningspunt.

(3) Die verbruiker is nie geregtig op enige vergoeding van die munisipaliteit ten opsigte van sodanige diensaansluiting nie.

(4) Met betrekking tot onderhoud en verantwoordelikheid vir veiligheid van die diensaansluiting, word die voorsieningspunt beskou as—

(a) die punt waar die ondergrondse of bograndse diensaansluiting fisies die grens van die verbruiker se eiendom kruis; of
 (b) by die aansluiting aan die munisipale verspreidingsinfrastruktuur, indien dit binne die verbruiker se perseel geïnstalleer is.

(5) Die werk wat deur die munisipaliteit op die verbruiker se koste gedoen word ten opsigte van 'n diensaansluiting op die verbruiker se perseel, word deur die munisipaliteit bepaal.

(6) 'n Diensaansluiting word ondergronds gelê ongeag of die hoofleiding ondergronds gelê of bograndse opgerig word tensy 'n bograndse diensaansluiting spesifiek deur die munisipaliteit vereis word.

(7) Die verbruiker moet op sy of haar perseel sodanige leibane, bedradingsskanale, vore, hegstrukke en vry ruimte vir die bograndse

mains as may be required by the municipality for the installation of the service connection.

(8) The conductor used for the service connection shall have a cross-sectional area according to the size of the electrical supply but shall not be less than 10mm² (copper or copper equivalent), and all conductors shall have the same cross-sectional area, unless otherwise approved by the municipality.

(9) Unless otherwise approved, the municipality shall only provide one service connection to each registered erf and for two or more premises belonging to one owner and situated on adjacent erven, a single bulk supply of electricity may be made available provided the erven are consolidated or notarially tied.

(10) Covers of a wire way carrying the supply circuit from the point of supply to the metering equipment shall be made to accept the seals of the municipality.

(11) Within the meter box, the service conductor or cable shall terminate in an unobscured position and the conductors must be visible throughout their length when cover plates, if present, are removed.

(12) In the case of blocks of buildings occupied by a number of individual consumers, separate wire ways and conductors or cables shall be laid from the common metering room or rooms to each individual consumer in the blocks of buildings; alternatively, if trunking is used, the conductors of the individual circuits shall be clearly identified (tied together every 1,5m) throughout their length.

45. Metering accommodation

(1) The consumer shall, if required by the municipality, provide accommodation in an approved position, for the meter board and adequate conductors for the municipality's metering equipment, service apparatus and protective devices.

(2) Such accommodation and protection must be provided and maintained by the consumer and must be situated, in the case of credit meters, at a point with unrestricted access for the reading of meters and for purposes connected with the operation and maintenance of the service equipment.

(3) Metering accommodation must be safeguarded and equipped with approved padlocking facilities and must comply with safety regulations.

(4) Access at all reasonable hours must be afforded for the inspection of prepayment meters.

(5) Where sub metering equipment is installed, accommodation separate from the municipality's metering equipment shall be provided.

(6) The consumer or, in the case of a common meter position, the owner of the premises must provide adequate electric lighting in the space set aside for accommodating the metering equipment and service apparatus.

(7) Where the position of the meter, service connection, protective devices or main distribution board is no longer readily accessible or becomes a source of danger to life or property or in any way becomes unsuitable, the consumer must at own cost remove it to a new position.

(8) The accommodation for the municipality's metering equipment and protective devices may, if approved, include the consumer's main switch and main protective devices; no apparatus other than that used in connection with the supply of electricity and use of electricity shall be installed or stored in such accommodation unless approved.

hoofleiding voorsien, vassit of in stand hou soos wat deur die munisipaliteit vir die installasie van die diensaansluiting vereis word.

(8) Die geleier wat vir die diensaansluiting gebruik word, moet 'n deursneeoppervlakte ooreenkomsdig die grootte van die elektriese toevoer hê, maar mag nie minder as 10mm² (koper of koperekwivalent) wees nie, en al die geleiers moet dieselfde deursnee oppervlakte hê tensy andersins deur die munisipaliteit goedgekeur.

(9) Tensy andersins goedgekeur, voorsien die munisipaliteit slegs een diensaansluiting na elke geregistreerde erf en vir twee of meer erwe wat aan een eienaar behoort en op aangrensende erwe geleë is, mag 'n enkele grootmaattoevoer van elektrisiteit voorsien word op voorwaarde dat die erwe gekonsolideer of notarieel verbind word.

(10) Bedekking op 'n bedradingskanaal wat die toevoerstroombane van die voorsieningspunt na die meettoerusting dra, moet voorsiening maak vir verseling deur die munisipaliteit.

(11) Binne 'n meterkas moet die diensgeleier of kabel, na gelang van die geval, in 'n opsigtelike posisie eindig, en die hele lengte van die geleiers moet sigbaar wees as die dekplate, indien dit aanwesig is, verwyder word.

(12) In die geval van blokke geboue wat deur 'n aantal individuele verbruikers geokkupeer word, moet afsonderlike bedradingskanale en geleiers of kabels van die gemeenskaplike meetkamer of kamers na elke individuele verbruiker in die blokke geboue geïnstalleer word; alternatiewelik, indien hoofleibane gebruik word, moet die geleiers van individuele stroombane duidelik (elke 1,5m saamgebind) vir die hele lengte aangedui word.

45. Meterakkommadasie

(1) 'n Verbruiker moet, indien so vereis deur die munisipaliteit, akkommadasie op 'n goedgekeurde plek vir die meterbord, en voldoende geleiers vir die munisipaliteit se meettoerusting, diensapparaat en beveiligingstoestelle voorsien.

(2) Sodanige akkommadasie moet deur die verbruiker voorsien en in stand gehou word en moet in die geval van kredietmeters op 'n plek geleë wees waartoe onbelemmerde toegang vir die lees van meters is en vir doeleindes wat verband hou met die bedryf en instandhouding van die dienstoerusting.

(3) Meterakkommadasie moet beveilig word en van sluitbare meganismes voorsien word en moet aan veiligheidsregulasies voldoen.

(4) Toegang vir die inspeksie van voorafbetaalde meters moet ten alle redelike tye verleen word.

(5) Waar sub-meettoerusting geïnstalleer word, moet akkommadasie afsonderlik van die munisipaliteit se meettoerusting voorsien word.

(6) Die verbruiker of, in die geval van 'n algemene meter, die eienaar van die perseel, moet voldoende elektriese verligting voorsien in die ruimte waar die meettoerusting en diensapparaat geakkommodeer word.

(7) Wanneer die ligging van die meter, diensaansluiting of beveiligingstoestelle of hoofverspreidingspaneel nie maklik bereikbaar is nie, of 'n bron van gevaar vir lewe of eiendom is of op enige wyse onvanpas is, moet die verbruiker dit op eie koste na 'n nuwe posisie verskuif.

(8) Die akkommadasie vir die munisipaliteit se meettoerusting en beveiligingstoestelle kan, indien goedgekeur, die verbruiker se hoofskakelaar en hoofbeveiligingstoestelle insluit; geen apparaat behalwe dit wat in verband met die toevoer en verbruik van elektrisiteit gebruik word nie mag sonder goedkeuring in sodanige akkommadasies geïnstalleer of geberg word nie.

CHAPTER 4 SYSTEMS OF SUPPLY

46. Load requirements

Alternating current supplies shall be given as prescribed by the Electricity Act, 1987 (Act 41 of 1987), and in the absence of a quality of supply agreement, as set out in applicable standard specification.

HOOFSTUK 4 TOEVOERSTELSELS

46. Lasvereistes

Wisselstroomtoevoer word ingevolge die Elektrisiteitswet, 1987 (Wet 41 van 1987) voorsien en as daar nie 'n ooreenkoms oor gehalte toevoer aangegaan is nie, ooreenkomsdig 'n toepaslike standaardspesifikasie.

47. Load limitations

(1) Where the estimated load, calculated in terms of the safety standard, does not exceed 15 kVA, the electrical installation shall be arranged for a two-wire single-phase supply of electricity, unless otherwise approved by the municipality.

(2) Where a three-phase four-wire supply of electricity is provided, the load shall be approximately balanced over the three phases but the maximum out-of-balance load shall not exceed 15kVA, unless approved by the municipality.

(3) No current-consuming appliance, inherently single phase in character, with a rating which exceeds 15kVA shall be connected to the electrical installation without the approval of the municipality.

48. Interference with other persons' electrical equipment

(1) No person shall operate electrical equipment having load characteristics which, singly or collectively, give rise to voltage variations, harmonic currents or voltages, or unbalanced phase currents which **fall outside the applicable standard specification**.

(2) The assessment of interference with other persons' electrical equipment shall be carried out by means of measurements taken at the point of common coupling.

(3) Should undue interference occur, the consumer shall at his or her own cost install the necessary equipment to filter out the interference and prevent it reaching the supply mains.

49. Supplies to motors

Unless otherwise approved by the municipality the rating of motors shall be limited as follows—

(1) Limited size for low voltage motors—

The rating of a low voltage single-phase motor shall be limited to 2kW or the starting current shall not exceed 70A.

All motors exceeding these limits shall be wound for three phases at low voltage or such higher voltage as may be required.

(2) Maximum starting and accelerating currents of three-phase alternating current motors.

| Insulated service cable, size in mm ² , copper equivalent | Maximum permissible starting current | Maximum motor rating in kW | | |
|--|--------------------------------------|----------------------------|------|------|
| mm ² | | kW | kW | kW |
| 16 | 72 | 6 | 13,5 | 23 |
| 25 | 95 | 7,5 | 18 | 30 |
| 35 | 115 | 9 | 22 | 36,5 |
| 50 | 135 | 10 | 25 | 45 |
| 70 | 165 | 13 | 31 | 55 |
| 95 | 200 | 16 | 38 | 67 |
| 120 | 230 | 18 | 46 | 77 |
| 150 | 260 | 20 | 52 | 87 |

The starting current of three-phase low voltage motors permitted shall be related to the capacity of the consumer's service connection, as follows—

(3) Consumers supplied at medium voltage—

In an installation supplied at medium voltage the starting current of a low voltage motor shall be limited to 1,5 times the rated full-load current of the transformer supplying such a motor. The starting arrangement for medium voltage motors shall be subject to the approval of the municipality.

50. Power factor

(1) If required by the municipality, the power factor of any load shall be maintained within the limits 0,85 lagging and 0,9 leading.

47 Lasbeperkings

(1) Waar die geraamde las, bereken ingevolge die veiligheidstandaard, nie 15 kVA oorskry nie, moet die elektriese installasie ingerig word vir 'n dubbelgeleier enkelfase toevoer van elektrisiteit, tensy dit andersins deur die munisipaliteit goedgekeur word.

(2) Waar 'n driefase viergeleier toevoer van elektrisiteit voorsien word, moet die las min of meer gebalanseer word oor die drie fases, maar die maksimum ongebalanseerde las mag nie 15 kVA oorskry nie, tensy dit deur die munisipaliteit goedgekeur word.

(3) Geen toestel wat 'n stroom verbruik, inherent enkelfasig van aard is en 'n aanslag het wat 15 kVA oorskry, mag by die elektriese installasie aangesluit word sonder goedkeuring van die munisipaliteit nie.

48 Steuring van ander verbruikers se elektriese toerusting

(1) Niemand mag elektriese toerusting bedryf wat laseienskappe het wat individueel of gesamentlik tot spanningvariasie, bo-frekwensiestrome of spannings, of ongebalanseerde fasestrome wat buite die toepaslike standaardspesifikasies val, veroorsaak nie.

(2) Die evaluering van die steuring van ander verbruikers se elektriese toerusting word deur middel van metings by die algemene koppelpunt gedoen.

(3) Indien onbehoorlike afwykings wel plaasvind, moet die verbruiker op sy of haar eie koste die nodige toerusting installeer om die afwykings te filtreer en te verhoed dat dit die hoofleiding bereik.

49. Toevoer na motors

Tensy anders goedgekeur deur die munisipaliteit word die aangeslane vermoë van motors soos volg beperk:

(1) Beperkte grootte van laagspanningmotors

Die aangeslane vermoë van 'n laagspanning enkelfase motor word tot 2kW beperk van die aanskakelstroom mag nie 70 A oorskry nie.

Alle motors wat hierdie perke oorskry, moet geskik wees vir drie fase werking teen laagspanning of sodanige hoër spanning as wat vereis word.

(2) Maksimum aanskakel- en versnelstrome van driefase wisselstroommotors-

| Grootte van geïsoleerde dienskabel (koper-ekwivalent) | Maksimum toelaatbare aanskakel stroom | Maksimum motoraanslag in kW | | |
|---|---------------------------------------|-----------------------------|------|------|
| mm ² | | kW | kW | kW |
| 16 | 72 | 6 | 13,5 | 23 |
| 25 | 95 | 7,5 | 18 | 30 |
| 35 | 115 | 9 | 22 | 36,5 |
| 50 | 135 | 10 | 25 | 45 |
| 70 | 165 | 13 | 31 | 55 |
| 95 | 200 | 16 | 38 | 67 |
| 120 | 230 | 18 | 46 | 77 |
| 150 | 260 | 20 | 52 | 87 |

Die aanskakelstrome van driefase laagspanningmotors wat toegelaat word, hou soos hierbo uiteengesit met die kapasiteit van die verbruiker se diensaansluiting verband:

(3) Verbruikers met mediumspanningaansluitings—

Die aanskakelstroom van 'n mediumspanningmotor word tot 1,5 keer die aangeslane vollassstroom van die transformator wat sodanige motor voorsien, beperk. Die beheerstelsel van mediumspanningmotors moet deur die munisipaliteit goedgekeur word.

50. Arbeidsfaktor

(1) Indien vereis deur die munisipaliteit, moet die arbeidsfaktor van enige las binne die perke van 0,85 nalopend en 0,9 voorlopend gehandhaaf word.

(2) Where, for the purpose of complying with subsection (1), it is necessary to install power factor corrective devices, such corrective devices shall be connected to the individual appliance terminals unless the correction of the power factor is automatically controlled.

(3) The consumer shall, at his or her own cost, install such corrective devices.

51. Protection

(1) Electrical protective devices must be of such a design as effectively to prevent sustained over current and single phasing where applicable.

(2) Consumers shall be responsible to establish and maintain appropriate earthing systems in order to limit voltage fluctuations of the neutral conductor in the event of loss of the supply neutral or floating neutral or during short circuit conditions, in order to ensure safety and prevent damage to equipment.

CHAPTER 5

MEASUREMENT OF ELECTRICITY

52. Metering

(1) In order to measure the consumption of electricity supplied, the municipality shall, at the consumer's cost, provide, and maintain appropriately rated metering equipment at the point of metering.

(2) Except in the case of prepayment meters, the electricity used by a consumer during any metering period shall be ascertained by the reading of the meters supplied at the end of such period except where the metering equipment is found to be defective, or the municipality invokes the provisions of section 54(2) of this by-law, in which case the consumption for the period shall be estimated.

(3) Where the electricity used by a consumer is charged at different tariffs, the consumption shall be metered separately for each tariff.

(4) The municipality reserves the right to meter the supply to blocks of shops and flats, tenement-houses and similar buildings for the buildings as a whole, or for individual units, or for groups of units.

(5) No alterations, repairs or additions or electrical connections of any description shall be made on the supply side of the point of metering unless approved in writing by the municipality.

53 Accuracy of metering

(1) A meter shall be presumed to be registering accurately if its error, when tested in the manner prescribed in subsection (5) hereof, is found to be within the limits of error as provided for in the applicable standard specifications.

(2) The municipality is entitled to test its metering equipment. If it is established by test or otherwise that such metering equipment is defective, the municipality shall in accordance with the provisions of subsection (6)—

- (a) in the case of a credit meter, adjust the account rendered;
- (b) in the case of prepayment meters—
 - (i) render an account where the meter has been under-registering, or
 - (ii) issue a free token where the meter has been over-registering;

(3) The consumer shall be entitled to have the metering equipment tested by the municipality on payment of the prescribed tariff. If the metering equipment is found not to comply with the system accuracy requirements as provided for in the applicable standard specifications, an adjustment in accordance with the provisions of the municipality's Credit Control and Debt Collection Policy may be effected.

(4) In case of a dispute, the consumer shall have the right at his own cost to have the metering equipment under dispute tested by an approved independent testing authority, and the result of such test shall be final and binding on both parties.

(2) Waar dit ingevolge subartikel (1) vereis word om toerusting vir arbeidsfaktorverbetering te installeer, moet sodanige toerusting by die aansluitingpunt gekoppel word, tensy die verbetering van die arbeidsfaktor outomatis beheer word.

(3) Die toerusting vir die verbetering van die arbeidsfaktor is vir die koste van die verbruiker.

51. Beveiliging

(1) Elektriese beveiligingstoestelle moet so ontwerp word dat dit op 'n doeltreffende wyse volgehoue oorstromen en enkelfasewerking voorkom waar toepaslik.

(2) Om veiligheid te verseker en om skade aan toerusting te voorkom sal verbruikers verantwoordelik wees om toepaslike aardstelsels te vestig en in stand te hou om spanningsafwykings op die neutrale geleier te beperk in die geval van verlies van die toevoer neutraalgeleier, ongekoppelde neutraalgeleier of tydens kortsluitings.

HOOFSTUK 5

ELEKTRISITEITSMETING

52. Meet van toevoer

(1) Ten einde die verbruik van elektrisiteit te meet, moet die munisipaliteit op koste van die verbruiker meettoerusting met toepaslike vermoë by die meetpunt voorsien en in stand hou.

(2) Behalwe in die geval van voorafbetaalde meters, word die elektrisiteit wat 'n verbruiker in enige meettydperk verbruik, bepaal deur die meters aan die einde van sodanige tydperk te lees, behalwe waar daar 'n fout in die meettoerusting is of die munisipaliteit hom beroep op die bepalings van artikel 54(2) in welke geval die verbruik vir die tydperk geskat word.

(3) Waar verskillende tariewe gehef word vir die elektrisiteit wat deur 'n verbruiker verbruik word, word die verbruik afsonderlik vir elke tarief gemeet.

(4) Die munisipaliteit behou die reg om die toevoer van elektrisiteit aan blokke winkels en woonstelle, skakelhuise en soortgelyke geboue te meet vir die geboue as 'n geheel, of vir individuele eenhede, of vir groepe eenhede.

(5) Geen verandering, herstelwerk of toevoegings of elektriese verbindings van enige aard mag aan die voorsieningskant van die meetpunt aangebring word nie, tensy dit skriftelik deur die munisipaliteit gemagtig is nie.

53. Akkuraatheid van meting

(1) Dit word aanvaar dat 'n meter akkuraat registreer indien daar by die toetsing daarvan ingevolge subartikel (5) bevind word dat die fout binne die foutsgrens is ooreenkomsdig die toepaslike standaardspesifikasies.

(2) Die munisipaliteit het die reg om sy meettoerusting te toets. Indien daar by wyse van 'n toets of andersins vasgestel word dat sodanige meettoerusting foutief is, moet die munisipaliteit ingevolge die bepalings van subartikel (6)—

- (a) in die geval van 'n kredietmeter, die rekening wat gelewer is aanpas;
- (b) in die geval van voorafbetaalde meters—
 - (i) 'n rekening lever as die meter te min geregistreer het, of
 - (ii) 'n gratis bewys uitrek indien die meter te veel geregistreer het.

(3) Die verbruiker is daarop geregtig om teen betaling van die voorgeskrewe tarief die meettoerusting deur die munisipaliteit te laat toets. Indien daar bevind word dat die meettoerusting nie voldoen aan die vereistes vir stelselakkuraatheid ooreenkomsdig die toepaslike standaardspesifikasies nie, word 'n aanpassing ingevolge die bepalings van die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid gedoen.

(4) In geval van 'n geskil het die verbruiker die reg om op eie koste die meettoerusting deur 'n onafhanklike toetsowerheid te laat toets, en die resultaat van sodanige toets is afdoende bewys en bindend op albei partye.

(5) Meters shall be tested in the manner as provided for in the applicable standard specifications.

(6) When an adjustment is made to the electricity consumption registered on a meter in terms of subsection (2) or (3), such adjustment shall either be based on the percentage error of the meter as determined by the test referred to in subsection (5) or upon a calculation by the municipality from consumption data in its possession. Where applicable, due allowance shall be made, where possible, for seasonal or other variations which may affect the consumption of electricity.

(7) When an adjustment is made as contemplated in subsection (6), the adjustment may not exceed a period of six months preceding the date on which the metering equipment was found to be inaccurate.

(8) Where the actual load of a consumer differs from the initial estimated load provided for under section 47(1) to the extent that the municipality deems it necessary to alter or replace its metering equipment to match the load, the costs of such alteration or replacement shall be borne by the consumer.

(9) Prior to the municipality making any upward adjustment to an account in terms of subsection (6), the municipality shall—

- (a) notify the consumer in writing of the monetary value of the adjustment to be made and the reasons therefor;
- (b) in such notification provide sufficient particulars to enable the consumer to submit representations thereon; and
- (c) call upon the consumer in such notice to provide it with reasons in writing, if any, within 21 days or such longer period as the municipality may permit why his or her account should not be adjusted as notified.

(10) Should the consumer fail to make any representations during the period referred to in subsection 9(c) the municipality shall be entitled to adjust the account as notified in subsection 9(a).

(11) The municipality shall consider any reasons provided by the consumer in terms of subsection 9(a) and shall, if satisfied that a case has been made out therefor, adjust the account accordingly.

(12) If the municipality rejects the representation made by the consumer it shall be entitled to adjust the account as notified in terms of subsection 9(a), subject to the consumer's right to appeal the decision in terms of section 62 of this by-law.

54. Reading of credit meters

(1) Unless otherwise prescribed, credit meters shall normally be read at intervals of one month and the fixed or minimum cost due in terms of the tariff structure shall be assessed accordingly. The municipality shall not be obliged to effect any adjustments to such tariff.

(2) If for any reason the credit meter cannot be read, the municipality may render an estimated account. The electrical energy consumed shall be adjusted in a subsequent account in accordance with the electrical energy actually consumed.

(3) When a consumer vacates a property and a final reading of the meter is not possible, an estimation of the consumption may be made and the final account rendered accordingly.

(4) If a special reading of the meter is desired by a consumer, this may be obtained upon payment of the prescribed tariff.

(5) If any calculating, reading or metering error is discovered in respect of any account rendered to a consumer, the error shall be corrected in subsequent accounts.

(6) Any such correction shall only apply in respect of accounts for a period of six months preceding the date on which the error in the accounts was discovered, and shall be based on the actual tariffs applicable during the period.

(7) The application of this section does not prevent a consumer from claiming back overpayment for any longer period.

(5) Meters word getoets op die wyse soos deur die toepaslike standaardspesifikasie bepaal.

(6) Wanneer die elektrisiteitsverbruik soos geregistreer op 'n meter ingevolge subartikel (2) of (3) aangepas word, word sodanige aanpassing óf gegrond op die meter se persentasiefout bepaal deur die toets ingevolge subartikel (5), óf op 'n berekening deur die munisipaliteit gegrond op verbruiksdata in sy besit. Waar van toepassing, moet rekening gehou met seisoenale of ander veranderinge wat die verbruik van elektrisiteit kan beïnvloed.

(7) Enige aanpassings ingevolge subartikel (6) word gemaak ten opsigte van 'n tydperk wat nie ses maande voor die datum waarop bevind is dat die meettoerusting onakkuraat is, mag oorskry nie.

(8) Waar 'n verbruiker se werklike las in so 'n mate van die aanvanklik geraamde las ingevolge subartikel 47(1) verskil dat die munisipaliteit dit nodig ag om sy meettoerusting te verander of te vervang ten einde by die las aan te pas, dra die verbruiker die koste van sodanige veranderinge van vervanging.

(9) Voordat die munisipaliteit enige opwaartse aanpassing aan enige rekening ingevolge subartikel (6) maak, moet die munisipaliteit—

- (a) die verbruiker skriftelik in kennis stel van die geldelike waarde van die aanpassing wat gemaak gaan word en die redes daarvoor;
- (b) in sodanige kennisgewing voldoende besonderhede voorsien sodat die verbruiker vertoë op grond daarvan kan rig, en
- (c) die verbruiker in sodanige kennisgewing versoek om redes, indien enige, skriftelik binne 21 dae of sodanige langer tydperk as wat die munisipaliteit mag toelaat, te voorsien waarom sy of haar rekening nie aangepas moet word ooreenkomsdig die kennisgewing nie.

(10) Indien die verbruiker versuim om gedurende die tydperk beoog in subartikel 9(c) enige vertoë te rig, het die munisipaliteit die reg om die rekening aan te pas volgens die kennisgewing ingevolge subartikel 9(a).

(11) Die munisipaliteit oorweeg enige redes voorsien deur die verbruiker ingevolge subartikel 9(c) en pas die rekening op 'n gepaste wyse aan indien nodig.

(12) Indien die vertoë deur die verbruiker verworp word, het die munisipaliteit die reg om die rekening ooreenkomsdig 'n kennisgewing ingevolge subartikel 9(a) aan te pas, onderworpe aan die verbruiker se reg van appèl teen die besluit ingevolge artikel 62 van hierdie verordening.

54. Lees van kredietmeters

(1) Tensy anders voorgeskryf, word kredietmeters gewoonlik met tussenposes van een maand gelees, en die vaste of minimum koste verskuldig ingevolge die tariefstruktuur word dienooreenkomsdig bepaal. Die munisipaliteit is nie verplig om enige aanpassings aan sodanige koste te maak nie.

(2) Indien die kredietmeter om die een of ander rede nie gelees kan word, kan die munisipaliteit 'n geraamde rekening lever ingevolge sy Kredietbeheer- en Skuldinvorderingsbeleid.

(3) Wanneer 'n verbruiker 'n eiendom ontruim en 'n finale lesing van die meter is onmoontlik, kan 'n geraamde verbruik bepaal word en die finale rekening dienooreenkomsdig gelewer word.

(4) Indien 'n verbruiker 'n spesiale meterlesing verlang, kan dit teen betaling van die voorgeskrewe tarief gedoen word.

(5) Indien enige berekeningsfout, fout met die lees van die meter of meetfout ontdek word ten opsigte van enige rekening wat aan 'n verbruiker gelewer is, moet die fout in daaropvolgende rekeninge reggestel word.

(6) Enige sodanige regstelling is slegs van toepassing op rekeninge vir 'n tydperk van 6 maande voor die datum waarop die fout in die rekening ontdek is, en is gegrond op die werklike tariewe van toepassing gedurende die tydperk.

(7) Die toepassing van hierdie artikel verhoed nie 'n verbruiker om oorbetaling terug te eis vir enige langer tydperk nie.

55. Prepayment metering

- (1) No refund of the amount tendered for the purchase of electricity credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced.
- (2) Copies of previously issued tokens for the transfer of credit to the prepayment meter may be issued at the request of the consumer.
- (3) When a consumer vacates any premises where a prepayment meter is installed, no refund for the credit remaining in the meter shall be made to the consumer by the municipality.
- (4) The municipality shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of, or the failure of prepayment meters or tokens.
- (5) The municipality may, at its discretion, appoint vendors for the sale of credit for prepayment meters and shall not guarantee the continued operation of any vendor.

CHAPTER 6

ELECTRICAL CONTRACTORS

56. Electrical Contractors

In addition to the requirements of the Regulations the following requirements shall apply—

- (a) where an application for a new or increased supply of electricity has been made to the municipality, any duly authorised official of the municipality may at his or her discretion accept notification of the completion of any part of an electrical installation, the circuit arrangements of which permit the electrical installation to be divided up into well-defined separate portions, and such part of the electrical installation may, be inspected, tested and connected to the supply mains as though it was a complete installation.
- (b) The examination, test and inspection in no way relieves the electrical contractor or accredited person or the consumer from his or her responsibility for any defect in the installation.
- (c) Such examination, test and inspection shall not be taken (even where the electrical installation has been connected to the supply mains) as an indication or guarantee in any way that the electrical installation has been carried out efficiently with the most suitable materials for the purpose or that it is in accordance with this by-law or the safety standard, and the municipality shall not be held responsible for any defect or fault in such electrical installation.

57. Liability

The municipality shall not be held responsible for the work done by the electrical contractor or accredited person on a consumer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises.

CHAPTER 7

COST OF WORK

58. Cost of work

The municipality may repair and make good any damage done in contravention of this by-law at the cost of the person who acted in contravention of this by-law.

55. Voorafbetaalde meter

- (1) Geen terugbetaling van die bedrag wat vir die aankoop van elektrisiteitkrediet aangebied is, sal by die verkooppunt gedoen word nadat die proses waardeur die voorafbetaalde meterbewys uitgereik word, reeds begin het nie.
- (2) Afskrifte van die bewyse wat vroeër vir die oorplasing van krediet na die voorafbetaalde meter uitgereik is, kan op versoek van die verbruiker beskikbaar gestel word.
- (3) Wanneer 'n verbruiker enige perseel ontruim waar 'n voorafbetaalde meter geïnstalleer is, betaal die munisipaliteit geen krediet wat in die meter oorbyl, aan die verbruiker terug nie.
- (4) Die munisipaliteit is nie aanspreeklik vir die herstel van krediet wat in 'n voorafbetaalde meter verlore gegaan het omdat daar met die voorafbetaalde meter of bewyse gepeuter is nie, of omdat dit verkeerd gebruik of misbruik is of deur faling van die meters of bewyse nie.
- (5) Die munisipaliteit kan na goeddunke verkopers vir die verkoop van bewyse vir voorafbetaalde meters aanstel en waarborg nie die voortgesette bedryf deur enige verkoper nie.

HOOFTUK 6

ELEKTRIESE KONTRAKTEURS

56 Elektriese Kontrakteurs

Benewens die vereistes van die Regulasies is die volgende vereistes van toepassing:

- (a) waar daar vir nuwe of verhoogde aansluitings van elektrisiteit by die munisipaliteit aansoek gedoen word, kan enige behoorlik gemagtigde amptenaar van die munisipaliteit kennismetting aanvaar van die voltooiing van enige deel van die elektriese installasie waarvan die stroombaan ontwerp toelaat dat die elektriese installasie in duidelik afgebakende afsonderlike gedeeltes verdeel word, en sodanige gedeelte van die elektiese installasie kan geïnspekteer, getoets en by die hoofleiding aangesluit word asof dit 'n volledige installasie is.
- (b) die ondersoek, toets en inspeksie onthef geensins die elektriese kontrakteur of geakkrediteerde persoon of die verbruiker van sy of haar verantwoordelikheid vir enige gebreke in die installasie nie.
- (c) sodanige ondersoek, toets en inspeksie mag nie (selfs waar die elektriese installasie aan die hoofleiding verbind is) beskou word as 'n aanduiding van waarborg dat die elektriese installasiewerk korrek volgens spesifikasies en veiligheidstandaarde voltooi is nie, en die munisipaliteit kan nie aanspreeklik gehou word vir enige gebreke of foute in sodanige elektriese installasie nie.

57 Aanspreeklikheid

Die munisipaliteit kan nie aanspreeklik gehou word vir die werk wat deur 'n elektriese kontrakteur of geakkrediteerde persoon op die perseel van die verbruiker verrig word nie en kan nie aanspreeklik gehou word vir enige verlies of skade te wye aan 'n brand of enige ongeluk voortspruitend uit die toestand van die bedrading op die perseel nie.

HOOFTUK 7

KOSTE VAN WERK

58. Koste van Werk

Die munisipaliteit mag enige skade wat voortspruit uit 'n oortreding van hierdie verordening, herstel of vergoed en die koste daarvan verhaal van die persoon wat strydig met hierdie verordening opgetree het.

CHAPTER 8**ENERGY SAVING MEASURES AND REDUCED USE OF ELECTRICITY****59. Norms, standards and guidelines**

- (1) The municipality may determine and publish norms, standards and guidelines which prescribe appropriate measures to save energy or to reduce the use of electricity and such norms standards and guidelines must be kept in the form of an operational manual.
- (2) The norms, standards and guidelines contemplated in subsection (1) may differentiate between communities, geographical areas and different kinds of premises.

CHAPTER 9**GENERAL PROVISIONS****60. Exemptions**

- (1) Any person may in writing apply to the municipality for exemption from any provision of this by-law.
- (2) The municipality may—
- grant an exemption in writing and determine the period for which such exemption is granted;
 - alter or cancel any exemption or condition in an exemption; or
 - refuse to grant an exemption.
- (3) An exemption does not take effect before the applicant has undertaken in writing to comply with the conditions imposed by the municipality, however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (4) If any condition of an exemption is not complied with, the exemption lapses immediately.

61. Liaison forums in community

- (1) The municipality may establish one or more liaison forums in a community for the purposes of obtaining community participation with regard to the matters dealt with in this by-law.
- (2) A liaison forum may consist of—
- a member of members of an interest group, or an affected person;
 - a designated official or officials of the municipality; and
 - a councillor.
- (3) (a) The municipality may, when considering an application for consent, permit or exemption in terms of this by-law, request the input of a liaison forum;
- (b) A liaison forum or any person may on own initiative submit an input to the municipality for consideration.

62. Appeal

A person whose rights are affected by a decision delegated by the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

63. Offences and Penalties

- (1) Any person who contravenes any of the provisions of sections 5, 6, 11, 12, 13, 18, 19, 23, 24, 25, 27, 28, 33, 36, 47, 48 and 52 of this by-law or fails to comply with a notice issued in terms of this by-law, shall be guilty of an offence and shall on conviction be liable to—

HOOFSTUK 8**ENERGIEBESPARINGSMAATREELS EN VERMINDERDE GEBRUIK VAN ELEKTRISITEIT****59. Norme, standaarde en riglyne**

- (1) Die munisipaliteit mag norme, standaarde en riglyne daarstel en publiseer wat gepaste maatreels daarstel vir die besparing van energie en vir verminderde verbruik van elektrisiteit, en sodanige norme, standaarde en riglyne moet in die vorm van 'n operasionele handleiding bygehou word.
- (2) Die norme, standaarde en riglyne waarna in subartikel (1) verwys word, mag tussen gemeenskappe, geografiese gebiede en verskillende tipes persele onderskei.

HOOFSTUK 9**ALGEMENE BEPALINGS****60. Vrystellings**

- (1) Enigiemand mag skriftelik by die munisipaliteit aansoek doen om vrystelling van enige bepaling van hierdie verordening.
- (2) Die munisipaliteit mag—
- skriftelik vrystelling verleen en die tydperk waarvoor sodanige vrystelling verleen word, vasstel;
 - enige vrystelling of voorwaarde in 'n vrystelling wysig of kanselleer; of
 - weier om vrystelling toe te staan.
- (3) 'n Vrystelling tree nie in werking voordat die aansoeker skriftelik onderneem het om te voldoen aan die voorwaardes wat deur die munisipaliteit opgelê word nie; met dien verstande verder dat indien die aansoeker met die betrokke aktiwiteit begin voordat sodanige onderneming aan die munisipaliteit voorgelê is, die vrystelling verval.
- (4) Indien daar nie aan 'n voorwaarde van 'n vrystelling voldoen is nie, verval die vrystelling onmiddellik.

61. Skakelforums in gemeenskap

- (1) Die munisipaliteit mag een of meer skakelforums in 'n gemeenskap stig vir die doel om gemeenskapsdeelname te verkry in die aangeleenthede wat in hierdie verordening behandel word.
- (2) 'n Skakelforum kan uit die volgende bestaan—
- 'n lid of lede van 'n belanggroep, of 'n persoon wat geraak word;
 - 'n aangewese beampot of beampot van 'n munisipaliteit; en
 - 'n raadslid.
- (3) (a) Die munisipaliteit mag, wanneer 'n aansoek om toestemming, 'n permit of vrystelling ingevolge hierdie verordening oorweeg word, om die inset van 'n skakelforum vra.
- (b) 'n Skakelforum of enige persoon mag op sy of haar eie inisiatief 'n inset aan die munisipaliteit lewer vir laasgenoemde se oorweging.

62. Appèl

Iemand wie se regte geraak word deur 'n besluit wat deur die munisipaliteit gedelegeer is, mag ingevolge Artikel 62 van die Wet op Plaaslike Regering: Municipale Stelsels, Wet 32 van 2000 teen die besluit appèl aanteken by wyse van skriftelike kennisgewing van die appèl en die redes daarvoor aan die municipale bestuurder binne 21 dae van die datum van kennisgewing van die besluit.

63. Strafbepalings

Iemand wat enige van die bepalings van artikels 5, 6, 11, 12, 13, 18, 19, 23, 24, 25, 27, 28, 33, 36, 37, 47, 48, en 52 van hierdie verordening oortree, of versuum om te voldoen aan 'n kennisgewing uitgerek vir ingevolge hierdie verordening, pleeg 'n misdryf en kan by skuldigbevinding—

- (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
- (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

64. Conflict with other legislation

In the event of any conflict between any provision of this by-law and National and Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail.

65. 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.

66. Short title and commencement

This by-law shall be known as the Electricity Supply By-law and shall come into operation on the date of publication thereof in the Provincial Gazette.

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- (a) 'n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; en
- (b) in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevangenisstraf of sodanige bykomende gevangenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en
- (c) 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding of versuim.

64. Teenstrydigheid met ander wetgewing

In die geval van teenstrydigheid tussen enige bepaling van hierdie verordening en Nasionale- en Proviniale wetgewing, standarde, beleid of riglyne, sal sodanige Nasionale- en Proviniale wetgewing, standarde, beleid of riglyne voorrang geniet.

65. Herroeping van verordeninge

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit geïnkorporeer is, afgekondig is, word hiermee herroep in soverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

66. Kort titel en inwerkingtreding

Hierdie verordening staan bekend as die Verordening insake Elektrisiteitsvoorsiening en tree in werking op die datum van die publikasie daarvan in die Proviniale Koerant.

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11 Julie 2014

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| <p>SWARTLAND MUNICIPALITY</p> <p>FIRE SAFETY BY-LAW</p> <p>Under the provisions of section 156(2) of the Constitution of the Republic of South Africa, 1996, the Swartland Municipality, enacts as follows:—</p> <p>Table of Contents</p> <p>CHAPTER 1: DEFINITIONS</p> <ol style="list-style-type: none"> 1. Definitions <p>CHAPTER 2: PURPOSE AND APPLICATION OF BY-LAW</p> <ol style="list-style-type: none"> 2. Purpose of by-law 3. Application of by-law <p>CHAPTER 3: ESTABLISHMENT OF A FIRE BRIGADE SERVICE</p> <ol style="list-style-type: none"> 4. Establishment and maintenance of service 5. Objects of the Service 6. Reporting a fire hazard and other threatening danger 7. Administration and enforcement 8. Delegation 9. Chief fire officer 10. Instructions by members of service 11. Pretending to be member of service prohibited 12. Certificates to identify members of service 13. Wearing of uniform and insignia 14. Driving service vehicles 15. Duties and orders during emergency situations 16. Right of access to buildings and premises and issue of instructions 17. Interference with the Service 18. Furnishing of false information 19. Denial, suspension or revocation of an approval or a certificate 20. Records required, access to records and release of media statements 21. Failure to comply with provisions 22. Payment for services 23. Joint Fire Services Committee <p>CHAPTER 4: FIRE PROTECTION</p> <p><i>Part A: Fire Protection for buildings and premises</i></p> <ol style="list-style-type: none"> 24. General provisions 25. Design and construction of buildings 26. Design and construction of dumping sites 27. Design and construction of other structures and sites 28. Requirements for sprinkler systems 29. Requirements for extractor fan systems 30. Requirements for emergency exits 31. Requirement regarding fire doors and assemblies 32. Design, identification and access for fire-fighting and rescue purposes 33. Accessibility of fire-fighting equipment and fire installations | <p>SWARTLAND MUNISIPALITEIT</p> <p>BRANDVEILIGHEID VERORDENING</p> <p>Kragtens die bepalings van artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996 verorden Swartland Munisipaliteit soos volg:—</p> <p>Inhoudsopgawe</p> <p>HOOFSTUK 1: DEFINISIES</p> <ol style="list-style-type: none"> 1. Definisies <p>HOOFSTUK 2</p> <p>DOEL EN TOEPASSING VAN VERORDENING</p> <ol style="list-style-type: none"> 2. Doel van verordening 3. Toepassing van verordening <p>HOOFSTUK 3: INSTELLING VAN 'N BRANDWEERDIENS</p> <ol style="list-style-type: none"> 4. Instelling en onderhoud van diens 5. Oogmerke van die Diens 6. Aanmelding van 'n brandgevaar en ander dreigende gevaa 7. Administrasie en afdwinging 8. Delegering 9. Brandweerhoof 10. Instruksies deur lede van diens 11. Voorgee as lid van diens verbode 12. Sertifikate om lede van diens te identifiseer 13. Dra van uniform en kentekens 14. Bestuur van diensvoertuie 15. Pligte en bevele gedurende noodsituasies 16. Reg van toegang tot geboue en persele en uitreiking van instruk- 17. Inmenging met die Diens 18. Verskaffing van vals inligting 19. Weiering, opskorting of intrekking van 'n goedkeuring of 'n serti- 20. Rekords benodig, toegang tot rekords en vrystelling van media verklarings 21. Versuim om aan bepalings te voldoen 22. Betaling vir dienste 23. Gesamentlike Brandweerdiens Komitee <p>HOOFSTUK 4: BRANDBESKERMING</p> <p>Deel A: Brandbeskerming vir geboue en persele</p> <ol style="list-style-type: none"> 24. Algemene bepalings 25. Ontwerp en konstruksie van geboue 26. Ontwerp en konstruksie van stortingsterreine 27. Ontwerp en konstruksie van ander strukture en persele 28. Vereistes vir sprinkelblusstelsels 29. Vereistes vir uittrekkwaaiersstelsels 30. Vereistes vir nooduitgange 31. Vereistes vir branddeure en toebehore 32. Ontwerp, identifisering en toegang vir brandbestryding en red- 33. Toeganklikheid vir brandbestrydingstoerusting en brandinstallasies |
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CHAPTER 1: DEFINITIONS AND INTERPRETATION OF THIS BY-LAW

1. Definitions

In this by-law the 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 10131 and SANS 10089 Part 1 and SANS10087 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;

HOOFTUK 1: DEFINISIES

1. Definisies

In hierdie verordening, geniet die Engelse teks voorrang in die geval van ’n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenis—

“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 noodontruimingsplan 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 koordineer en te beheer;

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

“bogrondse opbergingstenk” beteken ’n tenk wat bo die grond geleë

"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;

"West Coast District Municipality" means the West Coast 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 West Coast 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;

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

- (a) Class O: liquefied petroleum gasses;
- (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, °5C;
- (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;

is vir die opberging van vlambare vloeistowwe soos beoog in SANS 10131 en SANS 10089 Deel 1 en SANS 10087 Deel 3;

"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, hout-skaafsels, afdraaisels, alle tipes papierprodukte, vuil materiaalfnsysels en—afval, rubberafnsysels en—skuursels, metaalfyngood 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 vlampunt 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 jurisdisie 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) okkuperders of die brandweerdien, of albei, van 'n brand bewus te maak,

maar uitgesonderd draagbare en mobiele brandblussers;

"brandbestrydingstoerusting" beteken draagbare of mobiele brandblusser, slangtol, of brandkraan;

"brandblusser" beteken 'n draagbare of mobiele herlaaibare houer wat 'n brandblusstof bevat wat uitspuitt 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 outomatiiese demper, ingesluit sy samesel, wat voldoen aan die vereistes vervat in SABS 193;

"branddeur" beteken 'n outomatiiese of selfsluitende deur of luksamestel wat spesial 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 brandstoftoevoer kan verskaf om die verspreiding of intensiteit van die brand of ontploffing te vergroot en wat 'n bedreiging vir lewe of eiendom inhoud;

"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—

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 gedesentraliseerde 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 voorafbepaalde bywoning bo en behalwe die predominante risiko kategorie in 'n gebied vereis. Sluit in groot winkel/vermaakklikheidsentrum, informele nedersettings, hawens, hospitale, gevangerisse, groot lughawe geboue, toringgeboue en petrochemiese anlegte.

"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;

"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 (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 West Coast 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;

"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 there under;

"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;

"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 brandweerdienst ingestel en onderhou deur die munisipaliteit soos beoog in artikel 4;

"diensinstallasie" beteken enige outomatiese brandblusinstallasie, brandpompaansluiting, noodkragt of bystandgenerator, brandbe-speurder, opsporings of alarmstelsel, noodbeligting of ontruimingskommunikasiestelsel, meganiese ventilasiestelsel, drukreguleringsstelsel, rookventilasiestelsel, hystoestel, simboliese veiligheidstekens 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 Weskus Distriksmunisipaliteit en sluit in die jurisdiksie gebied van die Kategorie B munisipaliteite binne sodanige gebied is;

"eienaar" met betrekking tot 'n perseel, die persoon by wie die regstiel daarvan berus; met dien verstaande dat—

(a) in die geval van onroerende eiendom—

(i) wat vir 'n tydperk van minstens 50 jaar verhuur word, ongeag of die huurkontrak geregistreer is of nie, die huurder daarvan, of

(ii) wat voordelig geokkupeer word kragtens 'n serwituut of reg analoog daarmee, die okkupeerder daarvan;

(b) indien die eienaar soos hierbo omskryf—

(i) dood of insolvent is, sy of haar boedel tot voordeel van sy of haar skuldeisers afgestaan het, ingevolge 'n hofbevel onder kuratele geplaas is, of 'n maatskappy is wat gelikwiede of onder geregtelike bestuur geplaas is, die persoon by wie die administrasie van sodanige eiendom berus is eksekuteur, administrateur, trustee, regverkrygende, kurator, likwidateur of geregtelike bestuurder, na gelang van die geval, of

(ii) nie in die Republiek van Suid-Afrika aanwesig is nie, of indien sy of haar adres aan die munisipaliteit onbekend is, iemand wat as agent of andersins die huurgeld ten opsigte van sodanige eiendom ontvang of geregtig is om dit te ontvang, en

(iii) indien die munisipaliteit nie kan vasstel wie sodanige persoon is nie, word die persoon wat geregtig is op die voordelige gebruik van sodanige eiendom geag die eienaar daarvan te wees met die uitsluiting van die persoon by wie die regstiel daarvan berus;

"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 tank 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, dreinering, riolering, stormwaterwegdoening,

"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—

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 or entertainment centres, informal settlements, harbours, hospitals, prisons, large airport buildings, high-rise buildings and petrochemical plants.

"fireworks" means any explosive device or substance which burns or explodes after ignition, including firecrackers, and which is regulated under the Explosives Act, 1956 Act 26 of 1956;

"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 SANS10228, 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;

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;

"geregistreerde perseel" beteken enige perseel ten opsigte waarvan 'n sertifikaat van registrasie uitgereik is;

"gevaarhoudende stof" beteken enige gevahoudende 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 gevahoudende 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;

"Weskus Distriksmunisipaliteit" beteken die Weskus 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 Weskus Distriksmunisipaliteit soos beoog in artikel 155(1) van die Grondwet;

"keermuur" beteken 'n stuitmuur rondom 'n bograndse opbergingstenk, wat gebou is van 'n ondeurlatende materiaal en ontwerp is om 110% van die inhoud van die tenk te bevat;

"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 groote wat uitsluitlik of hoofsaaklik vir doeleindes van landbou, tuinbou of vir die teel of aanhou van mak diere, plumvle of bye gebruik word;

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

"munisipale bestuurder" beteken 'n persoon aangestel ingevolge artikel 54A van die Munisipale Stelselwet of sy genomineerde;

"munisipale strukturewet" die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

"munisipaliteit" beteken Swartland Munisipaliteit, ingestel ingevolge artikel 12 van die Munisipale Strukturewet, 117 van 1998, en sluit in enige politieke struktuur, politieke ampsbekleer, raadslid of behoorlik gemagtigde agent of enige werknemer wat ingevolge hierdie

"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 54A of the Municipal Systems Act, or his nominee;

"municipality" means Swartland 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 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" in relation to premises means the person in whom is vested the legal title thereto; provided that—

- in the case of immovable property—
 - leased for a period of not less than 50 years, whether the lease is registered or not, the lessee thereof, or
 - beneficially occupied under a servitude or right analogous thereto, the occupier thereof;
- if the owner as hereinbefore defined—
 - is deceased or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be, or
 - is absent from the Republic of South Africa, or if his address is unknown to the municipality, any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property, and
 - if the municipality is unable to determine who such person is, the person who is entitled to the beneficial use of such property,

shall be deemed to be the owner thereof to the exclusion of the person in whom is vested the legal title thereto;

"person in charge" means—

- 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;

verordening handel uit hoofde van 'n bevoegdheid wat by die munisipaliteit berus en gedelegeer of gesubdelegeer is aan sodanige politieke struktuur, politieke ampsbekleer, raadslid, agent of werknommer;

"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 incident 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—

- brandbeskerming bied aan die okkuperders van enige gebou; en
- na 'n ontsnapdeur lei;

"okkuperder" beteken enige persoon wat enige perseel okkuper of beheer daaroor het;

"omheinde plek" in verband met huishoudelike diere, beteken enige kraal, hok, kamp of soortgelyke omheining waar huishoudelike diere aangehou of geoefen 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;

"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 ontnapdeur 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 Beroeps gesondheid en Veiligheid;

"openbare plek" beteken enige plein, park, ontspanningsgrond, strand, sportgrond, sanitasielaan of oop terrein wat—

- voorsien, gereserveer of opsygesit is vir gebruik deur die publiek of te enige tyd aan die publiek opgedra is;
- deur die publiek sonder onderbreking gebruik is vir 'n periode van ten minste dertig jaar; of
- te enige tyd verklaar of sodanig aangewys is deur die munisipaliteit of ander bevoegde gesag;

"outomatiiese oophou-lostoestel" beteken 'n toestel wat gebruik word om 'n brandeur oop te hou en die brandeur 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—

- met betrekking tot 'n perseel, 'n natuurlike of regspersoon wat permanent of tydelik verantwoordelik is vir die bestuur, instandhouding of benutting van die perseel;
- met betrekking tot 'n gebou, 'n natuurlike of regspersoon wat permanent of tydelik verantwoordelik is vir die bestuur, instandhouding of benutting van die gebou;
- 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
- 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;

"ploffstof" beteken ploffstof soos omskryf in artikel 1 van die Wet op Ontplofbare Stowwe, 1956 en enige regulasies gemaak ingevolge daardie Wet;

- (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;

"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 75A of the Municipal Systems Act, 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 thirty 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 24 of the Standards Act, 2008 (Act No. 8 of 2008), 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;

"publieke byeenkoms" beteken enige byeenkoms van lede van die publiek—

- (a) om enige toneel- of opera opvoering, orkestrale of musiek voordrag of film 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 Standaarde soos beoog in die Wet op Standaarde, 2008 (Wet No 8 van 2008), en SANS gevvolg 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 seer van regering; of
- (b) enige ander ampsbekleer 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;

"sertifikaat van gesiktheid" beteken 'n sertifikaat beoog in artikel 41;

"sertifikaat van registrasie" beteken 'n sertifikaat beoog in artikel 64;

"sput" beteken om met enige geværhoudende stof te sput, verflaag te gee, oorblaas of epoksiverf en "sputting" het 'n ooreenstemmende betekenis"

"sputpermit" beteken 'n permit beoog in artikel 124;

"sputkamer" 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 tydstip—
 - (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 geværhoudende stof afstand te doen of weg te doen deur afsetting, morsing of vrylatting daarvan;

"Strafproseswet" beteken die Strafproseswet, 1977 (Wet No 51 van 1977);

"summiere bedwinging" beteken om 'n toestand onmiddellik te evaluer as 'n brandgevaar of ander dreigende gevaar vir lewe of eiendom en om te gelas dat sodanige toestand onmiddellik reggestel word;

"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—

- (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 thirty 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 4 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.

"toevoerroete" beteken daardie gedeelte van 'n ontsnaproete wat beweging in twee verskillende rigtings na die toegangsdeure van ten minste twee noordroetes 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;

"vlambare vaste stof" soos in SANS 10228 beoog, beteken 'n vaste stof wat maklik ontsteek word deur eksterne bronse, soos vonke en vlamme, vaste stowwe wat geredelik brandbaar is, vaste stowwe wat 'n brand kan veroorsaak of daar toe kan bydra deur wrywing, of vaste stowwe wat gesensitiseerde (benatte) plofstowwe is wat kan ontploff 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 trok-trekker of enige ander voertuig beoog in die Nasionale Padverkeerswet gehaak kan word;

"voorgeskrewe geld" beteken gelde bepaal deur die munisipaliteit by besluit ingevolge 75A van die Munisipale Stelselwet, 32 van 2000, of enige ander toepaslike wetgewing;

"voorgeskryf" beteken soos bepaal deur die munisipaliteit;

"vuurwerke" beteken enige ontploftoestel of stof wat brand of ontploff na aansteiking, ingesluit klappers, en wat geregeleer 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 Beroepsgeondheid en Veiligheid" beteken die Wet op Beroepsgeondheid 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;

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.

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 prakteke daar te stel om brandveiligheid binne die jurisdiksie gebied van die munisipaliteit te bevorder.

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.
- (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—
- appointing a chief fire officer and the necessary members of the Service;
 - ensuring that such officer and members are properly trained; and
 - 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—
- to prevent the outbreak or spread of a fire;
 - to fight and extinguish any fire that endangers any person or property;
 - to protect any person or property against any fire or other danger as contemplated in this by-law;
 - to rescue any person or property from any fire or other danger as contemplated in this by-law; or
 - 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) 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. 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 ekonomiese aktiwiteite in.
- (2) Neteenstaande die bepalings van die Wet op Gevaarhouende Stowwe en die Wet op Beroepsgeondheid 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 brandgevare 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 ople de 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.

HOOFTUK 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—
- aanstelling van 'n brandweerhoof en die nodige lede van die diens;
 - te verseker dat sodanige hoof en lede behoorlik opgelei word; en
 - verkrywing en onderhouding van die nodige voertuie, masjienerie, toerusting, apparaat en toebehore ten einde te verseker dat die diens effektiel en in staat is om sy oogmerke te verwesenlik.

5. Oogmerke van die Diens

- (1) Die oogmerke van die diens is—
- om die uitbreek of verspreiding van 'n vuur te voorkom;
 - om enige vuur wat enige persoon of eiendom in gevaar stel te beveg en te blus;
 - om enige persoon of eiendom teen enige vuur of ander gevaar soos beoog in hierdie verordening te beskerm;
 - om enige persoon of eiendom van enige vuur of ander gevaar soos beoog in hierdie verordening te red; of
 - 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 lever.

(3) Enige diens beoog in subartikel (2) mag, in die diskresie van die brandweerhoof, sonder kennissgewing 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 gevare te hanter.

6. Aanmelding van 'n brandgevaar en ander dreigende gevare

- (1) 'n Eienaar of die persoon in beheer van 'n perseel moet by die ontdekking van enige bewyse van 'n brandgevaar of ander dreigende gevare soos beoog in hierdie verordening, onmiddellik die Diens in kennis stel.
- (2) 'n Eienaar of die persoon in beheer van 'n perseel moet alle besonderhede met betrekking tot die incident soos beoog in subartikel (1) aan die diens voorsien soos versoek.

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; and
 - (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—
- (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.

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 soos beoog in artikel 19 van die Wet van ooreenkomsdig 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, deleer 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 bevele, procedures, 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 bevele, procedures, 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 kontaknummers 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) Neteenstaande enigets 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 gevær te ondersoek.
- (3) Wanneer die brandweerhoof vir enige rede nie in staat is om sy amptsligte 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 voldoen aan hierdie verordening of die veiligheid van enige persoon of eiendom te verseker.
- (2) 'n Instruksie mag mondelings of skriftelik gegee word en indien dit gegee word, moet die lid dit skriftelik bevestig en dit by die vroegste geleentheid aan die persoon gee.
- (3) 'n Instruksie beoog in subartikel (2) mag insluit, maar is nie beperk tot 'n instruksie—
- (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 verwijder;
 - (e) om gespesifieerde stappe te neem om onmiddellik of binne 'n gespesifieerde tyd aan hierdie verordening te voldoen; en
 - (f) indien dit nie vir die eienaar 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.

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.

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) Uniforms, 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.

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) sufficient 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 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 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

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.

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 ooreenkomsdig die diensvooraardes van die munisipaliteit of soos kollektief oorengerekom.

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 ooreenkomsdig die Nasionale Padverkeerswet, 1996 en enige regulasies daarkragtens gemaak, bestuur.

15. Pligte en bevele gedurende noedsituasies

- (1) Die brandweerhoof of 'n lid in beheer van 'n noedsituasie, ingesluit een wat ingevolge 'n ooreenkoms optree, moet ten opsigte van elke sodanige noedsituasie verseker dat—
 - (a) voldoende mannekrag en toepaslike apparaat en toerusting beskikbaar gemaak, ontplooi en sonder vertraging aangewend word;
 - (b) die noedsituasie onmiddellik by aankoms geëvalueer en addisionele bronse of bystand wat nodig geag word, versoek word;
 - (c) alle inligting, ingesluit inligting omtrent plekke en tye en relevante besonderhede, tydens die noedsituasie of so spoedig na die noedsituasie, op rekord gestel word en dat sodanige rekord bewaar word ooreenkomsdig die Wet op die Nasionale Argief van Suid-Afrika, 1996 (Wet 43 van 1996) en enige regulasies daarkragtens 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, noedsituasie of enige aangeleenthed 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 gedelegeer 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 kennisgewing aan

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.

17 Interference with the Service

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.

18. Furnishing of false information

No person may give any member of the Service any notice, or furnish any information regarding an outbreak of fire, or any other emergency situation requiring the attendance of the Service, and which, to his knowledge, is false or inaccurate.

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 requirements of this by-law for the issue 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.

die eienaar of okkuperde van sodanige perseel beteken en sodanige kennisgewing moet die vereistes bevat wat nodig is om die toestand te bedwing, welke kennisgewing '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 remedieer 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.

17. Inmenging met die Diens

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.

18. Verskaffing van vals inligting

Geen persoon mag 'n kennisgewing aan 'n lid van die Diens gee nie, of enige inligting omtrent die uitbreek van 'n vuur, of enige ander noodsituasie wat die bywoning van die diens vereis, en wat vals of onakkuraat is, voorsien nie.

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 te voldoen; of
- (b) nie-nakoming van die bepalings van die goedkeuring of sertifikaat.

20. Rekords benodig, toegang tot rekords en vrystelling van media verklarings

(1) Die veilige bewaring van alle tersaaklike rekords en dokumente van toepassing op die diens ooreenkomsdig 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 ooreenkomsdig die bepalings van die Wet op die Bevordering van Toegang tot Inligting.

(3) Media verklarings aangaande die diens moet soos voorgeskryf ingevolge die kommunikasiestrategie 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, uitgesonder die situasie in artikel 16(2), moet 'n skriftelike kennisgewing uitgereik word wat die volgende insluit—

- (a) bevestiging van die bevrindings;
- (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 aflewing of per geregistreerde pos.

(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 gepos word na die laaste bekende adres van die eienaar, die persoon in beheer van die perseel, of albei.

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.
- (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—

- (a) the fact that the amount so assessed shall be commensurate with the services rendered;
 - (b) the manner, place and origin of fire or other emergency situation; and
 - (c) 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 West Coast 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—
- (a) the planning and co-ordination of the services within the district;
 - (b) the co-ordination and standardisation of infrastructure, vehicles, equipment and procedures pertaining to the service;
 - (c) the training of members; and
 - (d) 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.

(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 appelleer ingevolge artikel 62 van die Municipale Stelselwet.

22. Betaling vir dienste

- (1) Die munisipaliteit mag geldie 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 tarief 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) Enige koste aangegaan deur die munisipaliteit vir enige aksie nodig om 'n brandgevaar, ongeluk of ander dreigende gevaa te voorkom sal geag word 'n geld betaalbaar te wees 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 'n monster geneem van 'n 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 voldoen nie.
- (5) Ongeag die bepaling 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, ag geslaan word op—
- (a) die feit dat die bedrag so bepaal vergelykbaar sal wees met die dienste gelewer;
 - (b) die wyse, plek en oorsprong van vuur of ander noodsituasie;
 - (c) die verlies wat deur die vuur of ander noodsituasie aan die persoon verantwoordelik vir betaling van die geldie 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 veronreg voel, 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 Weskus Distriksmunisipaliteit en alle Kategorie B Munisipaliteite in die jurisdiksies gebied van sodanige munisipaliteit verteenwoordig, mag ingestel word.
- (2) Die Gesamentlike Brandweerdien Komitee beoog in subartikel (1) moet beraadslaag en skakel vir doeleindes om aanbevelings te maak met betrekking tot—
- (a) die beplanning en ko"rdinering van die dienste in die distrik;
 - (b) die ko"rdinering en standaardisering van infrastruktuur, voertuie, toerusting en prosedures aangaande die diens;
 - (c) die opleiding van lede; en
 - (d) 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.

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.

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 10400 (Parts A, J, K, M, N, O, S, 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.

26. Design and construction of dumping sites

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.

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;
- (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.

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. 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 effektiwe dreinering van enige water wat die gevolg mag wees van aktiwiteit 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 aktiwiteit 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 kelderverdieping; of
 - (iv) langs enige toegang tot 'n gebou of voertuig toegangsoprit wat na of van 'n gebou lei;
 - (c) die wegdoening van sodanige water wat in 'n kelderverdieping gestort sou word as gevolg van aktiwiteit met betrekking tot die blus van vuur, direk in 'n stormwaterdrein; en
 - (d) voldoening aan die vereistes van SANS 10400 (Delen A, J, K, M, N, O, S, 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 aktiwiteit.
- (3) Subartikels (1) en (2) is nie van toepassing op enige gebou wat bestaan tydens die inwerkingtreding van hierdie verordening nie.

26. Ontwerp en konstruksie van stortingsterreine

(1) Iemand 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.

27. Ontwerp en konstruksie van ander strukture en persele

(1) Iemand 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) enige atrium;
- (c) enige lugverkeer beheertoring;
- (d) enige toering vir telekommunikasie en ander gebruik;
- (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 uitgangsdeur, oorskry.

- (2) Every person who designs or constructs any aircraft hanger or helicopter pad, must ensure that it—
- complies with a rational design as contemplated by the National Building Regulations;
 - 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;
 - 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;
 - prevents the spread of any liquid from the floor of the hanger or helicopter pad; and
 - is equipped with effective earthing devices for the discharge of static electricity.

28. Requirements for sprinkler systems

(1) If a sprinkler system is required in any building in accordance with SANS 10400, SANS 10087 (Deel III) of SANS 10089 (Deel 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—

- in accordance with SANS 0287; and
- in compliance with the requirements of SANS 10400 (Parts A, J, K, M, N, O, S, T, V and W) insofar as it relates to fire protection.

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—

- it is designed, constructed and installed in a manner that provides for clearly demarcated, adequate and easy access for inspection, maintenance and repairs; and
- 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.

30. Requirements for emergency exits

(1) Every owner of a building must ensure that any escape door in that building—

- is fitted with hinges that open in the direction of escape; and
- 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—

- is a double swing-type door;
- 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.

- (2) Iemand wat enige vliegtuigloods of helikopterstrook ontwerp of bou, moet verseker dat dit—
- voldoen aan 'n rationele ontwerp soos beoog deur die Nasionale Bouregulasies;
 - voorsiening maak vir die effektiewe dreinering van enige vloeistof van die vloer van dieloods of helikopterstrook of enige toegang tot die vliegtuigloods of helikopterstrook;
 - voorsiening maak vir die effektiewe kanalisering van enige vloeistof van die vloer van dieloods of helikopterstrook na 'n dreineringsgebied verbind met 'n skeidingsput;
 - die verspreiding van enige vloeistof van die vloer van dieloods of helikopterstrook voorkom; en
 - toegerus is met effektiewe aardapparate vir die wegdoen van statiese elektrisiteit.

28. Vereistes vir sprinkelblusstelsels

(1) Indien 'n sprinkelblusstelsel in enige gebou vereis word ooreenkomsdig SANS 10400, SANS 10087 (Deel III) of SANS 10089 (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) Iemand wat 'n sprinkelblusstelsel ontwerp, bou of installeer moet verseker dat dit ontwerp, gebou of geïnstalleer word—

- in ooreenstemming met SANS 0287; en
- met voldoening aan die vereistes van SANS 10400 (Delen A, J, K, M, N, O, S, T, V en W) insover dit betrekking het op brandbeveiliging.

29. Vereistes vir uittrekwaaiertelsels

(1) Iemand wat 'n uittrekwaaiertelsel 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—

- dit ontwerp, gebou en geïnstalleer word op 'n wyse wat voorsiening maak vir duidelike afgebakte, voldoende en maklike toegang vir inspeksie, onderhoud en herstelwerk; en
- 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 uittrekwaaiertelsel, enige verbandhouende 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 nieakkumuleer nie.

30. Vereistes vir nooduitgange

(1) Elke eienaar van 'n gebou moet verseker dat enige ontsnapdeur in die gebou—

- gemonteer is met skarniere wat in die rigting van ontsnapping oopmaak; en
- 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 toevoerroete—

- 'n dubbel swaai-tipe deur is; en
- nie toegerus is met enige sluitmeganisme nie;

(3) Nieteenstaande die bepalings van subartikel (2), indien dit nodig is dat 'n deur in 'n toevoerroete gesluit word vir veiligheidsredes, moet die eienaar of persoon in beheer van die gebou 'n alternatiewe ontsnapwyse goedgekeur deur die brandweerhoof, voorsien.

(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.

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
- (f) any other action that renders a fire door or assembly less effective.

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 x 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.

(4) Geen persoon mag enige ontsnaproete 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 ontsnaproete duidelik aangedui word met tekeninge wat aan SANS 1186 voldoen, tonende die rigting van ontsnap in die geval van vuur of ander noodgeval.

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 typerk vereis vir die be sondere 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 effekief gemaak word deur die volgende aksies nie—

- (a) verandering van die integriteit, insulasie of stabiliteit van 'n be sondere klas van deur;
- (b) diskonnektering van die selfslutingsmeganisme;
- (c) vasknelling, blokkering of belemmering van die deur sodat dit nie kan toemaak nie;
- (d) verf van die sekeringskakel werkmechanisme van 'n deur;
- (e) diskonnektering of minder effekief making van 'n elektriese of elektroniese losmeganisme; of
- (f) enige ander aksie wat 'n branddeur of toebehore minder effekief sal maak.

32. Ontwerp, identifisering en toegang vir brandbestryding en red dingsdoeleindes

(1) Onderworpe aan die vereistes van enige toepaslike soneringskema regulasies of die stigtingsvooraardes 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 beplan, 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-proef en weer-proef 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;
 - (iii) met 'n drakapasiteit van ten minste 70 metriekie ton; en
 - (iv) enige toegangsgewelf tot die perseel 'n opening voorsien met afmetings van ten minste 4 meter wyd x 4,2 meter hoog, tensy daar 'n alternatiewe en maklike toegangsroete 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.

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

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—

- (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.

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.

(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 may not be less than 35 to 50 kg/m² for a thickness of 175mm to 200mm;
- (b) sisal binding twine must 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 must be run in continuous conduit and all junction boxes must be properly sealed;
- (e) where, in the opinion of the chief fire officer, the risk of lightning may pose a hazard, he 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 this subsection.

(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 220mm 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; and
- (e) a spark arrestor comprising a stainless steel wire mesh measuring 10 x 10 x 1mm across the full width of the flue be fitted not less than 700mm from the top of the stack.

33. Toeganklikheid vir brandbestrydingstoerusting en brandinstallasies

Enige brandbestrydingstoerusting of brandbeskermingsinstallasies geïnstalleer op enige perseel moet te alle tye vir die Diens toeganklik wees.

34. Versperring van leë geboue

Enige eienaar of persoon in beheer van 'n gebou of gedeelte van 'n gebou wat leeg is, moet tot bevrediging van die brandweerhoof—

- (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 ongemagtige persoon, voorkom.

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 Rationale 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 dekdigtheid moet nie minder as 35 tot 50 kg/m² vir 'n dikte van 175mm tot 200mm 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 geleei word, moet alle bedrading in 'n aaneenlopende geleiding geplaas wees en alle aansluitingskaste moet behoorlik geseël wees;
- (e) waar die risiko van weerlig 'n gevaar mag inhou, mag opdrag gegee word dat sekere bewonings beskerm word deur die installering van weerligafleiers ooreenkomsstg SABS 03: 1985;
- (f) alle houtkomponente en alle blootgestelde dekkoppervlaktes moet behandel word met 'n goedgekeurde brandvertraging en die dek moet plaagbestand wees; en
- (g) by voltooiing van enige dekkonstruksie moet die eienaar die brandweerhoof van 'n skriftelike sertifikaat van voldoening aan al die bepalings van hierdie subartikel voorsien.

(4) Waar 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 bedryf moet kan wees.

(5) Enige skoorsteen deur 'n strooidak moet so gebou wees dat—

- (a) slegs heel 220mm 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 ten minste 1 meter bokant die hoogste punt van die dak verbysteek; en
- (e) 'n vonkopvanger bestaande uit 'n vlekvrye staal maasdraad met afmetings 10 x 10 x 1mm oor die volle wydte van die skoorsteenkanaal, maar nie minder nie as 700mm van die punt van die skoorsteenpyp nie.

| <i>Part B: Fire fighting equipment</i> | <i>Deel B: Brandbestrydingstoerusting</i> |
|--|--|
| <p>36. Installation and maintenance of fire-fighting equipment</p> <p>(c) Every owner of a building must ensure that—</p> <p>(a) all fire-fighting equipment and service installations on the premises are installed in a manner and condition ready for use in an emergency;</p> <p>(b) all portable and mobile fire-extinguishers and all hose reels on the premises are serviced and maintained in accordance with SANS 10105 and SANS 1475; and</p> <p>(c) all fire-fighting equipment and service installations on the premises are—</p> <ul style="list-style-type: none"> (i) maintained by a competent person; (ii) inspected and serviced in accordance with manufacturer specifications; and (iii) are inspected by an appropriately registered and competent person at least once every 12months; and <p>(d) 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.</p> <p>(2) Every person who inspects, services or repairs any fire-fighting equipment or service installation must—</p> <p>(a) on completing the inspection, service or repairs, as the case may be—</p> <ul style="list-style-type: none"> (i) certify in writing that the equipment or installation concerned is fully functional; and (ii) furnish that certificate to the owner of the premises; or <p>(b) 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.</p> <p>(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.</p> <p>(4) No person may alter, damage, misuse or render ineffective any fire-fighting equipment or service installation at any premises.</p> <p>37. Fire alarms and fire hydrants</p> <p>(1) Without compensation to the owner of the premises concerned, the chief fire officer may cause—</p> <ul style="list-style-type: none"> (a) a fire alarm; (b) a transmission instrument for calls of fire or other emergency, or (c) a transmission instrument for warning residents of a fire or other emergency, <p>to be affixed to any building, wall, fence, pole or tree.</p> <p>(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.</p> <p>(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.</p> <p>(4) No person may remove, deface, alter, tamper with or damage a fire alarm, board, metal plate or painted marker or any transmission instruments mentioned in subsection (1).</p> | <p>36. Installering en onderhou van brandbestrydingstoerusting</p> <p>(1) Elke eienaar van 'n gebou moet verseker dat—</p> <p>(a) alle brandbestrydingstoerusting en diensinstallasies op die perseel geïnstalleer is op 'n wyse en toestand gereed vir gebruik tydens 'n noodituasie.</p> <p>(b) alle draagbare en mobiele brandblussers en alle waterslangtolle op die perseel gediens en onderhou word ooreenkomsdig SANS 10105 en SANS 1475.</p> <p>(c) alle brandbestrydingstoerusting en diensinstallasies op die perseel—</p> <ul style="list-style-type: none"> (i) in 'n goeie werkende toestand deur 'n bevoegde persoon onderhou word; (ii) geïnspekteer en gediens word ooreenkomsdig vervaardigerspesifikasies; en (iii) ten minste elke 12 maande deur 'n toepaslik geregistreerde en bevoegde persoon geïnspekteer word; <p>(d) 'n volledige diensrekord van alle brandbestrydingstoerusting en diensinstallasies elke 12 maande of soos andersins bepaal, aan die brandweerhoof voorsien word.</p> <p>(2) Elke persoon wat brandbestrydingstoerusting of diensinstallasies inspekteer, diens of herstel moet—</p> <p>(a) by voltooiing van die inspeksie, diens of herstelwerk—</p> <ul style="list-style-type: none"> (i) skriftelik sertifiseer dat die betrokke toerusting of installasie ten volle funksioneel is; en (ii) sodanige sertifikaat aan die eienaar van die perseel voorsien; of <p>(b) indien die toerusting of installasie nie geredelik tot 'n funksionale toestand herstel kan word nie, die brandweerhoof onmiddellik skriftelik van sodanige feit in kennis stel.</p> <p>(3) Behalwe vir doeleindes van inspeksie, diens, herstel of brandbestryding mag geen persoon enige brandbestrydingstoerusting of diensinstallasie op enige perseel verwyder of daarmee inmeng nie.</p> <p>(4) Geen persoon mag enige brandbestrydingstoerusting of diensinstallasie op enige perseel verander, beskadig, misbruik of oneffektief maak nie.</p> <p>37. Brandalarms en brandkrane</p> <p>(1) Sonder vergoeding aan die eienaar van die perseel betrokke mag die brandweerhoof toesien dat—</p> <ul style="list-style-type: none"> (a) 'n brandalarm; (b) 'n transmissie instrument vir brand oproepe of ander noodgeval; of (c) 'n transmissie instrument vir waarskuwing aan inwoners van 'n brand of ander noodgeval, <p>bevestig word aan enige gebou, heining, paal of boom.</p> <p>(2) Sonder vergoeding aan die eienaar van die perseel betrokke mag die brandweerhoof toesien 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.</p> <p>(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.</p> <p>(4) Niemand mag 'n brandkraan, ander transmissie instrument gemeld in subartikel (1), bord, metaalplaat of geverfde merker verwyder, skend, verander, daarmee peuter of beskadig nie.</p> |

*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 12months;
 - (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
 - (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 which he 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 him 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.
- (2) Subsection (1) does not apply in respect of a building or temporary structure which existed at the commencement of this by-law, 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.

*Deel C: Noodontruimingsplanne***38. Brandweerhoof mag persele 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 gerig wees aan die eienaar of persoon in beheer van die perseel.

39. Pligte van eienaar of okkuperdeer van aangewysde persele

- (1) Die eienaar, of met die goedkeuring van die brandweerhoof, die okkuperdeer, van enige perseel aangewys ingevolge artikel 38 moet—
- (a) 'n volledige noodontruimingsplan vir die perseel voorberei ooreenkomsdig die riglyn vervat in Bylae 1 en dit aan die brandweerhoof voorlê binne 30 dae van betrekking 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 12maande;
 - (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) '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 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 gespesifieerde 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 gesiktheid deur die brandweerhoof ten opsigte van die gebou of tydelike struktuur uitgereik is 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.

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.

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; or
- (b) unless the building or temporary structure complies with the requirements of this by-law;

(2) The period of validity of a certificate issued in terms of subsection (1) may not exceed 12months.

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

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.

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—

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.

42. Vereistes vir sertifikaat van geskiktheid

(1) 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; of
- (b) tensy die gebou of tydelike struktuur aan die vereistes van hierdie verordening voldoen;

(2) Die geldigheidsperiode vir 'n sertifikaat uitgereik ingevolge subartikel (1) mag nie 12 maande oorskry nie.

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 liggaaam 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 nooddutte 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

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 liggaaam 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.

45. Kanselling 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 versium om daaraan te voldoen;
- (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) 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; and
 - (b) give the owner or person in charge of the premises reasonable time to make written representations regarding the matter.
- (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; and
 - (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.

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.
- (5) The chief fire officer must inspect fire hydrants and conduct flow and pressure tests as contemplated in SANS 10090.

- (a) aan die eienaar of persoon in beheer van die perseel skriftelike kennis gee van die voorname om die sertifikaat van geskiktheid te kanselleer asook die redes vir sodanige kansellasië;
 - (b) aan die eienaar of persoon in beheer van die perseel ten minste 'n periode van 21 dae tyd gee om skriftelike vertoë te rig.
- (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 of sy—
- (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 te rig.

Deel E: Watervoorsiening vir brandbestrydingsdoeleindes

46. Dorpsontwikkeling watervoorsieningsvereistes

- (1) Iemand wat 'n dorpsgebied ontwikkel of herontwikkel moet dit ontwerp en ontwikkel met voldoende voorsiening van water, minimum brandvloeい en brandkraan vereistes soos beoog in artikel 11 van SANS 10090 en moet skriftelike bewys van sodanige nakoming aan die brandweerhoof voorsien.
- (2) Iemand 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 voldoen 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) Iemand wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat—
 - (a) die water distribusiestelsel ontwerp en toegerus is met kontrolekleppe wat so geplaas 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, beskadig is; 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 distribusiestelsel aangepas kan word om te voldoen aan die vereistes van artikels 47 en 48.
- (5) Die brandweerhoof moet brandkrane inspekteer en vloeい en druktoetse uitvoer soos beoog in SANS 10090.

47. Township development fire-extinguishing stream requirements

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 |

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 | 1980 | 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.

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 3 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 3 storeys; and
 - (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.

47. Dorpsontwikkeling brandblusser stroomvereistes

Iemand 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 |

48. Dorpsontwikkeling brandkraan vereistes

(1) Iemand wat 'n dorpsgebied ontwikkel of herontwikkel moet verseker dat brandkrane op 'n plan aangebring en geïnstalleer word ooreenkomsdig die volgende minimum lewering volumes en afstand frekwencies—

| 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) Iemand 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.

49. Brandrisiko kategorieë

(1) Vir doeleindes van artikels 47 en 48, moet die volgende gebiede van 'n dorpsgebied geag word—

- (a) as 'n hoë risiko—
 - (i) enige fabrieksgebied, hoë digtheid inkopiegebied, pakhuis of kommersiële gebou;
 - (ii) enige plantasie, timmerwerf of houtgebou;
 - (iii) enige gebou hoër as 3 verdiepings;
 - (iv) enige gebou waarin gevarenhoudende stowwe gebruik, hanteer of geberg of waarin gevarenhoudende 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) fabrieke, kommersiële geboue of residensiële geboue in die algemeen losstaande van mekaar is en nie 3 verdiepings oorskry nie; of
 - (bb) die brandweerhoof nie die materiaal wat in sodanige geboue geprosesseer of geberg word as hoogs gevaelik 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 residensiël of semi-landelik is;
 - (ii) enige gebied wat oorheersend losstaande, groep of meenthuis ontwikkelings het; en
 - (iii) enige gebied waar die brand risiko of brand verspreidingsrisiko gering of onbeduidend is.

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 10400 (Part W); and
 - (d) ensure that the water installation upon completion complies with the provisions of SANS-10400:1994.

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) 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—
- (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.

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.

50. Aansluitings tot waternetwerkstelsel

- (1) Geen persoon mag 'n aansluiting tot die waternetwerkstelsel van die munisipaliteit verkry nie tensy die brandbeskermingsplanne vir die perseel wat aangesluit moet word, deur die brandweerhoof goedgekeur is.
- (2) Iemand wat 'n aansluiting 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 in ooreenstemming met 'n rasionele ontwerp soos beoog in die Nasionale Bouregulasies; en
 - (ii) die grootte, leveringsdruk en vloei van die waternaalsluiting vooraf bereken is deur die verantwoordelike ingenieur;
 - (b) 'n groter waternaalsluiting voorsien word indien vereis deur die brandweerhoof vir doeleinades van brandbestryding;
 - (c) verseker dat die grootte, werksdruk en leveringsvloei, behalwe in die geval van 'n waternaalsluiting tot 'n sprinkelstelsel, bereken en ontwerp is ooreenkomsig SANS 10400 (Deel W); en
 - (d) verseker dat die waternaalsluiting by voltooiing aan die bepalings van SANS 10400: 1994 voldoen.

Deel F: Voorkoming van brandgevare

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) Geen persoon mag 'n vuur maak of 'n ander persoon toelaat om 'n vuur te maak wat enige persoon, dier of eiendom in gevaar stel nie.
- (2) Geen persoon mag, of enige ander persoon toelaat om, enige vullis of brandbare materiaal te verbrand nie—
- (a) sonder skriftelike toestemming van die brandweerhoof; of
 - (b) tensy die vullis of brandbare materiaal 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 geoormerk is; of
 - (c) in enige apparaat vir voorbereiding van voedsel wat—
 - (i) verhit word deur elektrisiteit of vloeibare petroleumgas; en
 - (ii) so geposisioneer is dat die vuur nie enige persoon, dier of eiendom in gevaar stel nie.

53. Stoer 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 te absorbeer nie.

(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.

54. Electrical fittings, equipment and appliances

No person may cause or allow—

- (a) any electrical supply outlet to be overloaded; or
- (b) any electrical appliance or extension lead to be used in any manner that may pose a fire hazard to any person or property.

55 Flame-emitting devices

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.

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.

57. Flammable gas

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.

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 chief fire officer.

(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.

(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 oorgroeи sodat dit 'n brandgevaar vir enige persoon, dier of eiendom inhou nie.

(6) Indien 'n brandgevaar soos bedoel in subartikel (5) ontstaan, moet die eienaар of persoon in beheer van die perseel sonder versuim die gevaar uit die weg ruim of bewerkstellig dat die gevaar uit die weg geruim 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 verwijder.

54. Elektriese toebehere, toerusting en toestelle

Geen persoon mag veroorsaak of toelaat—

- (a) dat enige elektriese kragpunt oorlaai word nie; of
- (b) enige elektriese toestel of verlengkoord op enige wyse gebruik word wat 'n brandgevaar vir enige persoon of eiendom inhou nie.

55. Oopvlamtoestelle

Geen persoon mag '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.

56. Wegdoen van vlambare vloeistof of stof in riele of dreine

(1) Geen persoon mag 'n vlambare vloeistof of vlambare stof wegdoen in, of veroorsaak, 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 storting, hetsy toevalig of andersins, van enige hoeveelheid vlambare vloeistof of vlambare stof wat 'n brandgevaar kan inhou vanuit enige perseel of voertuig in enige riel of drein of enige inlaat of drein verbind met sodanige riel of drein, moet dit onmiddellik aan die brandweerroof rapporteer.

(3) Enige persoon wat subartikels (1) en (2) oortree begaan 'n misdryf.

57. Vlambare gas

Geen persoon mag enige ballon of ander apparaat met vlambare gas vul sonder die skriftelike magtiging van die brandweerroof nie, en onderworpe aan sodanige voorwaardes soos hy mag vereis.

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 brandweerroof.

(2) 'n Persoon mag nie 'n "Rook Verbode"-teken verwijder of beskadig nie.

(3) Geen persoon mag 'n sigaret of enige ander rookmateriale aansteek of rook nie, of ander materiaal aansteek of aan die brand steek nie, of enige aangesteekte of smeulende stof weggooi op enige plek waar dit uitdruklik verbode is nie.

(4) Die eienaар of persoon in beheer van enige perseel mag nie toelaat of enige persoon 'n sigaret of enige ander rookmateriale aansteek of rook nie, of ander materiaal aansteek of aan die brand steek nie, of enige aangesteekte of smeulende stof weggooi op enige plek waar dit uitdruklik verbode is nie.

(5) Waar rook toegelaat word, moet voldoende voorsiening gemaak word vir die veilige wegdoening van enige rookmateriale en vuurhoutjies.

(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.

(7) Where any materials as contemplated in subsection (6) are discarded from a vehicle onto a road, or in any road reserve or any other place, it shall be presumed that such action was performed by the driver of such vehicle.

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.

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.

(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—

- (a) complete an application in the form and manner determined by the municipality; and
- (b) 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.

(6) Geen persoon mag 'n brandende sigaret of enige ander brandende materiale of voorwerpe ingesluit materiale vatbaar vir self-aansteking of vatbaar vir spontane ontbranding, op enige pad, in enige padreservé of in enige ander openbare plek wegdoen of wegmaak nie.

(7) Waar materiaal soos bedoel in subartikel (6) weggedoen word vanuit 'n voertuig op 'n pad, in enige padreservé of enige ander plek, sal veronderstel word dat sodanige aksie deur die bestuurder van die voertuig geneem is.

59. Veiligheidsvereistes vir informele nedersettingareas

(1) 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 moet gehandhaaf word; en
- (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 afgewuur mag word.

(2) Die munisipaliteit mag, op aansoek van die eienaar of wettige okkuperer van enige private openbare plek soos omskryf in die toepaslike skemaregulasies, sodanige private openbare plek aanwys as 'n plek waar vuurwerke afgewuur mag word.

(3) Die lys van plekke aangewys ingevolge subartikels (1) en (2) of enige wysiging daarvan moet deur die munisipaliteit ingevolge sy kommunikasie beleid gepubliseer word.

(4) Die munisipaliteit mag voorwaardes ople ten opsigte van die datums waarop, periodes of tye en ure wanneer die afgvuur van vuurwerke op enige aangewese gebied mag plaasvind en mag verder voorwaardes ople ten aansien van die wyse van afgvuur daarvan.

61. Afgvuur van vuurwerke

(1) Geen persoon mag enige vuurwerke afgvuur buite die gebied aangewys deur die munisipaliteit ingevolge artikel 60 nie.

(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 voorgenome plek van die vuurwerke vertoning, ingesluit die afgebakte gebied vir die afgvuur 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) hy of sy in besit is van die vereiste vuurwerke lisensie ingevolge die Wet op Ontplofbare Stowwe; en
- (b) skriftelike magtiging van die brandweerhoof het.

(2) Enige persoon wat die skriftelike magtiging van die brandweerhoof wil verkry om met vuurwerke te handel—

- (a) 'n aansoekvorm voltooi in die formaat en wyse bepaal deur die munisipaliteit; en
- (b) 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 magtiging om met vuurwerke te handel kanselleer indien die houer van die magtiging enige bepaling van hierdie verordening oortree.

63. Seizure of fireworks

A member of the Service or a law enforcement officer of the municipality 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—

- (a) is used, handled or stored in a manner that ensures that—
 - (i) 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;
 - (ii) 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
- (b) is used, handled or stored—
 - (i) in a naturally ventilated room that prevents the accumulation of fumes or gas; or
 - (ii) in a suitable place outdoors that ensures the safe disposal of fumes or gas;
- (c) is stored in strong, gas-tight containers and labelled as such.

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.

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;

63. Beslaglegging op vuurwerke

'n Lid van die Diens of 'n wetstoepassingsbeampte van die munisipaliteit mag 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 Strafproseswet met betrekking tot beslaglegging en wegdoening.

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 uitgereik deur die brandweerhoof.

(2) 'n Sertifikaat van registrasie beoog in subartikel (1) word nie benodig nie indien die vlambare stof in Bylae 2 gelys 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 dit—

- (a) gebruik, hanteer of opgeberg word op 'n wyse wat verseker dat—
 - (i) geen vlambare stof of enige vlambare stof damppe in aanraking kom met enige bron van aansteking wat mag veroorsaak dat die vlambare stof of damppe ontbrand nie;
 - (ii) in die geval van 'n brand of ander noodgeval, die ontsnapping van enige persoon of dier nie belemmer of gehinder word nie.
- (b) gebruik, hanteer of opgeberg word—
 - (i) in 'n natuurlik gevентileerde vertrek wat die versameling van damppe of gas beperk; of
 - (ii) in 'n geskikte plek buite wat die veilige wegdoening van damppe of gas verseker;
- (c) die vlambare stof opgeberg word in sterk, gasdigte en geëtiketteerde houers.

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. Uitreiking van sertifikaat van registrasie

Indien die brandweerhoof 'n sertifikaat van registrasie aan enige persoon uitreik, moet hy op die sertifikaat aandui—

- (a) die soort en hoeveelheid van die vlambare stof waarvoor die perseel geregistreer is;
 - (b) die getal opbergingsstenks of opbergingsfasiliteite op die perseel en kapasiteit daarvan;
 - (c) die getal vlambare stof stoorkamers op die perseel en kapasiteit daarvan;
 - (d) die getal vloeibare petroleumgas installasies, soorte 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 fasilitet;
 - (f) die geldigheidstydperk en vervaldatum van die sertifikaat; en
 - (g) die fisiese adres van die perseel en die naam en posadres van die okkuperdeer.
- (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) 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); and
 - (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 10400 (Part W); and
 - (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 1000 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 at least every 12 months by a competent, registered and appropriately qualified tradesman in accordance with the provisions of SANS 10105 and SANS 1475;
 - (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.

- (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. Beskikbaarheid van sertifikaat van registrasie by persele

Die houer 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 houer 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 gespesifieer in 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 gespesifieer in SANS 453 (slangtolle), wat verbind is met 'n watervoorsiening—
 - (i) soos beoog in SANS 10400(Deel W); en
 - (ii) wat elke slangtol in staat stel om 'n maksimum vloeい van 0,5 liter per sekonde teen 'n minimum werksdruk van 300kPa te handhaaf;
 - (c) indien van toepassing, brandkrane—
 - (i) met koppelings soos gespesifieer in SANS 1128 (Deel II) (brandbestrydingstoerusting— koppelings); en
 - (ii) in 'n ratio van 1 vir elke '1000 vierkante meter of deel daarvan;
 - (d) indien van toepassing, in verhouding tot enige bogondse fasiliteit, 'n sprinkelblusstelsel of verdunningstelsel wat—
 - (i) goedgekeur is deur die brandweerhoof; en
 - (ii) met uitsondering van tydelike opbergingsfasiliteite, 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 gevare of risiko is ten opsigte van die perseel mag hy of sy—
 - (a) die soort brandblusser wat geïnstalleer moet word spesifieer;
 - (b) vereis dat 'n groter getal brandblussers geïnstalleer word; en
 - (c) vereis dat 'n brandbespeuring of waarskuwingstelsel geïnstalleer word.
- (3) Die houer van enige sertifikaat van registrasie of ander magtiging beoog in hierdie verordening moet verseker dat alle brandbestrydingstoerusting beoog in subartikel (1)—
 - (a) ten minste elke 12 maande deur 'n bevoegde, geregistreerde en toepaslik gekwalificeerde ambagsman ooreenkomsdig SANS 10105 en SANS 1475 geïspekteer, onderhou en gediens word—
 - (b) indien geïnstalleer buite die perseel, voldoende beskerm word teen die weer; en
 - (c) prominent gepositioneer is, en indien dit nie moontlik is nie, die posisie van die brandbestrydingstoerusting duidelik aangetoon word deur 'n simboliese veiligheidsteken—
 - (i) in ooreenstemming met die spesifikasies van SANS 1186; en
 - (ii) tot bevrediging van die brandweerhoof.

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.

72. No authorisation required for certain motor vehicle fuel tanks

(1) 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;

(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.

69. Wysiging van sertifikaat van registrasie

Die brandweerhoof mag op aansoek van die houer enige sertifikaat van registrasie wysig.

70. Kansellasie van sertifikaat van registrasie

Die bepalings van artikel 45, saamgelees met die nodige wysigings, is van toepassing op enige kansellasie 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 verval datum van die sertifikaat.

72. Geen magtiging benodig vir sekere motorvoertuig brandstoftanks

(1) 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.

HOOFTUK 7: VERKLARING VAN BRANDBEHEERSONES

74. Brandbeheersones

(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 Brandbe-skermingsvereniging vir sy jurisdiksie gebied, toesien 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 gekwalificeerde persoon of paneel van persone aangestel 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 ooreenkomsdig die voorgeskrewe prosedure uitvoer en 'n geskrewe verslag oor die ondersoek aan die portefeuilje komitee opstel en redes verskaf vir enige administratiewe aksie wat aanbeveel word.

(5) Waar prakties, moet die munisipaliteit so spoedig moontlik na voorlegging van die verslag aan die betrokke portefeuilje komitee, 'n bondige opsomming van sodanige verslag en die besonderhede en plekke en tye waarop die verslag geïnspekteer en gekopieer mag word, publiseer;

(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 afskaf.

(7) Die munisipaliteit moet sodanige sone of gewysigde sone publiseer.

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—
- do anything or allow anything to be done that may result in or cause a fire or explosion;
 - do anything or allow anything to be done that may obstruct the escape to safety of any person or animal during an emergency.
- (2) No person may—
- dump or spill or allow the dumping or spilling of any flammable substance into any borehole, sewer, drain system or surface water;
 - 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;
 - 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;
 - 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;
 - 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—
 - fill or allow the filling of its fuel tank; or
 - transport or allow the transport of any flammable substance on the bus, except in its fuel tank; and
 - 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.

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—
- the person is in possession of a certificate of registration contemplated in section 64; and
 - the use, handling and storage of the liquefied petroleum gas complies with the requirements of SANS 10087, 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 10087, 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 10087, 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.
- (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).

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—
- enigets doen of toelaat dat enigets gedoen word wat 'n brand of ontploffing mag veroorsaak nie;
 - enigets doen of toelaat dat enigets gedoen word wat die ontsnapping na veiligheid van enige persoon of dier tydens 'n noodgeval mag belemmer nie.
- (2) Geen persoon mag—
- enige vlambare stof stort of uitgooi of toelaat dat dit gestort of uitgegooi word in enige boorgat, riool, dreinstelsel of oppervlakwater nie;
 - 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;
 - 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;
 - 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;
 - 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—
 - die brandstoeken volmaak of die volmaak daarvan toelaat nie; of
 - op die bus enige vlambare stof, behalwe in sy brandstoeken, vervoer of die vervoer toelaat nie;
 - enige vlambare stof aan enige perseel aflewer of voorsien of die aflewing of voorsiening toelaat nie tensy die eienaar of persoon in beheer van die perseel in besit is van 'n geldige sertifikaat van registrasie.
- 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—
- die persoon in besit is van 'n sertifikaat van registrasie beoog in artikel 64; en
 - die gebruik, hantering en opberging van die vloeibare petroleumgas aan die vereistes van SANS 10087, 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 10087, Dele 1, 3, 7 en 10.
- (3) Enige opberging van vloeibare petroleumgassilinders by enige diensstasie vir kleinhandeldoelendes moet aan SANS 10087, 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 ople vir die gebruik, hantering of opberging van vloeibare petroleumgassilinders by openbare uitstalling of demonstrasie, ingesluit maar nie daartoe beperk nie, tot die getal silinders, wyse van opberging, veiligheidsafstande en ander veiligheidsvereistes.
- (7) Enige persoon wat 'n vloeibare petroleum gassilinder gebruik, hanteer of opberg by enige openbare uitstalling of demonstrasie moet aan enige voorwaarde opgelê ingevolge subartikel (6) voldoen.

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).

78. Duty to report fires, accidents and dumping

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.

CHAPTER 9: STORAGE OF FLAMMABLE SUBSTANCES

79. Storage of flammable substances prohibited in certain circumstances

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.

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 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;
 - (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;

77. Vertoon van simboliese waarskuwingtekens vereis

- (1) Die eienaar of persoon in beheer van enige perseel waar 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) verontgaam of toelaat dat dit verontgaam word nie.

78. Plig om brande, ongelukke en storting aan te meld

Indien enige brand, ongeluk of storting van 'n vlambare stof skade aan 'n persoon, dier, eiendom of die omgewing op enige perseel berokken het, moet die eienaar of okkuperdeer van die perseel dit onmiddellik by die brandweerhoof aanmeld.

HOOFSTUK 9: OPBERGING VAN VLAMBARE STOWWE

79. Opberging van vlambare stowwe verbode in sekere omstandighede

Geen persoon mag vlambare stof in 'n stoorkamer opberg of die opberging toelaat nie tensy—

- (a) hy of sy 'n sertifikaat van registrasie beoog in artikel 64 besit; en
- (b) die stoorkamer aan die vereistes van hierdie verordening en enige ander toepaslike wetgewing voldoen.

80. Neem van monsters ten opsigte van vlambare stowwe

(1) Wanneer ookal 'n lid 'n 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 beoog in hierdie verordening, moet hy of sy 'n monster van die stof neem vir doeleindes van analise van 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) 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 van 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 vlambare stof moet verseker dat—

- (a) simboliese veiligheidstekens wat oop vlamme en rook verbied in die stoorkamer vertoon word—
 - (i) soos bepaal deur die brandweerhoof;
 - (ii) van afmetings van ten minste 290 millimeter by 200 millimeter; en
 - (iii) wat ooreenkomsdig SANS 1186 vervaardig is;

- (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.

82. Construction of flammable substance storerooms

- (1) Every storeroom must be designed and constructed according to the following criteria—
- the storeroom floor must consist of concrete;
 - the storeroom walls must consist of material that has a fire resistance of at least 120minutes; and
 - the storeroom roof must consist of—
 - reinforced concrete with a fire resistance of at least 120minutes; or
 - any other non-combustible material, if the storeroom—
 - is not situated within 5 metres of any adjacent building or boundary of the premises; or
 - adjoins a higher wall with no opening within 10 metres of any adjacent building.

83. Requirements for storeroom doors

- (1) Every storeroom must be equipped with a fire rated fire door that—
- is manufactured and installed in accordance with SANS 1253;
 - opens to the outside;
 - is equipped with a lock or locks approved by the chief fire officer; and
 - 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—
- external walls, be "B" class fire doors; and
 - internal walls in communication within a building, be "D" class fire doors.

84. Requirements for storeroom windows

- (1) Every storeroom window frame must—
- consist of steel;
 - have window panels of dimensions not exceeding 450 millimetres x 450millimetres; and
 - be fitted with wire glass of a thickness not less than 8millimetres.
- (2) No storeroom window must be capable of being opened.
- (3) Every storeroom window must be fitted to the external wall of a building.

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—
- with a holding capacity at least equal to the total volume of hazardous substances capable of being stored in the storeroom, plus 10 percent; and
 - if required by the chief fire officer—
 - covered at door sill level by a strong, stable, non-combustible and oxidation free floor grill; and

- (b) die groep 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.

82. Konstruksie van vlambare stof stoorkamers

- (1) Elke stoorkamer moet ontwerp en gebou word ooreenkomstig die volgende kriteria—
- die stoorkamer vloer moet van beton wees;
 - die stoorkamer mure moet van materiaal wees wat 'n brandweerstand het van ten minste 120minute;
 - die stoorkamer dak moet bestaan uit—
 - gewapende beton met 'n brandweerstand van ten minste 120minute; of
 - enige ander nie-brandbare materiaal, indien die stoorkamer—
 - (aa) nie binne 5 meter vanaf enige aangrensende gebou of die erfsgrens geleë is nie; of
 - (bb) geleë is binne 10 meter vanaf 'n aangrensende gebou met 'n hoë muur met geen opening nie.

83. Vereistes vir stoorkamer deure

- (1) Elke stoorkamer moet toegerus wees met 'n vuurtempo branddeur wat—
- vervaardig en geïnstalleer is ooreenkomstig SANS 1253;
 - na die buiekant oopmaak;
 - toegerus is met 'n slot of slotte goedgekeur deur die brandweerhoof; en
 - 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 meer branddeure indien die afstand wat van enige deel in daardie stoorkamer na 'n deur gedeel 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) Branddeure beoog in subartikels (1) en (2) moet indien geïnstalleer in—
- eksterne mure, "B" klas deure wees; en
 - interne mure in verbinding binne 'n gebou, "D" klas deure wees.

84. Vereistes vir stoorkamer vensters

- (1) Elke stoorkamer vensterraam moet—
- uit staal bestaan;
 - vensterpanele met afmetings wat nie 450 millimeter x 450 millimeter oorskry nie, hê; en
 - 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.

85. Vereistes vir stoorkamer opvangputte

- (1) Elke stoorkamer moet ontwerp en gebou wees sodat sy vloer ingelaat is onder dievlak van die deurdempel om 'n opvangput te vorm—
- 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
 - indien vereis deur die brandweerhoof—
 - by die deurdempel bedek wees met 'n sterk, stabiele, nie-brandbare en suurstofvrye vloerrooster; en

- (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.

86. Ventilation of storerooms

- (1) Every storeroom must be designed and constructed to ensure—
- the effective ventilation of flammable substance fumes;
 - that fumes released from the storeroom into the open air will not come into contact with any source of ignition.
- (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—
- that are not less than 140 millimetres by 250 millimetres in extent, with non-corrosive gauze wire with a minimum opening diameter of 0,5millimetres;
 - that are provided in at least 3 external walls of the storeroom; and
 - 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—
- designed and installed for this purpose;
 - with a flow rate of 0,5meters/second across the store;
 - with vanes that consist of a static-free material;
 - that discharges through a vertical metal duct into the open air—
 - not situated within 5 metres of any opening of a building or erf boundary; and
 - terminating at least 1 metre above roof height or at least 3,6 meters above ground level, whichever is the greater;
 - 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;
 - 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
 - equipped with ducting material that—
 - is as short as possible in the circumstances and does not have sharp bends; and
 - 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

87. Electrical equipment in storerooms

- (1) The owner or person in charge of any storeroom must ensure that—
- all electrical apparatus, fittings or switch gear used or installed in the storeroom are used or installed as contemplated in SANS 10108;
 - no switch gear, distribution box, fuse or other electrical equipment, except electrical equipment as contemplated in SANS 10108, is situated—
 - inside the storeroom; or
 - in any position where it may come into contact with any flammable substance fumes leaving the storeroom;
 - 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;

- (ii) op sy laagstevlak toegerus wees met 'n korrosiebestande dreineringsklep vir skoonmaakdoleindes en produk herwinning.

(2) Die vloerooster beoog in subartikel (1) moet 'n paslik geplaste toegangsluik vir skoonmaakdoleindes bevat.

86. Ventilasie van stoorkamers

- (1) Elke stoorkamer moet ontwerp en gebou wees om te verseker—
- dat vlambare stof dampe effekief ventileer;
 - dat dampe wat van die stoorkamer in die ope lug vrygestel word nie in aanraking kom met enig bron van aansteking nie.
- (2) Indien die stoorkamer ontwerp en gebou is vir natuurlike ventilasie, moet die eienaar of persoon in beheer van die stoorkamer dit ventileer teen 'n minimum siklus van 30 lugveranderinge per uur deur nie-brandbare lugstene te installeer—
- wat nie minder as 140 millimeter by 250 millimeter in grootte is nie, met korrosievrye gaasdraad met 'n minimum deursnee opening van 0,5millimeter;
 - wat in ten minste 3 eksterne mure van die stoorkamer voorsien is; en
 - wat gepositioneer 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 eienaar of persoon in beheer van die stoorkamer dit toerus met 'n meganiese ventilasiestelsel—
- wat ontwerp en gebou is vir daardie doel;
 - met 'n vloeitempo van 0,5 meter per sekonde deur die stoer;
 - met weerhane bestaande uit statiesvrye materiaal;
 - wat deur 'n vertikale metaalgeleiding in die ope lug wegdoen wat—
 - nie binne 5 meter van enige opening in 'n gebou of erfsgrens geleë is nie; en
 - ten minste 1 meter bo die dakhoogte of ten minste 3,6 meter bo grondvlak, wat ookal die grootste is, eindig;
 - 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;
 - 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
 - toegerus met geleidingsmateriaal wat—
 - so kort as moontlik in die omstandighede is en nie skerp buigings het nie; en
 - toegerus is met 'n branddemper van ten minste 120 minute brandweerstand by enige punt waar die geleidings die stoorkamer verlaat, indien die geleidingsmateriaal ekstern tot die stoorkamer in verhouding met die res van die gebou geïnstalleer is.

87. Elektriese toerusting in stoorkamers

- (1) Die eienaar of persoon in beheer van enige stoorkamer moet verseker dat—
- alle elektriese toestelle, hegmiddels of skakeltuig in die stoorkamer ooreenkomsdig SANS 10108 gebruik of geïnstalleer word;
 - geen skakeltuig, verdelingskas, sekering of ander elektriese toerusting, behalwe elektriese toerusting beoog in SANS 10108, geleë is—
 - binne die stoorkamer; of
 - in enige posisie waar dit in aanraking kan kom met enige vlambare stof dampe wat die stoorkamer verlaat nie;
 - enige metaaldeel, elektriese hegmiddels en apparate in verbinding met die stoorkamer behoorlik aan mekaar en aan die vloer gegronde is;

- (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.

88. Foam inlets required for certain storerooms

The owner or person in charge of a storeroom that is used or intended to be used for storing more than 5000 litres of flammable substance must ensure—

- (a) that the storeroom is provided with a foam inlet consisting of a 65mm 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”.

89. Shelving in storerooms

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.

90. Unauthorised use and entry of storerooms prohibited

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.

91. Mixing and decanting rooms

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.

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 12months;
- (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

- (d) die meganiese ventilasiestelsel skakelaar buite die stoorkamer geleë is;
- (e) die meganiese ventilasiestelsel te alle tye aan is, behalwe wanneer die stelsel herstel of vervang 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 elektrisién wat gekwalifiseer en bevoeg is 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.

88. Skuiminlate benodig vir sekere stoorkamers

Die eienaar of persoon 'n beheer van 'n stoorkamer wat gebruik of beoog om gebruik te word vir opberging van meer as 5000 liter vlambare stof moet verseker—

- (a) dat die stoorkamer voorsien is van 'n skuiminlaat bestaande uit 'n 65mm kitsklare inpasstuk en sagte staalpypwerk 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.

89. Rakke in stoorkamer

Die eienaar of persoon in beheer van 'n vlambare stof stoorkamer moet verseker dat rakke of rakwerk opgerig of geïnstalleer in 'n stoorkamer van nie-brandbare materiaal is.

90. Ongemagtigde gebruik en binnegaan van stoorkamers verbode

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) 'n stoorkamer gebruik of toelaat dat dit gebruik word vir enige doel anders as vir die gebruik, hantering en opberging van vlambare stowwe;
- (c) iemand 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 die stoorkamer deur nie.

91. Meng en oorgieting kamers

Die eienaar of persoon in beheer van 'n 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 voldoen.

92. Tydelike bogronde opberging van vlambare stowwe

- (1) Enige persoon wat 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 vereis word—
- (i) ten opsigte van uitgrawingswerk, konstruksiewerk of padkonstruksie waar die volume van die vlambare stof nie 9000 liter oorskry nie;
- (ii) ten opsigte van klein vlootonderhoud of navorsingsdoeleindes, waar die volume van die vlambare stof nie 4400 liter oorskry nie; en

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| <p>(iii) the application complies with the requirements of SANS 10131 and this Chapter.</p> <p>(3) Every holder of a temporary certificate of registration contemplated in subsection (1) must ensure that—</p> <ul style="list-style-type: none"> (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. | <p>(iii) die aansoek voldoen aan die vereistes van SANS 10131 en hierdie hoofstuk.</p> <p>(3) Elke houer van 'n tydelike sertifikaat van registrasie beoog in subartikel (1) moet verseker dat—</p> <ul style="list-style-type: none"> (a) 'n opbergingsenk vir die vlambare stof nie opgerig word binne 3,5 meter van enige erfsgrens, gebou, uitgrawing, pad, rylaan of ander vlambare stof of brandbare materiaal; (b) voldoende voorsiening gemaak word vir reënwater wegvlui van keermure of walle; (c) geen bron of potensiele bron van aansteking binne 5 meter van 'n opbergingsenk 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 opbergingsenk; en (4) ten minste twee 9 kilogram droë chemiese brandblussers geïnstalleer is binne 10 meter van 'n tydelike opbergingsenk |
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93. Hand tools must be intrinsically safe

The owner or person in charge of any flammable substance storeroom must ensure that any hand tool used in the storeroom is intrinsically safe.

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—
 - (i) in accordance with SANS 10131 and SANS 10089, Part I;
 - (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 is clearly identified by means of Hazchem placards contemplated in SANS10232, Part 1.
- (2) Any electrical installation associated with the storage tank must comply with SANS 10108 and SANS 10089, Part 2.

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 10400, SANS 10089, Part 3 and SANS 10131.

(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 purposes of reparations;
- (b) the necessary replacement of equipment or their parts; and
- (c) the replacement of any storage tank with a tank of the same capacity.

93. Handgereedskap moet veilig wees

Die eienaar of persoon in beheer van 'n vlambare stof stoorkamer moet verseker dat alle handgereedskap wat in die stoorkamer gebruik word veilig is.

94. Permanente bogondse opbergingsenks vir vlambare vloeistowwe

(1) Addisioneel tot enige ander vereistes van hierdie hoofstuk, moet die eienaar of persoon in beheer van 'n bogondse opbergingsenk vir vlambare vloeistof verseker dat—

- (a) dit opgerig en geïnstalleer word—
 - (i) oooreenkomsig SANS 10131 en SANS 10089, Deel I;
 - (ii) ten minste 3,5 meter van enige erfsgrens, gebou, uitgrawing, pad, rylaan of enige ander vlambare stof, brandbare stof of vlambare materiaal; en
 - (b) dat die vlambare vloeistof wat in die tenk geberg word duidelik geïdentifiseer is by wyse van Hazchem plakkies beoog in SANS 10232, Deel I.
- (2) Enige elektriese installasie geassosieer met die opbergingsenk moet voldoen aan SANS 10108 en SANS 10089, Deel 2.

95. Ondergrondse opbergingsenks 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 vlambare vloeistof moet verseker dat 'n ondergrondse opbergingsenk, pomp, houer of pypwerk opgerig en geïnstalleer word oooreenkomsig SANS 10400, SANS 10089, Deel 3 en SANS 10131.

(2) Enige persoon wat subartikel (1) oortree, pleeg 'n misdryf.

96. Installering, oprigting, verwydering en afbreek verbode sonder vooraf kennisgewing

(1) Geen persoon mag ten opsigte van geregistreerde persele, enige afleweringsspomp, opbergingsenk, stoorkamer, spuitkamer, gasinstallasie, storingsfasilitet, brandbeskermingsreëling of vloeruitleg oprig, installeer, verwyder, afbreek, verleng of verander nie tensy hy of sy die brandweerhoof ten minste 3 werksdae vooraf skriftelike kennis gee van sy of haar voorneme.

(2) Die kennisgewing ingevolge subartikel (1) moet die beoogde begin datum 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; of
- (c) die vervanging van 'n opbergingsenk met 'n tenk van dieselfde kapasiteit.

97. Repair and maintenance of access to storage tanks

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 10089 (Part I); 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.

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 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 sufficient to prevent a fire hazard or other threatening danger;;
- (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;
- (e) when the floor area exceeds 10m² 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

97. Herstel en onderhoud van toegang tot opbergingsstens

Geen persoon mag enige opbergingsstenk wat op enige tyd 'n vlambare stof bevat het, binnegaan of enige persoon toelaat om dit binne te gaan nie—

- (a) alvorens sodanige tenk herbely en vry van gas en dampe gemaak is soos beoog in SANS 10089 (Deel I); of
- (b) tensy daardie persoon—
 - (i) behoorlike selfondersteunende asemhalingsapparaat dra; en
 - (ii) verbind is aan 'n reddingshouer onder beheer van 'n bevoegde en verantwoordelike persoon.

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 brandweerroof skriftelik binne 7 dae van sodanige opbergings- 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 brandweerroof anders bepaal, die installasie en enige geassosieerde pypwerk ingesluit, van die perseel verwyder binne 180 dae van die staking;
 - (d) tot bevrediging van die brandweerroof, 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 nadelig sal affekteer, mag die eienaar of persoon in beheer van die installasie met die skriftelike toestemming van die brandweerroof, die ondergrondse tenk met vloeibare sementslyk opvul.

(3) Enige persoon wat subartikel (1) oortree, pleeg 'n misdryf.

99. Houer hantering en opberging

(1) 'n 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 om lekkasie van enige vlambare stof of dampe vanuit die houer te voorkom.

(2) 'n Vlambare vloeistof houer moet geëtiketteer en gemerk wees met woorde en besonderhede wat die vlambare vloeistof in die houer aantoon sowel as enige gevær wat verband hou met die vlambare vloeistof.

(3) Geen persoon mag vlambare stof met 'n kapasiteit wat 200 liter oorskry uit 'n houer ontrek nie, tensy die houer toegerus is met 'n voldoende geseëleerde pomp of kraan.

(4) 'n Leë vlambare stof houer moet in 'n stoorkamer gestoor word.

(5) Nieteenstaande die bepalings van subartikel (4) mag die brandweerroof toestemming verleen vir die bering van 'n leë vlambare stof houer in die oop lug indien geen stoorkamer beskikbaar is nie en hy tevrede is dat—

- (a) die bergingsarea voldoende is om 'n brandgevaar of enige ander dreigende gevær te voorkom;
- (b) die bergingsarea goed geventileer en met maasdraad omhein is;
- (c) die heiningondersteunings van staal of versterkte beton is;
- (d) die hek van die bergingsarea na buite oopmaak en dit toegesluit is wanneer nie in gebruik;
- (e) wanneer die vloeroppervlakte 10m² oorskry, 'n addisionele ontsnappingshek toegerus met 'n skuifgrendel of ander soortgelyke sluitapparaat wat van die binnekant sonder die gebruik van 'n sleutel oopgemaak kan word, geïnstalleer is; en

- (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.

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 to the municipality.
- (2) The fees for the scrutiny of plans are as stipulated in the municipality's Tariff Policy.
- (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.

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—
- 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;
 - hazardous substances are stored in strong, labelled and tightly sealed containers whilst not in use;
 - the escape of human beings or animals will not be hindered or obstructed in the event of a fire or an emergency situation; and
 - 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.
- (3) No certificate of registration may be issued in respect of premises, unless the 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.
- (4) A certificate of registration:
- 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;
 - must be maintained in a legible condition;
 - must reflect the groups and the quantities of hazardous substances for which the premises have been registered;
 - must reflect the number of above-ground or under-ground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility;

- (f) die bergingsarea vry is van plantegroei en 'n nie-brandbare, stiewige en gelyk basis het.
- (6) Wanneer die hoeveelheid vlambare en brandbare vloeistowwe wat opgeberg word meer is as 100 liter van klas I of meer as 200 liter van klas II en IIIA gekombineerd, moet dit in 'n stoorkamer gestoor word.

HOOFSTUK 10: GEVAARHOUDEnde STOWWE

100. Aansoek vir goedkeuring van planne

- (1) Neteenstaande die bepalinge van die Wet op Nasionale Bouregulasies en Boustandarde, 1977 moet elke eienaar van persele op waarin enige uitleg of strukturele verandering beoog word, of waarop enige fasilitet in verband met die gebruik, opberging of hantering van gevaarhoudende stowwe opgerig of geïnstalleer word, planne aan die munisipaliteit voorlê.
- (2) Die gelde vir die ondersoek van planne word bepaal in die munisipaliteit se Tariefbeleid.
- (3) Behalwe planne wat klein bouwerk behels, moet alle planne voorgelê aan die brandweerroof die amptelike stempel of merk van die boubheerbeampte bevat.
- (4) Geen konstruksiewerk of installering mag 'n aanvang neem nie tensy die boukontrakteur in besit is van amptelik goedgekeurde planne, welke planne die kommentaar van die brandweerroof moet insluit. Die planne moet vir die duur van konstruksie of installeringswerk op die perseel vir inspeksie beskikbaar wees.
- (5) Die bepalinge van artikel 23 van die Wet op Nasionale Bouregulasies en Boustandarde, 1977 is van toepassing op die goedkeuring van alle planne soos beoog in hierdie artikel.

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 hoeveelheid wat meer is as aangedui in Tabel 1 hieronder nie, tensy hy of sy 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 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—
- geen gevaarhoudende stof of dampe in aanraking kom of moontlik in aanraking sal kom met enige vlam, oop lig of ander bron van aanstekking;
 - gevaarhoudende stowwe opgeberg word in sterk, geëtiketteerde en disgluitende geseë尔de houers terwyl nie in gebruik;
 - die ontsnapping van mense of diere nie verhinder of belemmer sal word in die geval van 'n brand of noodsituasie nie; en
 - geen persoon op die perseel gevaarhoudende stowwe mag gebruik of hanteer of veroorsaak of toelaat dat dit gebruik of hanteer word, behalwe in 'n toepaslike plek buite of in 'n behoorlik gevентileerde vertrek.
- (3) Geen sertifikaat van registrasie mag ten opsigte van persele uitgereik word nie, tensy die vereistes 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.
- (4) 'n Sertifikaat van registrasie—
- moet te alle tye in 'n waterdigte houer op 'n opsigtelike plek op die perseel vertoon word soos aangewys deur 'n lid van die munisipaliteit;
 - moet in 'n leesbare toestand gehou word;
 - moet die groep en hoeveelhede van gevaarhoudende stowwe waarvoor die perseel geregistreer is, reflekter;
 - moet die getal bograndse of ondergrondse opbergingstenks of bergingsfasiliteite, en die kapasiteit van elke sodanige opbergingstenk of bergingsfasiliteit, reflekter;

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| <p>(e) must reflect the number of storerooms and the total capacity of each storeroom;</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;</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; and</p> <p>(j) must reflect the period of validity and the expiry date of the certificate: provided that—</p> <ul style="list-style-type: none"> (i) the period of validity shall be for a maximum of twelve calendar months, calculated from the date of issue; and (ii) written application for renewal of such certificate must reach the municipality at least one calendar month prior to the expiry date. <p>(5) A certificate of registration may be transferable from one owner to another or from one control to another on the same premises provided that—</p> <ul style="list-style-type: none"> (a) an application for such transfer is made to the municipality on the prescribed form; and (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. <p>(6) A certificate of registration will not be issued or renewed unless:</p> <ul style="list-style-type: none"> (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. <p>(7) 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 underground tanks, storerooms, gas installations or other storage areas amended, according to need, provided that—</p> <ul style="list-style-type: none"> (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; and (c) if an application is approved, the applicant must submit the original certificate of registration to the municipality for amendment. <p>(8) 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.</p> <p>(9) The holder of a certificate of registration must ensure the validity of a certificate of registration.</p> <p>(10) 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.</p> <p>(11) 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 must immediately notify the municipality and must forthwith comply with the provisions of the Major Hazard Installation Regulations, 2001.</p> <p>(12) Notwithstanding the provisions of subsection (11), 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.</p> | <p>(e) moet die getal stoorkamers en die totale kapasiteit van elke stoorkamer reflekter;</p> <p>(f) moet die getal gasinstallasies, die soort gasinstallasie en die totale volume of leweringskapasiteit van elke gasinstallasie reflekter;</p> <p>(g) moet die getal opbergingsfasilitete vir ander gevaarhoudende stowwe spesifiseer en die volumes beoog vir elke fasilitet reflekter;</p> <p>(h) moet die reeksnommer reflekter;</p> <ul style="list-style-type: none"> (i) moet aantoon of die uitreiking van sodanige sertifikaat permanent of tydelik is; en (j) moet die tydperk van geldigheid en vervaldatum van die sertifikaat reflekter; met dien verstande dat— <ul style="list-style-type: none"> (i) die tydperk van geldigheid vir 'n maksimum van twaalf kalendermaande sal wees; en (ii) skriftelike aansoek vir hernuwing van sodanige sertifikaat die munisipaliteit bereik ten minste een kalendermaand voor die vervaldatum. <p>(5) 'n Sertifikaat van registrasie mag oordraagbaar wees van een eienaar na 'n ander of van een beheer na 'n ander op dieselfde perseel met dien verstande dat—</p> <ul style="list-style-type: none"> (a) 'n aansoek vir sodanige oordrag op die voorgeskrewe vorm aan die munisipaliteit voorgelê word; en (b) indien die handelsnaam van die perseel verander, moet die houer van 'n sputpermit of sertifikaat van registrasie verseker dat die munisipaliteit onmiddellik skriftelik van sodanige verandering in kennis gestel word. <p>(6) 'n Sertifikaat van registrasie sal nie uitgereik of hernu word nie tensy—</p> <ul style="list-style-type: none"> (a) die munisipaliteit in besit is van 'n stel goedgekeurde planne soos beoog in artikel 30 van hierdie verordening; en (b) die voorgeskrewe aansoekvorm volledig voltooi en aan die munisipaliteit voorgelê is. <p>(7) Enige persoon wat in besit is van 'n geldige sertifikaat van registrasie mag by die munisipaliteit aansoek doen om die totale hoeveelheid gevaarhoudende stowwe of die getal ondergrondse tenks, stoorkamers, gasinstallasies of ander opbergingsareas na gelang van behoeft te wysig, op voorwaarde dat—</p> <ul style="list-style-type: none"> (a) die aansoek vergesel word 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. <p>(8) Die munisipaliteit mag aan die houer van 'n sertifikaat van registrasie 'n aanmaning stuur vir hernuwing van registrasie. 'n Houer van 'n sertifikaat wat nie 'n aanmaning ontvang het nie is nie van moontlike vervolging gevrywaar nie.</p> <p>(9) Die houer van 'n sertifikaat van registrasie moet die geldigheid van 'n sertifikaat van registrasie verseker.</p> <p>(10) Niks in hierdie artikel verhinder die brandweerhoof om van enige persoon wat gevaarhoudende vloeistof of vlambare stof wat nie in 'n Klas I, Klas II of Klas II vlambare vloeistof val nie op 'n perseel opberg, vervaardig, verkoop, gebruik of hanteer te vereis om die perseel ingevolge hierdie verordening te registreer nie.</p> <p>(11) Waar enige persoon enige merkbare hoeveelheid stof het wat gelyk of meer is as dié gespesifieer in die Wet op Beroepsgesondheid en Veiligheid, No 85 van 1993: Algemene Masjienerie Regulasies, 1988 , Skedule A, moet sodanige persoon onmiddellik die munisipaliteit in kennis stel en moet onverwyd voldoen aan die bepalings van die Hoofgevaar Installasie Regulasies, 2001.</p> <p>(12) Nieteenstaande die bepalings van subartikel (11), 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</p> |
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(13) Where any premises are determined to be a major hazard installation, the municipality must forthwith prepare an off-site emergency plan in respect thereof.

102. Supply of hazardous substances

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 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 such container;

103. Flammable liquid in fuel tanks of vehicles or engines

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; and
- (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.

104. Renewal of spraying permits or certificates of registration

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.

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.

(2) Any person whose application for a temporary storage tank is approved must ensure that—

- (a) 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;
- (b) provision is made for the run-off of any possible rainwater from the retaining walls or retaining embankments;
- (c) the storage tank is not erected within 5m of any erf boundary, building, excavation, road or driveway;
- (d) no source of ignition or potential ignition is brought within 5m of the storage tank;

2001 te onderneem en sodanige bevindinge aan die munisipaliteit te voorsien.

(13) Waar enige perseel as 'n hoofgevaar installasie bepaal is, moet die munisipaliteit onverwyld 'n buiteperseel noodplan ten opsigte daarvan opstel.

102. Voorsiening van gevarenhoudende stowwe

(1) Geen persoon mag—

- (a) groter hoeveelhede gevarenhoudende stowwe as dié waarna in Tabel 1 van hierdie verordening verwys word aan enige ongeregistreerde perseel voorsien nie;
- (b) enige ander groep gevarenhoudende stowwe of groter hoeveelhede daarvan wat gespesifieer word in die toepaslike sertifikaat van registrasie vir 'n perseel of persoon lewer of voorsien nie;
- (c) 'n houer wat 'n gevarenhoudende stof bevat hanteer of toelaat dat dit hanteer word op 'n wyse wat die houer sal beskadig nie.

103. Vlambare stowwe in petrolenks van voertuie of enjins

Nieteenstaande enigets tot die teendeel in hierdie verordening en vir die doel van die registrasie van persele, word vlambare vloeistof nie geag opgeberg, gehanteer of vervoer te word nie indien—

- (a) dit gehou word in die brandstoffenk van 'n motorvoertuig vir normale gebruik;
- (b) dit gehou word in die brandstoffenk van 'n stilstaande enjin met dien verstande dat die volume van die brandstoffenk nie 1 000 liter oorskry nie en dit omring word deur 'n ondeurlatende keermuur wat volumetries geskik is om die maksimum voorgestelde hoeveelheid vloeistof, plus 10% van die volume van die tenk, te bevat.

104. Hernuwing van sputerverf permitte en/of sertifikate van registrasie

(1) Enige houer van 'n sertifikaat van registrasie of sputipermit moet 'n aansoek vir die hernuwing van die sertifikaat of permit op die voorgeskrewe vorm en voor die eerste werkdag 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 geregistreerde persele mag vereis vir doeleinades 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 gevarenhoudende stowwe

(1) Die munisipaliteit mag 'n tydelike sertifikaat van registrasie uitrek vir 'n periode van nie meer as ses maande nie aan enige persoon wat vir bona fide doeleinades meer gevarenhoudende stowwe as die hoeveelhede beoog in artikel 101(12) van hierdie verordening op die perseel benodig met dien verstande dat—

- (a) indien die gevarenhoudende stowwe benodig word vir of in verband met uitgravings, 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) Elke persoon wie se aansoek vir 'n tydelike opbergingstenk goedgekeur is moet verseker dat—
- (a) 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;
 - (b) voorsiening gemaak is vir die afloop van moontlike reënwater vanaf die keermure of keerwalle;
 - (c) die opbergingstenk nie opgerig is binne 5m van 'n erfsgrens, gebou, uitgraving, pad of rylaan nie;
 - (d) geen bron van aansteking of potensiële aansteking binne 5m van die opbergingstenk gebring word nie;

- (e) symbolic signs prohibiting smoking and open flames, at least 300mm x 300mm in size, are affixed to all sides of the temporary installation; and
- (f) a minimum of two 9kg dry chemical fire extinguishers are installed within 10m of the temporary installation.

106. Delivery of hazardous substances

- (1) Any person delivering hazardous substances to any supplier or user—
 - (a) may not park any delivery vehicle on or across any pavement or a public road;
 - (b) 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;
 - (c) must ensure that a 9kg dry chemical fire extinguisher is available and placed in the immediate readiness at all times;
 - (d) 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;
 - (e) 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
 - (f) 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.

107. Prohibition of certain actions

- (1) Any person who stores or permits, hazardous substances to be stored, handled or used, may not—
 - (a) perform any act or action that may reasonably result in or cause a fire or an explosion; or
 - (b) perform 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 a registered hazardous waste disposal agency.
- (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 or gas cutting device for the sole purpose of welding or cutting in connection with the maintenance of that building.

- (e) simboliese tekens van ten minste 300mm x 300mm in grootte wat rook en oopvlamme verbied is op alle sye van die tydelike installasie; en
- (f) 'n minimum van twee 9kg droë chemiese brandblussers geïnstalleer is binne 10m van die tydelike installasie.

106. Aflewing van gevaarhoudende stowwe

- (1) 'n Persoon wat gevaarhoudende stowwe aan 'n leweransier of gebruiker lewer—
 - (a) mag nie 'n aflewingsoertuig op of oor enige sypaadjie of 'n openbare pad parkeer nie;
 - (b) mag nie enige aflewingssypp 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;
 - (c) moet verseker dat 'n 9kg droë chemiese brandblusser beskikbaar en in die onmiddellike omgewing geplaas is;
 - (d) moet verseker dat gedurende die pompoordrag van gevaarhoudende stowwe by wyse van 'n pyp of slang, die aflewingsoertuig en alle komponente van die oordrag ingesluit die opbergingsfasilitet, verbind en gegronde is;
 - (e) moet verseker dat die aflewingsoertuig so geplaas is dat dit vinnig en maklik in die geval van 'n noodsituasie verwijder kan word; en
 - (f) moet verseker dat geen gevaarhoudende stowwe oorgeplaas word van 'n aflewingsoertuig na 'n lekkende of stukkende fasilitet nie.
- (2) Die eienaar van 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 lewingsproses in verband met 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 aflewingsoertuig na 'n opbergingsfasilitet 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 oorplasingsapparaat verbind en gegronde is.

107. Sekere aksies verbode

- (1) Enige persoon wat op 'n perseel gevaarhoudende stowwe opberg of die opberg, hantering of gebruik toelaat, mag nie—
 - (a) 'n handeling of aksie verrig, redelikerwys 'n brand of 'n ontploffing veroorsaak nie; of
 - (b) 'n handeling of aksie verrig, wat redelickerwys die ontsnapping na veiligheid van enige mens of dier gedurende 'n noodgeval sal verhinder nie.
- (2) Geen persoon mag gevaarhoudende stowwe in 'n boorgat, put, riool, dreinstelsel of oppervlakewater stort of dit toelaat nie.
- (3) Geen persoon mag gevaarhoudende stowwe wegdoen op enige wyse anders as deur 'n geregistreerde gevaarhoudende afvalwegdoeningsagentskap nie.
- (4) Geen persoon mag enige vuur, vlam of enig iets 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 'n 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 'n kelderverdieping van 'n gebou, uitgesluit 'n gassweisapparaat of gassnyapparaat vir die uitsluitlike doel van swuis of snywerk in verband met die onderhoud van die gebou.

(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.

108. "No Smoking" Signs

The owner of a building must, in areas where flammable and/or explosive hazardous substances are used, stored and handled, display SANS 1186 symbolic signs prohibiting smoking and open flames. Such signs must be of the size specified by the municipality and must be prominently displayed.

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 |
| 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 |

(6) Met uitsondering van die bestuurder of ander persoon in beheer mag geen persoon die brandstofenk van 'n bus volmaak, of laat volmaak terwyl daar persone in sodanige bus is en geen persoon mag die vervoer van gevaarhoudende stowwe in of op enige bus, behalwe in sy brandstofenk, toelaat nie.

108. "Nie Rook"- tekens

Die eienaar van 'n gebou moet in gebiede waar vlambare of plofbare gevaarhoudende stowwe gebruik, opgeberg of hanteer word, SANS 1186 simboliese tekens wat rook en oop vlamme verbied vertoon. Sodanige tekens moet van die grootte soos gespesifieer deur die munisipaliteit wees en prominent vertoon word.

TABEL 1

Maksimum hoeveelheid gevaarhoudende stowwe vir vrystelling van Sertifikaat van Registrasie (Regulasie 31) en Diensvervoer Permitte (Regulasie 52)

| (A) | ENKELVRAAG GEVAARHOUDENDE STOF | HOEVEELHEID NIE OORSKRY TE WORD |
|------------|---|----------------------------------|
| 1. | Groep I: Plofstoef | Geen vrystelling |
| 2. | Group II: Gasse | |
| 2.1 | Vlambare gasse | 100kg totale silinder kapasiteit |
| 2.2 | Nie-vlambare gasse | 333kg 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 |
| 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 250kg |
| 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 | Gr oep II organiese peroksiede in pakkies | 200kg |
| 6. | Groep VI: Toksies/ besmetlike stowwe | |
| 6.1 | Groep I toksiiese stowwe in pakkies | 5kg |
| 6.2 | Groep II toksiiese stowwe in pakkies | 50kg |
| 6.3 | Groep III toksiiese stowwe in pakkies | 500kg |
| 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 | 50kg |
| 8.2 | Groep II sure in pakkies | 200kg |
| 8.3 | Groep III sure in pakkies | 1 000kg |
| 8.4 | Groep I alkaliiese stowwe in pakkies | 50kg |
| 8.5 | Groep II alkaliiese stowwe in pakkies | 200kg |
| 8.6 | Groep III alkaliiese stowwe in pakkies | 1 000kg |
| 9. | Groep IX: Diverse stowwe | |
| 9.1 | Vloeistowwe | 210 liter |
| 9.2 | Vaste stowwe | 210 kg |
| (B) | VEELVULDIGE VRAG GEVAARHOUDENDE STOWWE | Geen vrystelling |

109. Group I hazardous substances

All Group I hazardous substances (explosives) must be handled, used, stored and transported in accordance with the provisions of SANS 10228, 10229, 10232 and 10263, the Explosives Act, 1956, and the Hazardous Substances Act, 1973, and any regulations made under these Acts, as the case may be.

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, SABNS 10228, SANS 10229 and SANS 10238, 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 SANS 10228, SANS 10229, SANS 10238, 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 or installed in a vertical position.

(2) Bulk containers

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 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.
- (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 bona fide residential purposes; provided further that such cylinders are installed in accordance with the requirements of SANS 10087-1.
- (c) 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.
- (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 or hydrogen balloons indoors, for whatever purpose.
- (b) In enforcing this subsection, hydrogen gas shall include any gas compound that contains hydrogen gas, unless the non-flammable nature or non-explosiveness of the gas compound can be scientifically certified.
- (5) Acetylene welding or cutting devices may only be used indoors in accordance with the provisions of SANS10238; provided that the chief fire officer may prescribe fire protection requirements concerning the installation, storage and use of such devices.
- (6) The installation of under ground pipelines for any Group II hazardous substance within the area, including branches and manifolds of such pipelines is with the necessary changes subject to the provisions of sections 100 to 108 of this by-law.

(7) Under ground pipelines—

Any under ground pipeline for a Group II hazardous substance must comply with the following requirements—

- (a) the owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1 600 l per minute at a work pressure of 300 kPa, and such fire hydrants must be parallel to the pipeline at every pump station

109. Groep I gevaarhoudende stowwe

Alle Groep I gevaarhoudende stowwe (ploffstof) moet hanteer, gebruik, opgeberg en vervoer word ooreenkomstig die bepalings van SANS 10228, 10229, 10232 en 10263, die Wet op Ontplofbare Stowwe, 1956 en die Wet op Gevaarhoudende Stowwe, 1973 en enige regulasies gemaak ingevolge hierdie wette.

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 bepalings van SANS 10019, SABS 10228, SABS 10229 en SABS 10238.
- (b) Alle draagbare metaalhouers vir vloeibare petroleumgas moet opgeberg, gevul of geïnstalleer word ooreenkomstig die bepalings van SABS 10228, SABS 10229, SANS 10238, SANS 10019 en SANS 10087, Dele 1 tot 10, na gelang van die gevall.
- (c) Alle draagbare houers vir Groep II gevaarhoudende stowwe moet te alle tye vervoer, opgeberg of geïnstalleer word in 'n vertikale posisie.

(2) Grootmaat houers

Alle grootmaat houers vir Groep II gevaarhoudende stowwe moet ontwerp, vervaardig, onderhou en geïnstalleer word ingevolge die bepalings van die Wet op Beroepsgeondheid en Veiligheid, 1993 (Wet 85 van 1993) en enige regulasies gemaak kragtens die Wet, SANS 10019; 10087-3 en die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 en die vereistes van enige regulasies gemaak kragtens die Wet.

(3) Veelsoortige installasies

- (a) Geen Groep II gevaarhoudende stof mag vir welke rede ookal, gebruik, hanteer of geïnstalleer word binne in enige veelsoortige installasie of andersins op enige perseel nie.
- (b) Die bepalings van hierdie artikel is nie van toepassing op die opberg, 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 bona fide residensiële doeleindes; met dien verstande verder dat sodanige silinders geïnstalleer word ooreenkomstig die vereistes van SANS 10087-1.
- (c) 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 okkuperdeer van die gebou betrokke.
- (4) (a) Geen persoon mag sonder toestemming van die brandweerhoof enige hidrogeen gevulde draagbare houers, hidrogeen apparate of hidrogeen ballonne binnenshuis, vir welke rede ookal, gebruik, hanteer, vertoon of aanwend nie.
- (b) By die toepassing van hierdie subartikel, sal hidrogeen gas enige gas samestelling wat hidrogeen gas bevat insluit, tensy die nie-vlambare aard of nie-ontplofbaarheid van die gas samestelling wetenskaplik gesertifiseer kan word.

(5) Acetylene sveiswerk of sny apparate mag slegs binnenshuis gebruik word ooreenkomstig die bepalings van SANS 10238, met dien verstande dat die brandweerhoof brandbesermingsvereistes met betrekking tot installasie, opberg en gebruik van sodanige apparate mag voorskryf.

(6) Die installering van ondergrondse pyplyne vir enige Groep II gevaarhoudende stof binne die area, ingesluit vertakkings of veelvoude van sodanige pyplyne is met die nodige wysigings onderhewig aan die bepalings van artikel 100 tot 108 van hierdie verordening.

(7) Ondergrondse pyplyne

Enige ondergrondse pyplyn vir 'n Groep II gevaarhoudende stof moet aan die volgende vereistes voldoen—

- (a) Die eienaar van die pyplyn moet brandkrane voorsien, waarvan die vereiste levering 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

- within the area. The owner must maintain the fire hydrants in a working condition at all times.
- (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.
 - (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.
 - (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 be done according to a recognised standard approved by the chief fire officer.
 - (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.

111. Underground storage of flammable liquids

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 10535.

112. Installation of storage tanks

A storage tank for Group III hazardous substances must be installed in accordance with the provisions of SANS 10400; SANS 10089, Parts I, II and III; SANS 10131, Parts I, II and III; SANS10108 and SANS10086; 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
- (2) Except for storage tanks contemplated in section 112 of this by-law, all above-ground storage tanks may only be installed in bulk depots.

CHAPTER 11: TRANSPORT, SUPPLY AND DELIVERY OF DANGEROUS GOODS

113. Transport of dangerous goods prohibited without permits

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.

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 12months; and
 - (b) must—
 - (i) indicate the date of issue and expiry;
 - (ii) identify the issuing officer and bear that officer's signature;
 - (iii) contain a serial number;

pompstasie binne die area wees. Die eienaar moet die brandkrane te alle tye in 'n werkende toestand hou.

- (b) Die eienaar van 'n pyplyn moet voldoende katodiese beskerming vir die pyplyn voorsien en die katodiese beskerming te alle tye in 'n werkende toestand hou.
- (c) Die pyplyn moet aangedui word deur merkers geodegekeur deur die brandweerhoof en sodanige merkers moet te alle tye deur die eienaar in 'n funksionele toestand gehou word.
- (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 uitgevoer word ooreenkomsdig 'n aanvaarbare standaard goedgekeur deur die brandweerhoof.
- (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.

111. Ondergrondse berging van vlambare vloeistowwe

Geen persoon mag enige opbergingsstenk vir ondergrondse opberging van vlambare vloeistowwe installeer, gebruik of aanwend tensy die tenk vervaardig is ooreenkomsdig die bepalings van SANS 10535.

112. Installering van opbergingsstenke

(1) 'n Opbergingsstenk vir Groep III gevhaarhoudende stowwe moet ooreenkomsdig die bepalings van SANS 10400, SABS 10089, Dele I, II en III, SANS 10131, Dele 1, II en III, SABS 10108 en SABS 10086 geïnstalleer word, met dien verstaande dat—

- (a) alle opbergingsstenks binnedeurs ooreenkomsdig die bepalings van SANS 10131 geïnstalleer word;
 - (b) alle pompe en vullingsapparaat binnedeurs geïnstalleer moet wees;
 - (c) alle installasies beoog in subartikels 110(1) en (2) onderhewig is aan die bepalings van artikel 100 en artikel 101 van hierdie verordening; en
- (2) Behalwe vir opbergingsstenke beoog in artikel 112 mag bogronde opbergingsstenke slegs geïnstalleer word in grootmaat depots.

HOOFSTUK 11: VERVOER, VOORSIENING EN AFLEWERING VAN GEVAARLIKE GOEDERE

113. Vervoer van geværlike goedere verbode sonder permitte

Die eienaar van 'n voertuig wat gebruik word vir die vervoer van geværlike 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.

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 uitrekingsbeampte identifiseer en sy amptelike handtekening bevat;
 - (iii) 'n reeksnommer bevat;

- (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

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 10189, SANS 1398, SANS 10233, SANS 10087, Part 6 SANS 10089, Part 1, SANS 10230 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 10232 and any applicable law.

119 Design, construction, maintenance and repair of other vehicles

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;
 - (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.

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;

- (iv) die groep en hoeveelheid van geværlike goedere wat onder die permit vervoer mag word aantoon; en
- (v) 'n beskrywing van die voertuig bevat, ingesluit sy registrasienommer.

116. Kansellasie van vervoer permitte

Die bepalings van artikel 45, gelees met die nodige veranderinge, is van toepassing op die kansellasie 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 geværlike goedere van die soort en die hoeveelhede gemeld in Skedule 3 nie.

118. Ontwerp, konstruksie, onderhou en herstel van padtenkvoertuie

- (1) Elke persoon wat 'n padtenkvoertuig vir die vervoer van geværlike goedere ontwerp, bou, onderhou of herstel moet—
 - (a) voldoen aan die bepalings van SANS 10189, SANS 1398, SANS 10233, SANS 10087, Deel 6, SANS 10089, Deel 1, SANS 10230 en SANS 1518, na gelang van die geval; en
 - (b) verseker dat die padtenkvoertuig geëtitteer is op 'n wyse wat voldoen aan die bepalings van SANS 10232 en enige toepaslike wetgewing.

119. Ontwerp, konstruksie, onderhou en herstel van ander voertuie

Elke persoon wat enige voertuig, behalwe 'n padtenkvoertuig, vir die vervoer van geværlike goedere ontwerp, bou, onderhou of herstel moet verseker dat die voertuig—

- (a) ontwerp en gebou is—
 - (i) om die hoeveelheid en soort geværlike goedere waarvoor die voertuig beoog om gebruik te word, veilig te vervoer; en
 - (ii) met ten minste twee onafhanglike asselsels, elkeen met sy eie suspensiestelsel, uitgesluit enige sleepwa wat deel vorm van 'n geartikuleerde voertuig.
- (b) toegerus is met—
 - (i) 'n veiligheidsrand of veiligheidsreling—
 - (aa) van ten minste 1 meter hoog gemeet van die oppervlakte van die bakwerk van die voertuig; en
 - (bb) geskik is om geværlike goedere houers te beveilig;
 - (ii) sterk en duursame gordels—
 - (aa) geskik om geværlike goedere houers veilig aan die bakwerk van die voertuig vas te maak;
 - (bb) wat ferm aan die bakwerk van die voertuig ganker is; en
 - (cc) wat toegerus is met 'n omkeerbare rattand windas mekanisme wat gesluit kan word;
 - (iii) elektriese bedragting wat voldoen aan SANS 314;
 - (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-proef en staties vrye tenk wat ontwerp, gebou en toegerus is om enige geværlike goedere van skok of aansteek tydens vervoer te beskerm.

120. Algemene verbodbepalings met betrekking tot vervoer van geværlike goedere

(1) Geen persoon mag enige voertuig gebruik of toelaat om gebruik te word vir die vervoer van geværlike goedere nie tensy—

- (a) die voertuig 'n geldige padwaardigheidsertifikaat het;

- (b) if not exempt in terms of section 117, the vehicle is equipped with at least two 9 kilogram dry chemical fire extinguishers—
- designed and manufactured in accordance with SANS 810 and maintained in accordance with SANS 10105 and SANS 1475; and
 - 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.

121. Supply of dangerous goods prohibited in certain circumstances

- (1) No person may deliver or supply 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 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 9 kilogram dry chemical fire-extinguisher is available at all times during the delivery;
 - 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;
 - while delivering—
 - the delivery vehicle is placed in such a position that it can be moved easily and quickly in the event of an emergency;
 - the delivery vehicle is not parked on or across a pavement or a road;
 - no delivery hose lies on or across a pavement, road or other premises;
 - 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 10263;
 - any device connected with, or used for, the delivery of the dangerous goods—
 - is designed for its purpose; and
 - is maintained in safe and good working condition; and
 - 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.

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.

- (b) indien nie vrygestel ingevolge artikel 117, die voertuig toegerus is met ten minste twee 9kg droë chemiese brandblussers—
- ontwerp en vervaardig ooreenkomstig SANS 810 en onderhou ooreenkomstig SANS 10105 en SANS 1475; en
 - 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 geværlike goedere nie tensy die voertuigkajuit, bakwerk, vragspasie, vragtenk, brandstoffen, onderstel en enjin effekief en permanent gegrond is met mekaar.

121. Voorsiening van geværlike goedere verbode in sekere omstandighede

- (1) Geen persoon mag geværlike goedere van 'n soort en in 'n hoeveelheid wat dié gemeld in Bylae 2 oorskry lewer of voorsien aan enige perseel wat nie geregistreer is soos beoog in artikel 64(1) nie.
- (2) Geen persoon mag geværlike goedere lewer of voorsien aan enige perseel teenstrydig met voorwaarde van 'n sertifikaat van registrasie van toepassing op daardie perseel.
- (3) Geen persoon mag enige houer wat geværlike goedere bevat hanteer of hantering toelaat op 'n wyse wat daardie houer mag beskadig nie.
- (4) Elke persoon wat geværlike goedere lewer moet verseker dat—
- 'n 9kg droë chemiese brandblusser te alle tye beskikbaar is tydens die lewering;
 - gedurende vervoer van die geværlike goedere, die voertuig fisies gegrond is aan die opbergingsfasilitet waarna die geværlike goedere oorgeplaas word;
 - tydens lewering—
 - die leweringvoertuig so geplaas is dat dit maklik en vinnig beweeg kan word in geval van 'n noodgeval;
 - die leweringvoertuig nie op of oor 'n sypaadjie of 'n pad geparkeer is nie; en
 - geen leweringsslang nie op of oor 'n sypaadjie, pad of onder perseel lê nie;
 - geen geværlike goedere vervoer word na 'n opbergingsfasilitet wat nie aan die vereistes van Hoofstuk 8 van hierdie verordening en die bepalings van SANS 10263 voldoen nie;
 - enige apparaat verbind met, of gebruik vir, die lewering van die geværlike goedere—
 - vir daardie doel ontwerp is; en
 - in 'n veilige en goeie werkende toestand onderhou is; en
 - geen geværlike goedere tydens lewering gemors word nie.
- (5) Geen persoon mag geværlike goedere na 'n motorvoertuig, vliegtuig, vaartuig, skip of boot oorplaas of oorplasing toelaat terwyl die kragbron in werking is nie.
- (6) Geen persoon mag enige geværlike goedere na 'n vliegtuig oorplaas nie tensy die vliegtuig gegrond is aan die oorplasingsapparaat by wyse van 'n grondkabel nie.

122. Rekords van vervoer permitte

Die brandweerroof 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. Spuitkamers en hokkies

'n Spuitkamer, 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 Beroepsgeondheid en Veiligheid te voldoen.

124. Spraying prohibited without spraying permit

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; and
- (b) the spraying, coating, plating or epoxy-coating is conducted in a spraying room approved by the chief fire officer on premises registered for that purpose.

125. Application for spraying permit

Any person who wishes to obtain a spraying permit must 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.

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 after proper notice to the holder thereof.

(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.

124. Sputerver verbode sonder sputipermit

Geen persoon mag enige voertuig, artikel, voorwerp of gebou of deel daarvan met 'n vlambare stof sput, 'n verflaag gee, oorblaas of epoksieverf nie tensy—

- (a) daardie persoon in besit is van 'n sputipermit beoog in artikel 125;
- (b) die sput, verflaag, oorblaas of epoksieverf uitgevoer word in 'n spuitkamer goedgekeur deur die brandweerhoof op 'n perseel geregistreer vir daardie doel.

125. Aansoek om sputipermit

Iemand wat 'n sputipermit wil bekom moet 'n aansoekvorm vir sodanige permit in die vorm en wyse soos voorgeskryf voltooi en aan die brandweerhoof voorlê.

126. Kansellinger van sputipermit

Die bepalings van artikel 45, is met die nodige wysigings, van toepassing op die kansellasie van enige sputipermit deur die brandweerhoof.

HOOFSTUK 13: ALGEMEEN

127. Hantering van diere tydens noodgevalle

(1) Die eienaar, okkuperdeer of persoon in beheer van enige dieretuin, voerterf, stal, navorsingsinstituut, veeartseny praktyk of plek van veeartseny wetenskaplike studie moet die professionele hantering van diere op die perseel betrekke 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 'n 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 uitrek, 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 na kennisgewing aan die houer daarvan.

(5) Die houer van 'n sertifikaat van vrystelling moet verseker dat die sertifikaat te alle tye op die perseel beskikbaar is vir inspeksie deur enige lid.

129. Goedkeuring, magtiging of toestemming ingevolge hierdie verordening

Iemand 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. 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 service of the State.

132. Appeal

A person whose rights are affected by a decision of the municipality in terms of delegated powers, may appeal against that decision by giving written notice of the appeal and the reasons therefor 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. Offences and penalties

A person who contravenes any provision or fails to comply with any provision of this by-law or who fails to comply with a notice issued in terms of this by-law, commits an offence and shall on conviction be liable to—

- (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment;
- (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued and,
- (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

134. 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,

135. Short title and commencement

This by-law is called the Swartland 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.

130. Kansellerung van goedkeuring, magtiging of toestemming

Die bepalings van artikel 45, gelees met die nodige wysings, is van toepassing op enige goedkeuring, migtiging 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. Appèl

Persoon wie se regte geraak word deur 'n besluit van die munisipaliteit ingevolge gedelegeerde magte, mag teen sodanige besluit appelleer ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) deur skriftelike kennisgiving van die appèl en die redes daarvoor binne 21 dae vanaf die datum van bekendmaking van die besluit, aan die munisiale bestuurder te gee.

133. Strafbepalings

'n Persoon wat enige bepaling van hierdie verordening oortree of versuim om daaraan te voldoen of versuim om te voldoen aan 'n kennisgiving uitgereik ingevolge hierdie verordening, pleeg 'n misdryf en kan by skuldigbevinding—

- (a) 'n boete of gevengenisstraf opgelê word, of sodanige boete of gevengenisstraf, of beide sodanige boete en sodanige gevengenisstraf; en
- (b) in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevengenisstraf of sodanige bykomende gevengenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevengenisstraf vir elke dag waarop sodanige misdryf voortduur; en
- (c) 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding of versuim.

134. 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.

135. Kort titel en inwerkingtreding

Hierdie verordening staan bekend as die Brandveiligheid Verordening en tree in werking op die datum van publikasie in die Provinciale Koerant.

BYLAE 1

RIGLYNE VIR NOODONTRUIMINGSPLANNE

1. Elke noodontruimingsplan beoog in artikel 38 moet ten minste die inligting onder die hoofde hieronder bevat.

- (1) Noodtelefoonnummers

'n Lys van alle relevante noodtelefoonnummers.

- (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.

| | |
|--|--|
| <p>(3) Area study An area study addressing the following:</p> <ul style="list-style-type: none"> (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. <p>(4) Socio-economic or other threats Any socio-economic or other threats and their potential impact on the premises.</p> <p>(5) Details of available equipment Particulars and details regarding the position of the following equipment—</p> <ul style="list-style-type: none"> (a) equipment in the control room; (b) fire fighting and first aid equipment on the premises; and (c) any other equipment which may be relevant in an emergency. <p>(6) The emergency team Particulars and details regarding the identity of members of the emergency team, including—</p> <ul style="list-style-type: none"> (a) its management; (b) the continuity officers; (c) the fire teams; and (d) the first aid teams. <p>(7) Duties of emergency team members The duties and responsibilities of members of the emergency team.</p> <p>(8) Action plans and emergency procedures Details of the specific action plans and emergency procedures applicable to the premises.</p> <p>(9) Building plans and maps The building plans of the premises and any relevant topographical map must be included in the evacuation plan.</p> <p>(10) Emergency plan register The plan must include—</p> <ul style="list-style-type: none"> (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. <p>(11) Review of emergency evacuation plans</p> <p>(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.</p> <p>(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.</p> <p>(12) Emergency evacuation drills</p> <p>(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.</p> <p>(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.</p> <p>(13) Emergency evacuation awareness Every person who works or resides on premises should be aware of the emergency evacuation plan for that premises.</p> | <p>(3) Area studie 'n Area studie wat die volgende aanspreek—</p> <ul style="list-style-type: none"> (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. <p>(4) Sosio-ekonomiese of ander bedreigings Enige sosio-ekonomiese of ander bedreigings en hul potensiële impak op die perseel.</p> <p>(5) Besonderhede van beskikbare toerusting Besonderhede en details aangaande die posisie van die volgende toerusting—</p> <ul style="list-style-type: none"> (a) toerusting in die beheerkamer; (b) brandbestryding en eerstehulptoerusting op die perseel; en (c) enige ander toerusting wat relevant mag wees in 'n noodgeval. <p>(6) Die noodspan Besonderhede en details aangaande die identiteitsnommers van die noodspan, ingesluit—</p> <ul style="list-style-type: none"> (a) sy bestuur; (b) die kontinuïteitsbeamptes; (c) die brandspanne; en (d) die eerstehulpspanne. <p>(7) Pligte van noodspanlede Die pligte en verantwoordelikhede van lede van die noodspan.</p> <p>(8) Aksieplanne en noodprosedures Besonderhede van die spesifieke aksieplanne en noodprosedures van toepassing op die perseel.</p> <p>(9) Bouplanne en kaarte Die bouplanne van die perseel en enige relevante topografiese kaart moet by die ontruimingsplan ingesluit wees.</p> <p>(10) Noodplanregister Die plan moet insluit—</p> <ul style="list-style-type: none"> (a) 'n opgedateerde register van die noodontruimingsplan; (b) 'n opgedateerde oefningsregister vir die noodontruimingsplan; en (c) 'n bomdreigement vraelys. <p>(11) Hersiening van noodontruimingsplanne</p> <ul style="list-style-type: none"> (a) 'n Noodontruimingsplan moet jaarliks deur die eienaar of okkuperer van die perseel hersien en opdateer word asook wanneer 'n lid van die bestuur van die noodspan ophou om by die perseel te werk. (b) Wanneer 'n noodontruimingsplan hersien en opdateer word, moet die eienaar of okkuperer van die perseel verseker dat alle vorige planne op die perseel of in besit van die bestuur van die noodspan vernietig word. <p>(12) Noodontruimingsoefeninge</p> <ul style="list-style-type: none"> (a) 'n Noodontruimingsplan behoort tweekeer per jaar geoefen te word en die deelname van al die persone wat in die gebou werk of woon behels. (b) 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. <p>(13) Noodontruimingsbewusheid Elke persoon wat op 'n perseel werk of woon moet bewus wees van die noodontruimingsplan vir daardie perseel.</p> |
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(14) Training of persons

Every person who resides or works on premises with an emergency evacuation plan should be suitably trained 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 600m 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 |
| III | | |
| | Non-flammable gases | Total cylinder capacity may not exceed 333 kilograms |
| 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 1100 litres |
| | With flash points ≤61°C but ≤100°C | Total quantity may not exceed 1 100 litres |

(14) Opleiding van persone

Elke persoon wat op 'n perseel met 'n noodontruimingsplan werk of woon behoort paslik opgelei te wees in—

- (a) eerstehulp of brandbestryding;
- (b) noodhulp;
- (c) noodontruimingsprosedures; en
- (d) noodbestuurstegnieke.

BYLAE 2**VRYSTELLING VAN SERTIFIKAAT VAN REGISTRASIE**

'n Sertifaat 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 19kg binne en totale maksimum 100kg op perseel. Nywerheidsperselle: Maksimum 19kg per 600m ³ bouspasie met totale maksimum 100 kg. |
|--------|------------------------|---|

VLAMBARE VLOEISTOWWE EN BRANDBARE VLOEISTOWWE:

| | | |
|-----------|--|--|
| Klas I | Vloeistof met 'n toe-deksel vlampunt van onder 38°C | Totale maksimum 40 liter |
| Klas II | Vloeistof met 'n toe-deksel vlampunt 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 toe-deksel vlampunt 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 geværlike 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 vlampunt ≤ 18°C | Totale hoeveelheid mag nie 100 liter oorskry nie |
| | Met vlampunt 18°C maar ≤ 23°C | Totale hoeveelheid mag nie 420 liter oorskry nie |
| | Met vlampunt 23°C maar ≤ 61°C | Totale hoeveelheid mag nie 1 100 liter oorskry nie |
| | Met vlampunt 61°C maar ≤ 100°C | Totale hoeveelheid mag nie 1 100 liter oorskry nie |

| | | |
|-------------|---|--|
| 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 |
| | 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 |

| | | |
|-------------|--|--|
| 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 kilogram oorskry nie |
| | Groep II sure in pakkies | Totale hoeveelheid mag nie 200 kilogram oorskry nie |
| | Groep III sure in pakkies | Totale hoeveelheid mag nie 1000 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 1000 kilogram oorskry nie |
| IX | VERSKEIE STOWWE | |
| | Vloeistowwe | Totale hoeveelheid mag nie 210 liter oorskry nie |
| | Vaste stowwe | Totale hoeveelheid mag nie 210 kilogram oorskry nie |

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. |

BYLAE 4
SPUITKAMER KONSTRUKSIE

| | |
|------------------|---|
| MURE | 225mm Baksteen werk |
| DAK | Versterkte beton |
| VLOER | Beton of ander ondeurdringbare materiaal |
| DEURE (A) | Gebou van 50mm hardehout in geheel gedek, ingesluit die rante, 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 3mm in dikte, gedra op 'n hoekyster raam en met 'n algehele oorslag of nie minder nie as 50mm. |
| NOTA: | Waar die vloer area 18m ² oorskry moet 2 deure voorsien word. |

| | | | |
|---|--|--|---|
| 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. | VENSTERS | Metaalrame met geen oopmaak seksies geglasuur met draadgeweefde glas wat nie 460mm x 460mm oorskry nie. Slegs stopverf goedgekeur ingevolge SANS Kode No. 680/59 mag gebruik word en okkuperer moet bewys daarvan aan die brandweerhoof lewer |
| NOTE: | The Factory Inspector requires natural light to the extent of 20% of the floor area. | NOTA: | Die fabrieksinspekteur vereis natuurlike lig tot die omvang van 20% van die vloer area. |
| VENTILATION | 30 Lineal metres/minute velocity across the room must be provided by means of mechanical ventilation, with the centre 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 centres or horizontal metal ducting extending the entire length of the wall with suitable inlets, must be provided. | VENTILASIE | 30 Lynvormige meter/minute snelheid oor die vertrek moet voorsien word by wyse van meganiese ventilasie, met die middellyn van die inlate 460mm bokant vloervlak en weggedoen deur vertikale metaalgeleidings wat eindig een (1) meter bokant die daktop. Geen reghoek buulings 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. |
| 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. | NOTA: | Indien die geleiding buite die spuithokkie en in verbinding met die werkswinkel, ens. is, moet dit beskerm word met of 110mm baksteen of 50mm asbessement bekleding. |
| 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. | VENTILASIE INLATE | Die muur oorkant die uitlaatwaaiers moet heuningkoekselvormig met lugroosters wees en geïnstalleer van 100mm bo vloervlak tot 'n hoogte van nie minder nie as twee (2) meter. |
| MINIMUM NO. OF AIRBRICKS | SIZE OF ROOM | MINIMUM GETAL LUGROOSTERS | GROOTTE VAN VERTREK |
| 40 | Up to but not exceeding 140 cubic metres. | 40 | Tot maar nie meer as 140 kubieke meter. |
| 65 | Up to but not exceeding 280 cubic metres. | 65 | Tot maar nie meer as 280 kubieke meter. |
| 90 | Up to but not exceeding 470 cubic metres. | 90 | Tot maar nie meer as 470 kubieke meter. |
| 150 | Up to but not exceeding 650 cubic metres. | 150 | Tot maar nie meer as 650 kubieke meter. |
| NOTE: Metal filters with metal swarf elements may only be used in an all metal installation, in lieu of Airbricks. | | NOTA: Metaalfilters met metaaldonker elemente mag slegs gebruik word in 'n volle metaalinstallasie, in plaas van lugroosters. | |
| ELECTRICAL WORK | electrical work must be of flame-proof construction. | ELEKTRIESE WERK | Alle elektriese werk moet van vlam-proef konstruksie wees. |
| 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. | GEVAAR KENNISGEWING | “GEVAAR— GEEN ROOK” kennisgewings in 150mm hoë wit letters op 'n rooi agtergrond moet voorsien word bokant die deur buite die spuithokkie. |

51323

11 July 2014

11 Julie 2014

SWARTLAND MUNICIPALITY
PROPERTY RATES BY-LAW

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996, the Swartland Municipality enacts as follows—

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1. Definitions
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5. Differential rating
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7. Recovery of rates in arrears from tenants or occupiers
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9. Correction of errors and omissions
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11. Appeal
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14. Short title and commencement

1. Definitions

In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and, unless the context otherwise indicates—

“agent” in relation to the owner of a property, means a person appointed by the owner of the property—

- (a) to receive rental or other payments in respect of the property on behalf of the owner; or
- (b) to make payments in respect of the property on behalf of the owner;

“agricultural purpose” in relation to the use of a property, excludes the use of a property for the purpose of ecotourism or for the trading in or hunting of game;

“annually” means once every financial year;

“category”—

- (a) means a category of property determined in terms of section 8(2) of the Act;
- (b) in relation to owners of property, means a category of owners determined in terms of section 15(2) of the Act;

“conservation area” means—

- (a) a protected area listed in terms of section 10 of the Protected Areas Act, No 57 of 2003;
- (b) a nature reserve established in terms of the Nature and Environmental Conservation Ordinance, No 19 of 1974; or
- (c) any land which is zoned as open space zone II or III in terms of the municipality’s zoning scheme regulations, provided that such protected areas, nature reserves or land, with the exception of tourism facilities that may have been erected thereon, are exclusively utilised for the preservation of fauna and flora and the products of such land are not being traded for commercial gain;

“council” means the municipal council of Swartland municipality;

“exclusion” in relation to a municipality’s rating power, means a restriction of that power as provided for in sections 16 and 17 of the Act;

“exemption” in relation to the payment of a rate, means an exemption granted in terms of section 15(1) of the Act;

“financial year” means the period starting from 1 July in a year to 30 June of the next year;

SWARTLAND MUNISIPALITEIT
VERORDENING INSAKE EIENDOMSBELASTING

Ingevolge die bepальings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal Swartland Munisipaliteit soos volg—

Inhoudsopgawe

1. Woordomskrywings
2. Bevoegdheid om belasting te hef
3. Aanvaarding en implementering van beleid
4. Algemene beginsels
5. Gedifferensierde belasting
6. Kennisgewing van belasting
7. Verhaling van belasting van huurders of okkuperders
8. Verhaling van belasting van agente
9. Regstelling van foute en weglatings
10. Maatreëls vir toepassing
11. Appèl
12. Misdrywe en strawwe
13. Herroeping van verordeninge
14. Kort titel en inwerkingtredie

1. Woordomskrywings

In hierdie verordening geld die Engelse teks in die geval van enige teenstrydigheid met die Afrikaanse teks, en tensy die konteks anders aandui, beteken—

“agent” met betrekking tot die eienaar van eiendom, ’n persoon deur die eienaar van die eiendom aangewys om—

- (a) huur of ander betalings ten opsigte van die eiendom namens die eienaar te ontvang; of
- (b) om betalings ten opsigte van die eiendom namens die eienaar te maak;

“belasting” ’n munisipale belasting op eiendom soos beoog in artikel 229(1)(a) van die Grondwet en belastings het ’n ooreenstemmende betekenis;

“belasbare eiendom” eiendom waarop ’n munisipaliteit ingevolge artikel 2 van die Wet belasting moet hef, met die uitsluiting van eiendom wat ten volle van die hef van belasting uitgesluit word ingevolge artikel 17 van die Wet;

“beleid” die munisipaliteit se Eiendomsbelasting Beleid soos vervat in die Bylae tot hierdie verordening, welke Bylae verwys;

“bewaringsgebied”—

- (a) ’n beskermd gebied soos gelys by artikel 10 van die Wet op Beskermd Gebiede, Nr 52 van 2003;
- (b) ’n natuurreservaat gestig ingevolge die Ordonnansie op Natuur- en Omgewingsbewaring, Nr 19 van 1974; of
- (c) enige grondgebied wat as oop ruimte sone II of III ingevolge die munisipaliteit se soneringskemaregulasies gesonneer is; met dien verstande dat sodanige beskermd gebiede, natuurreservate of grondgebiede, met uitsondering van toerisme-fasiliteite wat daarop opgerig mag wees, uitsluitlik gebruik word vir die bewaring van die fauna en flora en die produkte van sodanige grondgebiede nie vir kommersiële gewin verhandel word nie.

“die Wet” beteken die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting, 2004 (Nr 6 van 2004) en enige wysiging daarvan;

“eienaar”—

- (a) ten opsigte van eiendom gemeld in paragraaf (a) van die omskrywing van “eiendom”, ’n persoon in wie se naam eienaarskap van die eiendom geregistreer is;
- (b) ten opsigte van ’n reg gemeld in paragraaf (b) van die omskrywing

"geographical areas" means any geographical area as determined by the municipality for the purpose of differential rates;

"local community" means—

- (a) that body of persons comprising—
 - (i) the residents of the municipality;
 - (ii) the ratepayers of the municipality;
 - (iii) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and
 - (iv) visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of services or facilities provided by the municipality; and
- (b) includes the poor and other disadvantaged sections of such body of persons;

"market value" means the value of the property determined in accordance with section 46 of the Act;

"multiple purposes" means the use of a property for more than one purpose as contemplated by section 9 of the Act;

"municipal property" is property registered or which vests in the name of Swartland municipality;

"municipality" means the Municipality of Swartland established in terms of section 12 of the Local Government: Municipal Structures Act, 1998, (Act No 117 of 1998);

"municipal manager" means a person appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000, (Act No 32 of 2000);

"occupier" means a person in actual occupation or control of a property whether or not that person has a right to occupy the property;

"owner"—

- (a) in relation to property referred to in paragraph (a) of the definition of **"property"**, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of **"property"**, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of **"property"**, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of **"property"**, means the organ of state which owns or controls that public service infrastructure as envisaged by the definition in the Act of the term **"publicly controlled"**; provided that a person mentioned below shall for the purposes of this by-law be regarded by the municipality as the owner of a property in the following cases—
 - (i) a trustee, in the case of a property in a trust excluding state trust land;
 - (ii) an executor or administrator in a deceased estate;
 - (iii) a trustee or liquidator in an insolvent estate or in liquidation;
 - (iv) a judicial manager in the estate of a person under judicial management;
 - (v) a curator in the estate of a person under curatorship;
 - (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered that is subject to a usufruct or other personal servitude;
 - (vii) a buyer, in the case of a property that was sold and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

van **"eiendom"** 'n persoon in wie se naam die reg geregistreer is;

(c) ten opsigte van 'n grondbesitreg gemeld in paragraaf (c) van die omskrywing van **"eiendom"** 'n persoon in wie se naam die reg geregistreer is of aan wie dit ingevolge wetgewing toegestaan is; of

(d) ten opsigte van openbare dienste infrastruktuur gemeld in paragraaf (d) van die definisie van **"eiendom"**, 'n staatsorgaan wat sodanige openbare dienste infrastruktuur besit of beheer, soos beoog by die definisie in die Wet van die term **"openbare beheerde"**, met dien verstande dat 'n persoon wat hieronder gemeld word vir die doeleindes van dié Wet in die volgende gevalle as die eenaar van 'n eiendom deur 'n munisipaliteit bekou sal word—

(i) 'n trustee, in die geval van 'n eiendom in 'n trust, met uitsluiting van staatstrustgronde;

(ii) 'n eksekuteur of administrateur in 'n bestorwe boedel;

(iii) 'n trustee of likwidateur, in 'n insolvente boedel of in likwidasie;

(iv) 'n geregtelike bestuurder, in die boedel van 'n persoon onder geregtelike bestuur;

(v) 'n kurator in die boedel van 'n persoon wat onder kuratorskap verkeer;

(vi) 'n vruggebruiker of ander persoon in wie se naam 'n vruggebruik van ander persoonlike serwituut geregistreer is, in die geval van 'n eiendom wat aan vruggebruik of 'n ander persoonlike serwituut onderworpe is;

(vii) 'n koper, in die geval van 'n eiendom wat verkoop is en waarvan besit gegee is aan die koper hangende registrasie van eienaarskap in die naam van die koper;

"eiendom"—

(a) onroerende eiendom geregistreer in die naam van die persoon, met inbegrip van, in die geval van 'n deeltiteisksema, 'n deeltiteleenheid wat in die naam van 'n persoon geregistreer is;

(b) 'n reg geregistreer teen onroerende eiendom in die naam van 'n persoon, met uitsluiting van 'n eiendomsverband wat teen die eiendom geregistreer is;

(c) 'n grondbesitsreg geregistreer in die naam van 'n persoon of wat ingevolge wetgewing aan 'n persoon verleent word; of

(d) openbare dienste infrastruktuur;

"finansiële jaar" die tydperk wat op 1 Julie in 'n jaar 'n aanvang neem tot 30 Junie van die volgende jaar;

"geografiese gebiede" enige geografiese gebied soos deur die munisipaliteit bepaal vir die doeleindes van differensiële belasting;

"hierdie verordening" ook die **Eiendomsbelastingbeleid soos vervat in die Bylae**;

"jaarliks" eenkeer elke finansiële jaar;

"kategorie"—

(a) ten opsigte van 'n eiendom, 'n eiendomskategorie bepaal ingevolge artikel 8(2) van die Wet;

(b) ten opsigte van die eienaars van eiendom, 'n kategorie eienaars bepaal ingevolge Artikel 15(2) van die Wet;

"kleinhoewe" 'n gebied wat hoofsaaklik landelik of soortgelyk gesoneer is met die doel om kleiner landelike eiendomme te akkommodeer wat gebruik mag word vir landbou- en residensiële doeleindes deur persone wat 'n landelike leefstyl verkieς;

"korting" 'n korting op die belastingbedrag wat op die eiendom betaalbaar is;

"landboukundige doeleindes" ten opsigte van die gebruik van 'n eiendom, word die gebruik van 'n eiendom vir die doel van ekotoerisme of die handel in of die jag van wild uitgesluit;

"markwaarde" ten opsigte van 'n eiendom, die waarde van die eiendom wat ooreenkomsdig artikel 46 van die Wet bepaal word;

"meerdoelige doeleindes" ten opsigte van 'n eiendom, die gebruik van 'n eiendom vir meer as een doel soos bedoel in artikel 9 van die Wet;

"munisipale bestuurder" 'n persoon wat ingevolge artikel 54A van

"permitted use" means the limited purposes for which the property may be used in terms of—

- (a) any restrictions imposed by—
 - (i) a condition of title;
 - (ii) provision of a town planning or land use scheme; or
 - (iii) any legislation applicable to any specific property or properties; or
- (b) any alleviation of any such restrictions;

"policy" means the municipality's Property Rates Policy reflected in the Schedule to this by-law which policy refers;

"property" means—

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure;

"rate" means a municipal rate on property envisaged in section 229(1)(a) of the Constitution and **"rates"** has a corresponding meaning;

"rateable property" means property on which a municipality may, in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the Act;

"rebate" means a discount on the amount of the rate payable on the property;

"reduction" means the lowering of the amount for which the property was valued and the rating of the property at that lower amount;

"residential property" means property included in a valuation roll in terms of section 48(2) of the Act as residential;

"small holding" means an area predominantly zoned rural or any other equivalent zoning, with the purpose to accommodate smaller rural properties that may be used for agricultural and residential purposes for people seeking a rural lifestyle;

"the Act" means the Municipal Property Rates Act 6 of 2004;

"this by-law" includes the Property Rates Policy as reflected in the Schedule.

2. Power to levy property rates

The municipality levies property rates in terms of—

- (a) section 229(1)(a) of the Constitution;
- (b) the Act; and
- (c) this by-law.

3. Adoption and implementation of policy

The municipality must adopt and implement a rates policy in accordance with the Act for the levying of rates on rateable property in its area.

4. General principles

(1) Rates are levied as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll.

(2) Criteria are provided for the determination of categories of property and owners and for the purpose of levying different rates on categories of property and owners.

(3) Different rates may be levied for different categories of rateable property.

die Wet op Munisipale Stelsels, 2000, (Wet 32 van 2000) aangestel is;

"munisipale eiendom" eiendom wat geregistreer of gevestig is in die naam van die Munisipaliteit Swartland;

"munisipaliteit" die munisipaliteit van Swartland en sluit enige gedelegeerde amptenaar of diensverskaffer van die munisipaliteit in;

"okkuperder" ten opsigte van 'n eiendom, 'n persoon wat in werklike okkupasie of beheer daarvan is, ongeag of sodanige persoon die reg het om die eiendom te okkuper al dan nie;

"plaaslike gemeenskap" ten opsigte van 'n munisipaliteit beteken—

- (a) daardie groep persone wat bestaan uit—
 - (i) die inwoners van die munisipaliteit;
 - (ii) die belastingbetalers van die munisipaliteit;
 - (iii) enige burgerlike organisasies en nie-regerings-, privaatsektor of arbeidsorganisasies of—liggame wat gemoeid is met plaaslike aangeleenthede binne die munisipaliteit; en
 - (iv) besoekers en ander mense wat buite die munisipaliteit woon wat op grond van hul teenwoordigheid in die munisipaliteit gebruik maak van die dienste of fasiliteite wat deur die munisipaliteit voorsien word; en
- (b) sluit meer spesifieker die armes en voorheen benadeeldes van sodanige groep persone in;

"raad" die munisipale raad van Swartland munisipaliteit;

"residensiële eiendom" eiendom wat ingevolge artikel 48(2)(b) van die Wet as residensiell ingesluit is in 'n waardasielys;

"toegelate gebruik" ten opsigte van 'n eiendom, die beperkte doeleinades waarvoor die eiendom gebruik mag word ingevolge—

- (a) enige beperkings opgelê deur—
 - (i) 'n titelvoorraarde;
 - (ii) 'n bepaling van 'n dorpsbeplannings- of grondgebruikskema; of
 - (iii) enige wetgewing van toepassing op enige spesifieke eiendom of eiendomme; of
- (b) enige versagting van enige sodanige beperkings;

"uitsluiting" ten opsigte van 'n munisipaliteit se bevoegdheid om belasting te hef, 'n beperking van daardie mag soos bepaal in artikels 16 en 17 van die Wet;

"vrystelling" ten opsigte van die bepaling van belasting, 'n vrystelling wat ingevolge Artikel 15 van die Wet toegestaan word;

"vermindering" die verlaging van die bedrag waarvoor die eiendom gewaardeer is en die hef van 'n belasting op die eiendom op sodanige laer bedrag.

2. Bevoegdheid om belasting te hef

Die munisipaliteit hef belasting ingevolge—

- (a) artikel 229(1)(a) van die Grondwet;
- (b) die Wet; en
- (c) hierdie verordening.

3. Aanvaarding en implementering van beleid

Ingevolge die Wet moet die munisipaliteit 'n belastingbeleid aanvaar en implementeer vir die heffing van eiendomsbelasting in sy reggebied.

4. Algemene beginsels

(1) Belasting word gehef as 'n bedrag in die rand gebaseer op die markwaarde van alle belasbare eiendom in sy reggebied.

(2) Kriteria word bepaal vir die bepaling van kategorieë van eiendomme en eienaars asook vir die doeleinades van heffing van gedifferensieerde belasting op kategorieë eiendomme of eienaars.

(3) Belasting mag verskil na gelang van die kategorie van belasbare eiendom.

- (4) Relief in respect of payment for rates shall not be granted to any category of property or owners on an individual basis, other than by way of an exemption, rebate or reduction.
- (5) All ratepayers with similar properties must be treated equally.
- (6) The ability of a person to pay rates must be taken into account.
- (7) Provision must be made for the promotion of local economic development and sustainable local government.
- (8) Rates shall be based on the value of all rateable property and the amount required by the municipality to balance the operating budget.

5. Differential rating

- (1) Subject to the Act, the municipality may levy different rates on different categories of property.
- (2) The criteria for differential rating determined by the municipality in terms of section 3(3)(b)(i) of the Act must be specified in its rates policy.

6. Notification of rates

- (1) The municipality must give notice of all rates approved at least 30 days prior to the date that the rates become effective.
- (2) A notice stating the purport of the Council resolution and date on which the new rates shall become operational must be displayed by the municipality at places installed for that purpose.

7. Recovery of rates in arrears from tenants or occupiers

Subject to the provisions of section 28 of the Act, the municipality may recover rates which are unpaid after the due date by the owner of a property, in whole or in part from the tenant or occupier of such property.

8. Recovery of rates in arrears from agents

Subject to the provisions of section 29 of the Act, the municipality may recover the amount due for rates in whole or in part from the agent of the owner.

9. Correction of errors and omissions

- (1) Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.
- (2) Where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied in terms of the municipality's Credit Control and Debt Collection By-law.

10. Enforcement mechanisms

If an owner of a property fails to pay rates in the prescribed manner, the Director: Financial Services must recover from such owner the rates due in accordance with the provisions of the municipality's Credit Control and Debt Collection By-law.

11. Appeal

A person whose rights are affected by a delegated decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

- (4) Verligting ten opsigte van betaling van belasting sal nie aan enige kategorie eiendom of eienaar op individuele basis toegestaan word nie, behalwe by wyse van vrystelling, korting of vermindering.
- (5) Belastingbetalers met soortgelyke eiendomme moet gelykwaardig behandel word.
- (6) 'n Persoon se vermoë om belasting te betaal moet in ag geneem word.
- (7) Voorsiening moet gemaak word vir die bevordering van plaaslike ekonomiese ontwikkeling asook volhoubare plaaslike regering.
- (8) Belasting sal gebaseer word op die waarde van alle belasbare eiendom en die bedrag wat die munisipaliteit benodig om die operasionele begroting te balanseer.

5. Gedifferensieerde belasting

- (1) Onderhewig aan die Wet mag die munisipaliteit gedifferensieerde belastings hef ten opsigte van verskillende kategorieë eiendomme.
- (2) Die kriteria vir gedifferensieerde belasting soos deur die munisipaliteit bepaal ingevolge artikel 3(3)(b)(i) van die Wet moet in die belastingbeleid vervat word.

6. Kennisgewing van belasting

- (1) Die munisipaliteit moet minstens 30 dae voor die datum waarop belasting in werking tree daarvan kennis gee.
- (2) Diemunisipaliteit moet 'n kennisgewing met die inhoud vandie Raadsbesluit en die datum waarop die nuwe belasting in werking tree, vertoon op plekke wat daarvoor voorsien word.

7. Verhaling van agterstallige belasting van huurder of okkupereder

Onderhewig aan die bepalings van artikel 28 van die Wet, mag die munisipaliteit agterstallige belasting in geheel of gedeeltelik verhaal van die huurder of okkupereder van daardie eiendom.

8. Verhaling van agterstallige belasting van agent

Onderhewig aan die bepalings van artikel 29 van die Wet mag die munisipaliteit agterstallige belasting op eiendom in geheel of gedeeltelik verhaal van die agent van die eienaar.

9. Regstelling van foute of weglatings

- (1) Waar belasting wat op 'n spesifieke eiendom gehef is, verkeerd bepaal is, het sy as gevolg van 'n fout of weglatting aan die kant van die munisipaliteit of valse inligting wat deur die betrokke eienaar verskaf is of 'n oortreding van die toegelate gebruik van die betrokke eiendom, sal die belasting wat verskuldig is aangepas word vir die tydperk vanaf die datum waarop die fout of weglatting ontdek is terugverwend tot die datum waarop eiendomsbelasting vir die eerste keer ooreenkomsdig die huidige waardasierol gehef is.

- (2) Waar die fout voorgekom het as gevolg van valse inligting wat deur die eienaar van die eiendom verstrek is of as gevolg van 'n oortreding van die toegelate gebruik van die betrokke eiendom, sal rente op die onbetaalde gedeelte van die aangepaste belasting wat verskuldig is, gehef word ingevolge die munisipaliteit se Kredietbeheer en Skuldinvorderingsverordening.

10. Mechanismes vir toepassing

Indien 'n eienaar van eiendom versuim om sodanige eiendomsbelasting op die voorgeskrewe manier te betaal, moet die Direkteur: Finansiële Dienste die verskuldigde belasting van sodanige eienaar verhaal ingevolge die munisipaliteit se Kredietbeheer en Skuldinvorderingsverordening.

11. Appèl

'n Persoon wie verontreg voel deur 'n besluit van die munisipaliteit ingevolge gedelegeerde magte, mag teen daardie besluit appelleer deur binne 21 dae van die datum van die inkennisstelling van die besluit aan die munisipale bestuurder skriftelik kennis te gee van die appèl en die redes daarvoor ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000.

12. Offences and penalties

A person who—

- (a) makes a false application or declaration which will affect the rates payable on any property whether on his or her own behalf or that of someone else;
- (b) refuses or fails to report any amendments to an application or declaration, referred to in paragraph (a), to the municipality after such occurrence; or
- (c) interferes or hinders an official of the municipality in the execution of his or her duties in terms of this by-law,

commits an offence and upon conviction shall be liable to payment of a fine or imprisonment or to such imprisonment or to both such fine and such imprisonment.

13. Repeal of by-laws

The Rates By-law promulgated on 7 April 2006 is hereby repealed.

14. Short title and commencement

This By-law shall be known as the Swartland Municipality Property Rates By-law and shall become effective on 1st July 2014.

SCHEDULE

SWARTLAND MUNICIPALITY PROPERTY RATES POLICY

In terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), the Municipality of Swartland hereby adopts the following Property Rates Policy—

Table of Contents

1. Purpose of the policy
2. Policy principles
3. Levying of rates
4. Categories of property
5. Categories of owners
6. Differential rates
7. Exemptions
8. Rebates
9. Application for exemption or rebate
10. Reductions
11. Rate adjustments
12. Multipurpose use of property
13. Costs of exemptions, rebates, reductions and phasing in of rates
14. Payment arrangements
15. Utilisation of property

1. Purpose of the policy

The purpose of the policy is—

- (a) to comply with the provisions of section 3 of the Act; and
- (b) to determine criteria to be applied for—
 - (i) the levying of different rates for different categories of properties;
 - (ii) exemptions;
 - (iii) reductions and rebates; and
 - (iv) rate increases;

12. Misdrywe en strawwe

'n Persoon wat—

- (a) 'n vals aansoek indien of verklaring aflê wat die belasting op enige eiendom mag affekteer, het sy vir homself of vir iemand anders;
- (b) weier of versuim om veranderings aan 'n aansoek of verklaring soos beoog in par (a) aan die munisipaliteit te rapporteer; of
- (c) 'n beampte van die munisipaliteit belemmer om sy of haar pligte uit te voer of daarmee inmeng,

pleeg 'n misdryf en sal by skuldigbevinding onderhewig wees aan die oplegging van 'n boete of gevangenisstraf of tot beide sodanige boete en gevangenisstraf.

13. Herroeping van verordeninge

Die Eiendomsbelastingverordening gepromulgeer op 7 April 2006 word hiermee herroep.

14. Kort titel en inwerkingtrede

Hierdie verordening staan bekend as die Swartland Munisipaliteit se Verordening insake Eiendomsbelasting en tree in werking op 1 Julie 2014.

BYLAE

MUNISIPALITEIT SWARTLAND EIENDOMSBELASTING BELEID

Ingevolge artikel 3 van die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting, 2004 (Wet 6 van 2004), aanvaar die Munisipaliteit van Swartland die volgende Eiendomsbelasting Beleid—

Inhoudsopgawe

1. Doel van die beleid
2. Beleidsbeginsels
3. Die hef van belastings
4. Kategorieë van eiendomme
5. Kategorieë van eienaars
6. Differensiële belasting
7. Vrystellings
8. Kortings
9. Aansoeke om vrystelling of korting
10. Verminderings
11. Belastingaanpassings
12. Meeroeloige gebruik van eiendomme
13. Koste van vrystellings, kortings, verminderings, infasering van belasting
14. Betalingsreeëlens
15. Gebruiksaanwending van eiendom

1. Doel van die beleid

Die doel van die beleid is:

- (a) om te voldoen aan die bepalings van artikel 3 van die Wet;
- (b) om kriteria te bepaal wat toegepas moet word vir—
 - (i) die hef van verskillende koerce vir verskillende kategorieë van eiendomme;
 - (ii) vrystellings;
 - (iii) verminderings en kortings; en
 - (iv) belastingverhogings;

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| <p>(c) to determine or provide criteria for the determination of— (i) categories of properties for the purpose of levying different rates; and (ii) categories of owners of properties or categories of properties, for the purpose of granting of exemptions, rebates and reductions;</p> <p>(d) to determine how the municipality's powers must be exercised in relation to multipurpose properties;</p> <p>(e) to identify and quantify in terms of cost and benefit to the community— (i) exemptions, rebates and reductions; (ii) exclusions; and (iii) rates on properties to be phased in;</p> <p>(f) to take into account the effect of rates on the poor;</p> <p>(g) to take into account the effect of rates on organisations conducting particular public benefit activities and registered in terms of the Income Tax Act for tax exemptions because of those activities, in the case of property owned and used by such organisations for those activities;</p> <p>(h) to take into account the effect of rates on public service infrastructure;</p> <p>(i) to allow the municipality to promote local economic and social development;</p> <p>(j) to identify all rateable property;</p> <p>(k) to take into account, when considering the criteria to be applied in respect of any exemptions, rebates and reductions on properties used for agricultural purposes— (i) the extent of services provided by the municipality in respect of such properties; (ii) the contribution of agriculture to the local economy; (iii) the extent to which agriculture assists in meeting the service delivery and development obligations of the municipality; and (iv) the contribution of agriculture to the social and economic welfare of farm workers;</p> <p>(l) to ensure that any exemptions, rebates or reductions provided for in this policy comply and be implemented in accordance with a national framework that may be prescribed after consultation with organised local government; and</p> <p>(m) to ensure that the municipality does not grant relief in respect of the payment of a rate— (i) to a category of owners of properties, or to the owners of a category of properties, other than by way of an exemption, a rebate or a reduction provided for in this policy and granted in terms of section 15 of the Act; or (ii) to the owners of properties on an individual basis.</p> | <p>(c) om kriteria vir die vasstelling van die volgende te bepaal of te voorsien— (i) kategorieë van eiendomme vir die doel van die hef van verskillende belastings; en (ii) kategorieë van eienaars van eiendomme of kategorieë van eiendomme vir die doel van die toestaan van vrystellings, kortings en verminderings;</p> <p>(d) om te bepaal hoe die munisipaliteit se magte ten opsigte van meerdoelige eiendomme uitgeoefen moet word;</p> <p>(e) om die volgende vir die munisipaliteit te identifiseer en te kwantifiseer in terme van koste en die voordeel vir die gemeenskap— (i) vrystellings, kortings en verminderings; (ii) uitsluitings; en (iii) belastings op eiendomme wat ingefaseer moet word;</p> <p>(f) om die uitwerking van belasting op die armes in aanmerking te neem;</p> <p>(g) om die uitwerking van belasting op organisasies wat bepaalde openbare weltaadsaktiwiteite verrig en geregistreer is ingevolge die Inkomstebelasting Wet vir belasting vrystellings as gevolg van die aktiwiteite, in die geval van eiendom wat deur sodanige organisasies vir sodanige aktiwiteite besit en gebruik word, in aanmerking te neem;</p> <p>(h) om die uitwerking van belasting op die openbare dienste infrastruktur in aanmerking te neem;</p> <p>(i) om die munisipaliteit in staat te stel om plaaslike ekonomiese en maatskaplike ontwikkeling bevorder;</p> <p>(j) om alle belasbare eiendom te identifiseer;</p> <p>(k) om, wanneer kriteria oorweeg word vir vrystellings, kortings en verminderings op eiendomme wat vir landboudoeleindes gebruik word, die volgende in aanmerking te neem— (i) die omvang van dienste wat deur die munisipaliteit gelewer word ten opsigte van sodanige eiendomme; (ii) die bydrae van landbou tot die plaaslike ekonomie; (iii) die mate waartoe landbou bydra tot die verwesenliking van die dienslewerings- en ontwikkelings verpligte van die munisipaliteit; en (iv) die bydrae van landbou tot die sosiale en ekonomiese ontwikkeling van plaaswerkers;</p> <p>(l) om te verseker dat vrystellings, kortings en verminderings waarvoor in hierdie beleid voorsiening gemaak word voldoen aan en geïmplementeer word volgens 'n nasionale raamwerk wat voorgeskryf kan word na raadpleging van georganiseerde plaaslike bestuur; en</p> <p>(m) om te verseker dat die munisipaliteit nie 'n verligting toestaan ten opsigte van die betaling van belasting— (i) aan 'n kategorie van eienaars van eiendomme, of aan die eienaars van 'n kategorie van eiendomme, anders as by wyse van 'n vrystelling, korting of verminderung waarvoor in hierdie beleid voorsiening gemaak word en toegestaan word ingevolge artikel 15 van die Wet nie; of (ii) aan die eienaars van eiendomme op 'n individuele basis nie.</p> |
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2. Policy principles

- (1) The levying of a rate on a property is an exclusive power of the municipality which will be applied optimally and expansively within the municipality and with due regard to the total income pool of the municipality.
- (2) The rating of property will be done impartially, fairly, equitably and without bias, and these principles also apply to the setting of criteria for exemptions, reductions and rebates contemplated in section 15 of the Act.
- (3) The rating of property will be implemented in a way that—
 (a) is developmentally orientated;

2. Beleidsbeginsels

- (1) Die heffing van belasting op 'n eiendom is 'n uitsluitlike reg van die munisipaliteit wat optimaal en omvattend binne die munisipaliteit en met oorweging van die totale inkomstebbron van die munisipaliteit aangewend sal word.
- (2) Die belasting van eiendomme sal onafhanklik, regverdig, billik en sonder voorkeur gedoen word en dié beginsels sal ook toegepas word by die bepaling van kriteria vir vrystellings, verminderings en kortings soos bepaal in artikel 15 van die Wet.
- (3) Die hef van eiendomsbelasting moet op so 'n wyse toegepas word dat—
 (a) dit ontwikkelingsgerig is;

- (b) supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality; and
- (c) supports local and social economic development.
- (4) Property rates may be levied to correct the imbalances of the past and to minimise the effect of rates on the poor.
- (5) Rates will be levied in proportion to the market value of the property.
- (6) The rates tariff will be based on the value of all rateable properties and the amount required by the municipality to balance the operating budget after taking into account profits generated on trading and economic services and the amounts required to finance exemptions, rebates, reductions and phasing in of rates as approved by the council.
- (7) Trading and economic services must be ring fenced and tariffs and service charges calculated in such a manner that the income generated covers the cost of the services or generates a profit.
- (8) Property rates may be used to finance community services.
- (9) Profits on trading and economic services may be used to subsidise community services.
- (10) The provision for working capital and bad debts must relate to the requirements for community services and not to those of trading and economic services.
- (11) The income base of the municipality must be protected by limiting reductions, exemptions and rebates.

3. Levying of rates

- (1) Subject to the provisions of sub paragraph (2), the municipality must levy rates on all rateable property in its area of jurisdiction at a rate to be fixed in terms of section 14 of the Act.
- (2) Rates may not be levied—
- as contemplated in terms of section 17 of the Act;
 - on property of the municipality;
 - on public services infrastructure which is the property of a municipal entity;
 - property referred to in section 7(2)(a)(iii) and (iv) of the Act; and
 - property exempted in terms of paragraph 7 hereof.

4. Categories of property

Properties will be categorised as follows—

- residential properties;
- industrial properties;
- business properties;
- properties in rural areas in terms of which consent uses have been approved;
- agricultural properties such as—
 - farm properties and smallholdings used for bona fide farming and residential purposes; and
 - farm properties registered in the name of an agricultural society which are affiliated to the SA Agricultural Union;
- state-owned properties, excluding state-owned property contemplated in sub paragraph (l) below;
- municipal property, registered in the name of the Swartland municipality or properties of which the ownership vests in the municipality;
- public service infrastructure;
- informal settlements including those on land which are not subdivided into residential erven;

- (b) volhoubare plaaslike regering daardeur bevorder word deurdat 'n stabiele en konstante bron van inkomste tot die diskresionêre beheer van die munisipaliteit gestel word; en
- (c) ekonomiese en maatskaplike plaaslike ontwikkeling daardeur bevorder word.
- (4) Eiendomsbelasting sal gehef word om ongelykhede van die verlede reg te stel en die effek van belasting op behoeftiges te minimaliseer.
- (5) Belasting sal gehef word in verhouding tot die markwaarde van die eiendom.
- (6) Die belastingtarief sal gebaseer word op die waarde van alle belasbare eiendomme en die bedrag wat die munisipaliteit nodig het om die bedryfsbegroting te balanseer, met inagneming van die surplus wat uit die handels- en ekonomiese dienste verkry is en die bedrae wat vereis word om vrystellings, kortings, verminderings en infasering van belasting, soos deur die raad goedgekeur, te finansier.
- (7) Handels- en ekonomiese dienste sal afgebaken word en tariewe en dienskoste sal op so 'n wyse bereken word dat die inkomste wat gegeneereer word, die koste van die dienste dek of 'n surplus genereer.
- (8) Eiendomsbelasting sal gebruik word om gemeenskapsdienste te finansier.
- (9) Winste uit handels- en ekonomiese dienste mag gebruik word om gemeenskapsdienste te subsidieer.
- (10) Die voorsiening van bedryfskapitaal en slegte skulde moet verband hou met gemeenskapsdienste en mag nie voorsienings in verband met handels- en ekonomiese dienste insluit nie.
- (11) Die inkomstebasis van die munisipaliteit moet beskerm word deur vrystellings, kortings en verminderings te beperk.

3. Die hef van belastings

- (1) Onderworpe aan die bepalings van subparagraaf (2) moet die munisipaliteit belastings op alle belasbare eiendom in sy regsgebied hef teen 'n koers wat ooreenkomsdig die bepalings van artikel 14 van die Wet vasgestel word.
- (2) Geen belastings mag gehef word nie—
- soos bepaal in artikel 17 van die Wet;
 - op die munisipaliteit se eiendom;
 - op openbare dienste infrastruktur wat die eiendom is van 'n munisipale entiteit;
 - op eiendomme vermeld in artikel 7(2)(a)(iii) en (iv) van die Wet; en
 - op eiendomme wat kragtens paragraaf 7 hiervan vrygestel is.

4. Kategorieë van eiendomme

Eiendomme sal soos volg gekategoriseer word—

- residensiële eiendomme;
- industriële eiendomme;
- sake-eiendomme;
- eiendomme in landelike gebied ten opsigte waarvan vergunningsgebruik goedgekeur is;
- landbou-eiendomme soos—
 - plaaseiendom en kleinhoewes wat gebruik word vir bona fide-boerdery en residensiële doeleindes; en
 - plaaseiendom geregistreer in die naam van 'n landbouvereniging wat by die SA Landbou-Unie geaffilieer is.
- staatseiendom, uitgesluit staatseiendom vermeld in subparagraaf (l) hieronder;
- munisipale eiendom wat in die Swartland munisipaliteit se naam geregistreer is of by die munisipaliteit berus;
- openbare dienste infrastruktur;
- informele nedersettings, insluitend die wat voorkom op grond wat nie in residensiële erwe onderverdeel is nie;

- (j) property—
 - (i) acquired through the Provision of Land and Assistance Act, 1993 (Act No 126 of 1993), or the Restitution of Land Rights Act, 1994 (Act No 22 of 1994); or
 - (ii) which is subject to the Communal Property Association Act, 1996 (Act No 28 of 1996);
- (k) conservation areas;
- (l) properties on which national monuments are proclaimed;
- (m) properties owned by the following public benefit organisations and used for the corresponding public benefit activities listed in Part 1 of the Ninth Schedule to the Income Tax Act, No 58 of 1962—
 - (i) welfare and humanitarian organisations;
 - (ii) cultural organisations;
 - (iii) sporting organisations;
 - (iv) conservation, environmental and animal welfare organisations;
 - (v) healthcare organisations; and
- (vi) education and development.
- (n) properties used for multiple purposes in terms of the municipality's zoning scheme regulations; and
- (o) properties in geographical areas as determined by the municipality for the purpose of differential rates.

5. Categories of owners

- (1) In terms of section 15(2) of the Act the following categories of owners will be recognised—
 - (a) owners who qualify for indigent support in terms of the municipality's Credit Control and Debt Collection policy;
 - (b) an owner of a dwelling unit who is 60 years or older and where the income of such an owner plus the income of his or her spouse is equal to or less than twice the old age grant paid by the State plus 10%;
 - (c) owners of property situated within an area affected by—
 - (i) a disaster within the meaning of the Disaster Management Act, 2002 (No 57 of 2002); or
 - (ii) any other adverse social or economic conditions;
 - (d) owners of residential properties of which the market value is lower than an amount determined by the municipality; and
 - (e) owners of residential properties who are 65 years or older.

6. Differential rates

- (1) In terms of section 8 of the Act the municipality may levy differential rates for different categories of rateable property.
- (2) A rate equal to 25%, or such lesser rate as the municipality may determine, of the rate applicable to residential properties may be levied in respect of—
 - (a) agricultural property; and
 - (b) that portion of a property in the category “**multiple purposes**” which has been apportioned for agricultural purposes in terms of section 15(2) of the Act.
- (3) The rate mentioned in sub paragraph (2) will be applied throughout irrespective of the fact that services like water and sanitation, roads, electricity and waste removal are provided to agricultural properties.

7. Exemptions

- (1) To reduce the rates burden and cost of service charges all municipal properties are exempted from property tax, including municipal property which is leased.

- (j) eiendom—
 - (i) verkry deur die Wet op Voorsiening van Grond en Bystand, 1993 (Wet Nr 126 van 1993) of die Wet op die Herstel van Grondregte, 1994 (Wet Nr 22 van 1994); of
 - (ii) wat onderworpe is aan die Wet op Gemeenskaplike Eiendomsassossiasie, 1996 (Wet Nr 28 van 1996);
- (k) bewaringsgebiede;
- (l) eiendomme waarop nasionale monumente geproklameer is;
- (m) eiendomme wat deur die volgende openbare weltaadsorganisasies besit word en vir die ooreenstemmende openbare weltaadsaktiwiteite soos vermeld in Deel 1 van die Negende Skedule tot die Inkomstbelastingwet Nr 58 van 1962 gebruik word—
 - (i) welsyn en humanitaire organisasies;
 - (ii) kulturele organisasies;
 - (iii) sportorganisasies;
 - (iv) bewarings-, omgewings- en dierebeskermingsorganisasies;
 - (v) gesondheidsorganisasies; en
 - (vi) onderwys en ontwikkeling.
- (n) eiendomme wat vir meerdoelige doeleindeste gebruik word ooreenkomsdig die munisipaliteit se soneringskemaregulasies; en
- (o) eiendomme geleë in geografiese gebiede soos deur die munisipaliteit bepaal vir die doeleindeste van differensiële belasting.

5. Kategorieë van eienaars

- (1) Vir die doeleindeste van die beleid sal die volgende kategorieë van eienaars in terme van artikel 15(2) van die Wet erken word:
 - (a) eienaars wat vir deernishulp kwalifiseer ooreenkomsdig die Kredietbeheer en Skuldinvorderingsbeleid van die munisipaliteit;
 - (b) 'n eienaar wat 60 jaar of ouer is en waar die inkomste van die eienaar tesame met sy of haar gade se inkomste, gelykstaande of minder is as twee keer die ouderdomstoelaag wat deur die staat betaal word plus 10%;
 - (c) eienaars van eiendomme wat binne 'n gebied geleë is wat geaffekteer is deur—
 - (i) 'n ramp soos omskrywe in die Rampbestuurswet, 2002 (Nr 57 van 2002); of
 - (ii) enige ander ernstige sosiale en ekonomiese omstandighede;
 - (d) eienaars van residensiële eiendomme waarvan die markwaarde laer is as 'n bedrag wat deur die munisipaliteit vasgestel is; en
 - (e) eienaars van residensiële eiendomme wie 65 jaar en ouer is.

6. Differensiële belasting

- (1) In terme van artikel 8 van die Wet mag die munisipaliteit differensiële belasting hef op verskillende kategorieë belasbare eiendom.
- (2) 'n Belastingkoers gelykstaande aan 25%, of enige ander laer koers waarop die munisipaliteit mag besluit, van die koers betaalbaar ten opsigte van residensiële eiendomme, mag gehef word op—
 - (a) landbou-eiendomme; en
 - (b) daardie gedeelte van 'n eiendom in die kategorie “**meerdoelige doeleindeste**” wat in terme van artikel 15(2) van die Wet vir landboudoeleindeste toege wys is.
- (3) Die belastingkoers genoem in subartikel (2) sal deurgaans toegepas word ongeag die feit dat dienste soos water en sanitasie, paaie, elektrisiteit en vullisverwydering aan landbou-eiendomme voorsien word.

7. Vrystellings

- (1) Om die belastingglas en koste van diensheffings te verminder, word alle munisipale eiendomme vrygestel van eiendomsbelasting insluitende munisipale eiendom wat verhuur word.

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| <p>(2) The following properties will also be exempt from rates—</p> <p>(a) property assigned to the category contemplated in paragraph 4(l); provided that—</p> <ul style="list-style-type: none"> (i) the organisation which owns such a property, is registered for tax exemption in terms of the Income Tax Act; (ii) a valid certificate issued by the SA Revenue Services confirming such registration is submitted; and (iii) an application for exemption from rates for the ensuing financial year is submitted annually on or before 30 September. <p>(b) property registered in the name of a public benefit organisation (welfare and humanitarian) which is used for the following public benefit activities—</p> <ul style="list-style-type: none"> (i) the care for, or counseling of abandoned, abused, neglected, orphaned or homeless children or the provision of education programmes relating to such children; (ii) the care for, or counseling of poor and needy persons where more than 90% of the persons to whom the care or counseling is provided are over the age of 60 years; (iii) the care for, or counseling of physically or mentally abused and traumatised persons or the provision of education programmes relating to such persons; (iv) the provision of disaster relief; (v) the rescue or care of persons in distress; (vi) the provision of poverty relief; (vii) rehabilitative care, counseling or education of prisoners, former prisoners and convicted offenders and persons awaiting trial; (viii) the rehabilitation, care or counseling of persons addicted to a dependence-forming substance or the provision of preventative and education programmes regarding addiction to dependence-forming substances; (ix) conflict resolution, the promotion of reconciliation, mutual respect and tolerance between the various peoples of South Africa; (x) the promotion or advocacy of human rights and democracy; (xi) the protection of the safety of the general public; (xii) the promotion or protection of family stability; (xiii) the provision of legal services for poor and needy persons; (xiv) the provision of facilities for the protection and care of children under school-going age of poor and needy parents; (xv) the promotion or protection of the rights and interests of, and the care of, asylum seekers and refugees; (xvi) community development for poor and needy persons and anti-poverty initiatives, including— <ul style="list-style-type: none"> (aa) the promotion of community based projects relating to self-help, empowerment, capacity building, skills development or anti-poverty; (bb) the provision of training, support or assistance to community based projects contemplated in paragraph (aa); or (cc) the provision of training, support or assistance to emerging micro enterprises to improve capacity to start and manage businesses, which may include the granting of loans on such conditions as may be prescribed by the minister by way of regulation; and (dd) the promotion of access to media and a free press. <p>(c) property registered in the name of a public benefit organisation (cultural) which is used for the following public benefit activities—</p> <ul style="list-style-type: none"> (i) the advancement, promotion or preservation of the arts, culture or customs; | <p>(2) Die volgende eiendomme sal ook vrygestel word van eiendomsbelasting—</p> <p>(a) eiendom toegeken aan die kategorie soos bepaal in paragraaf 4(1), mits—</p> <ul style="list-style-type: none"> (i) die organisasie wat sodanige eiendom besit, vir belastingvrystelling geregistreer is in terme van die Wet op Inkomstebelasting; (ii) 'n geldige sertifikaat, uitgereik deur die SA Inkomstediens, bevestig dat sodanige registrasie toegestaan is; en (iii) 'n aansoek om belastingvrystelling vir die volgende finansiële jaar jaarliks voor of op 30 September ingedien is. <p>(b) eiendom geregistreer in die naam van 'n openbare welaadorganisasie (welsyn en humaniteit) wat vir die volgende openbare welaadsaktiwiteite aangewend word—</p> <ul style="list-style-type: none"> (i) die sorg vir of berading van, of die voorsiening van opvoedingsprogramme met betrekking tot verlate, mishandelde, verwaarloosde, wees- of hawelose kinders; (ii) die sorg vir of berading van arm en behoeftige persone waar minstens 90% van die persone aan wie die sorg of berading voorsien word, bo die ouderdom van 60 jaar is; (iii) die sorg vir of berading van, of die voorsiening van opvoedingsprogramme met betrekking tot fisies of emosioneel mishandelde en getraumatiseerde persone; (iv) die voorsiening van rampverligting; (v) die redding van of sorg aan persone in nood; (vi) die voorsiening van armoedevertigting; (vii) rehabilitatiewe sorg of berading of onderrig van gevangenes, voormalige gevangenes en veroordeelde misdadigers en verhoorafwagende persone; (viii) die rehabilitasie, sorg vir of berading van persone verslaaf aan 'n gewoontevormende middel of die voorsiening van voorkomende en opvoedingsprogramme met betrekking tot verslaving aan gewoontevormende middels; (ix) konflikbeslewing, die bevordering van versoening, wedersydse respek en verdraagsaamheid tussen die verskillende volke van Suid-Afrika; (x) die bevordering van of voorspraak vir menseregte en demokrasie; (xi) die beskerming van die veiligheid van die algemene publiek; (xii) die bevordering of beskerming van gesinstabiliteit; (xiii) die voorsiening van regshulp aan arm en behoeftige persone; (xiv) die voorsiening van fasiliteite vir die beskerming van en sorg vir kinders onder skoolgaande ouderdom van arm en behoeftige ouers; (xv) die bevordering of beskerming van die regte en belang van, en die sorg aan asielsoekers en vlugtelinge; (xvi) gemeenskapsontwikkeling vir arm en behoeftige persone en teen-armoede inisiatiewe, waarby ingesluit is— <ul style="list-style-type: none"> (aa) die bevordering van gemeenskapsgebaseerde projekte met betrekking tot selfhelp, bemagtiging, uitbreiding van vermoëns, vaardighedsontwikkeling of teen-armoede; (bb) die voorsiening van opleiding, ondersteuning of bystand aan gemeenskapsgebaseerde projekte soos in paragraaf (aa) gemeld; of (cc) die voorsiening van opleiding, ondersteuning of bystand aan opkomende mikro-onderneemings om kapasiteit te verbeter ten einde besigheide tot stand te bring en te bestuur, wat kan insluit die voorsiening van lenings op die voorwaardes wat die minister by wyse van regulasie voorskryf; en (dd) die bevordering van toegang tot media en 'n vrye pers. <p>(c) eiendom geregistreer in die naam van 'n openbare welaadsorganisasie (kultureel) wat vir die volgende openbare welaadsaktiwiteite gebruik word—</p> <ul style="list-style-type: none"> (i) die bevordering, aanmoediging of bewaring van die kuns, kultuur of gewoontes; 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| <p>(ii) the promotion, establishment, protection, preservation or maintenance of areas, collections or buildings of historical or cultural interest, national monuments, national heritage sites, museums, including art galleries, archives and libraries; and</p> <p>(iii) the provision of youth leadership or development programmes.</p> <p>(d) property registered in the name of a public benefit organisation (sport) which is used for the administration, development, co-ordination or promotion of sport or recreation in which the participants take part on a non-professional basis as a pastime.</p> <p>(e) property registered in the name of a public benefit organisation (conservation, environmental and animal welfare) which is used for the following public benefit activities—</p> <ul style="list-style-type: none"> (i) engaging in the conservation, rehabilitation or protection of the natural environment, including flora, fauna or the biosphere; (ii) the care of animals, including the rehabilitation or prevention of the ill-treatment of animals; and (iii) the promotion of education and training programmes relating to environmental awareness, greening, clean-up or sustainable development projects. <p>(f) property registered in the name of a public benefit organisation (healthcare) which is used for the following public benefit activities—</p> <ul style="list-style-type: none"> (i) the provision of healthcare services to poor and needy persons; (ii) the care or counseling of terminally ill persons or persons with a severe physical or mental disability, and the counseling of their families in this regard; (iii) the prevention of HIV infection, the provision of preventative and education programmes relating to HIV/AIDS; (iv) the care, counseling or treatment of persons afflicted with HIV/AIDS, including the care or counseling of their families and dependants in this regard; (v) the provision of blood transfusion, organ donor or similar services; and (vi) the provision of primary healthcare education, sex education or family planning. <p>(g) property registered in the name of an agricultural society affiliated to or recognised by the South African Agricultural Union, which is used for the purposes of such a society shall be exempt from rates, provided that the owner thereof applies annually on or before 30 September for exemption for the ensuing financial year.</p> <p>(h) property which have been assigned to the following categories—</p> <ul style="list-style-type: none"> (i) “informal settlements” in terms of paragraph 4(h); (ii) “conservation areas” in terms of paragraph 4(j), or that portion of a property in the category “multiple purposes” which, in terms of section 9 of the Act, has been apportioned for conservation area purposes in accordance with paragraph 4(m); (iii) “public service infrastructure” in terms of paragraph 4(g); (iv) residential property with a market value of R100 000 or less, which has been assigned to the category contemplated in paragraph 5(1)(d). (The R15 000 exemption as contemplated in section 17(1)(h) of the Act shall be deemed to be excluded from the amount of R100 000.) | <p>(ii) die bevordering, vestiging, beskerming, bewaring of instandhouding van gebiede, versamelings of geboue van historiese of kulturele belang, nasionale monumente, nasionale erfenisterreine, museums, insluitend kunsgalerye, argiewe en biblioteke; en</p> <p>(iii) die voorsiening van jeugleierskap- en ontwikkelingsprogramme.</p> <p>(d) eiendom geregistreer in die naam van 'n openbare welaadsorganisasie (sport) wat gebruik word vir die administrasie, ontwikkeling, ko"rdinasie of bevordering van sport of rekreasie waaraan die deelnemers op 'n nie-professionele basis as 'n tydverdryf deelneem.</p> <p>(e) eiendom geregistreer in die naam van 'n openbare welaadsorganisasie (bewaring, omgewings- en dierenbeskerming) wat vir die volgende openbare welaadsaktiwiteite gebruik word—</p> <ul style="list-style-type: none"> (i) deelname aan die bewaring, rehabilisatie of beskerming van die natuurlike omgewing, insluitend flora, fauna en die biosfeer; (ii) die versorging van diere, insluitend die rehabilisatie of voorkoming van die mishandeling van diere; en (iii) die bevordering van, en opvoedings- en opleidingsprogramme met betrekking tot, omgewingsbewusheid, vergroening, skoonmaak of volhoubare ontwikkelingsprojekte. <p>(f) eiendom geregistreer in die naam van 'n openbare welaadsorganisasie (gesondheidsorg) wat vir die volgende openbare welaadsaktiwiteite gebruik word—</p> <ul style="list-style-type: none"> (i) die voorsiening van gesondheidsorgdienste aan arm en behoeftige persone; (ii) die sorg vir of berading aan persone wat terminaal siek is of persone met 'n ernstige fisiese of geestelike aantasting, insluitend die berading van hulle gesinne in die verband; (iii) die voorkoming van MIV-infeksie of die voorsiening van voorkomende en opleidingsprogramme met betrekking tot MIV/VIGS; (iv) die sorg, berading of behandeling van persone aangetas deur MIV/VIGS, insluitend die sorg of berading vir hulle gesinne en afhanglikes in die verband; (v) die voorsiening van bloedoortappings-, orgaanskenkings- of soortgelyke dienste; (vi) die voorsiening van primêre gesondheidsorgopvoeding, geslagsvoorligting of gesinsbeplanning. <p>(g) eiendom geregistreer in die naam van 'n landbouvereniging wat by die Suid-Afrikaanse Landbou-Unie geaffilieer of deur die Unie erken word en wat vir die doeleindes van sodanige vereniging gebruik word, sal vrygestel word van belasting, mits die eienaar daarvan jaarliks op of voor 30 September aansoek om vrystelling doen vir die daaropvolgende finansiële jaar.</p> <p>(h) eiendomme wat aan die volgende kategorie behoort—</p> <ul style="list-style-type: none"> (i) “informele nedersettings” ingevolge paragraaf 4(h); (ii) “bewaringsgebiede” ingevolge paragraaf 4(j), of daardie gedeelte van 'n eiendom wat in terme van artikel 9 van die Wet as bewaringsgebied toegewys is in die kategorie “meerdoelige doeleindes” ingevolge paragraaf 4(m); (iii) “openbare dienste infrastruktur” ingevolge paragraaf 4(g); en (iv) residensiële eiendom met 'n markwaarde van R100 000 of minder, wat aan die kategorie behoort soos bepaal in paragraaf 5(1)(d). (Die R15 000 vrystelling soos bepaal in artikel 17(1)(h) van die Wet sal beskou word as uitgesluit van die bedrag van R100 000.) |
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8. Rebates

(1) The municipality may grant rebate to industrial enterprises that promote local, social and economic development in its area of jurisdiction.

(2) The following criteria shall apply—

(a) job creation in the municipal area;

8. Kortings

- (1) Die munisipaliteit kan kortings toestaan aan nywerheidsondernehmens wat plaaslike, maatskaplike of ekonomiese ontwikkeling binne die munisipale jurisdiksiegebied bevorder.
- (2) Die volgende kriteria sal in aanmerking geneem word—
 - (a) werkskepping in die munisipale gebied;

- (b) social upliftment of the local community; and
- (c) creation of infrastructure for the benefit of the community.
- (3) For purposes of rebate an industrial enterprise shall be considered to be an enterprise which is lawfully conducted from premises zoned for industrial purposes in terms of the municipality's zoning scheme and which employs at least 25 or more fulltime employees on such premises.
- (4) Rebate shall be phased out within five years from the date on which the rebate was granted for the first time.
- (5) Rebate may be granted on application subject to—
- (a) the submission of a business plan indicating how the local, social and economic development objectives of the municipality are going to be complied with;
 - (b) the submission of a continuation plan certified by auditors of the company stating that the objectives have been met in the first year after establishment and how the company plans to continue to achieve the objectives; and
 - (c) an assessment and confirmation by the municipal manager that the company qualifies.
- (6) Rebate may be granted in respect of the following properties—
- (a) property assigned to the category contemplated in paragraph 4(l); provided that—
 - (i) the organisation which owns such a property, is registered for tax exemption in terms of the Income Tax Act;
 - (ii) a valid certificate issued by the SA Revenue Services confirming such registration is submitted; and
 - (iii) an application for exemption from rates for the ensuing financial year is submitted annually on or before 30 September.
 - (b) property registered in the name of a public benefit organisation (education and development) which is used for the following public benefit activities—
 - (i) the provision of education by a school as defined in the South African Schools Act, 1996, (Act No 84 of 1996);
 - (ii) the provision of higher education by a higher education institution as defined in terms of the Higher Education Act, 1997, (Act No 101 of 1997);
 - (iii) adult basic education and training, as defined in the Adult Basic Education and Training Act, 2000, (Act No 52 of 2000), including literacy and numeracy education;
 - (iv) further education and training provided by a public further education and training institution as defined in the Further Education and Training Act, 1998, (Act No 98 of 1998);
 - (v) training for unemployed persons with the purpose of enabling them to obtain employment;
 - (vi) the training or education of persons with a severe physical or mental disability;
 - (vii) the provision of bridging courses to enable educationally disadvantaged persons to enter a higher education institution as envisaged in subparagraph (ii);
 - (viii) the provision of educator or early childhood development services for pre-school children;
 - (ix) training of persons employed in the national, provincial and local spheres of government, for purposes of capacity building in those spheres of government;
 - (x) the provision of school buildings or equipment for public schools and educational institutions engaged in public-benefit activities contemplated in subparagraphs (a) to (h);
 - (xi) career guidance and counseling services provided to persons for purposes of attending any school or higher education institution as envisaged in subparagraphs (i) and (viii);
 - (xii) the provision of hostel accommodation to students of a public benefit organisation, institution, board or body;
- (b) maatskaplike opheffing van die plaaslike gemeenskap; en
 - (c) daarstel van infrastruktuur tot voordeel van die gemeenskap.
- (3) Vir kortingsdoeleindes sal nywerheidsondernemings geag word 'n onderneming te wees wanneer dit ingevolge die munisipaliteit se soneringskema wettiglik op 'n perseel wat vir nywerheidsoeleindes gesonneer is, bedryf word en wat minstens 25 of meer voltydse werknekmers by sodanige perseel in diens het.
- (4) Kortings moet binne vyf jaar vanaf die datum waarop die korting vir die eerste keer toegestaan is, uitgefaseer word.
- (5) Kortings sal op aansoek toegeken word onderhewig aan—
- (a) die indien van 'n besigheidsplan waarin daar aangedui word hoe die plaaslike, sosiale en ekonomiese doelwitte van die munisipaliteit bereik gaan word;
 - (b) die indien van 'n voortsettingsplan, gesertifiseer deur die maatskappy se ouditeure waarin aangedui word dat die doelwitte binne die eerste jaar na totstandkoming bereik is en hoe dit voortgesit gaan word;
 - (c) 'n assessering en bevestiging deur die munisipale bestuurder dat die maatskappy kwalifiseer.
- (6) Kortings kan toegestaan word op die volgende eiendomme—
- (a) eiendom toegeken aan die kategorie soos bepaal in paragraaf 4(1), mits—
 - (i) die organisasie wat sodanige eiendom besit, vir belastingvrystelling geregistreer is volgens die Wet op Inkomstebelasting;
 - (ii) 'n geldige sertificaat uitgereik deur die SA Inkomstediens bevestig dat sodanige registrasie toegestaan is; en
 - (iii) 'n aansoek om belastingvrystelling vir die daaropvolgende jaar jaarliks voor of op 30 September ingedien word.
 - (b) eiendom geregistreer in die naam van 'n openbare weltaadsorganisasie (onderwys en ontwikkeling) wat vir die volgende openbare weltaadsaktiwiteite gebruik word—
 - (i) die voorsiening van onderwys deur 'n skool soos in die Suid-Afrikaanse Skolewet, 1996 (Wet Nr 84 van 1996), omskryf;
 - (ii) die voorsiening van hoër onderwys deur 'n inrigting vir hoër onderwys soos in die Wet op Hoër Onderwys, 1997 (Wet Nr 101 van 1997), omskryf;
 - (iii) basiese onderwys en opleiding vir volwassenes soos in die Wet op Basiese Onderwys en Opleiding vir Volwassenes, 2000 (Wet Nr 52 van 2000), omskryf, wat geletterheids- en gesyferheidsopleiding insluit;
 - (iv) verdere onderwys en opleiding deur 'n openbare inrigting vir verdere onderwys en opleiding voorsien soos in die Wet op Verdere Onderwys en Opleiding, 1998 (Wet Nr 98 van 1998), omskryf;
 - (v) opleiding vir werklose persone met die doel om hulle in staat te stel om werk te kry;
 - (vi) die opleiding van of onderwys aan persone met 'n ernstige fisiese of geestelike aantasting;
 - (vii) die voorsiening van oorbruggingskursusse om onderrigbenadeelde persone in staat te stel om toegang tot inrigtings vir hoër onderwys soos in subparagraph (ii) beoog, te verkry;
 - (viii) die voorsiening van onderrig en versorging of vroeë kindontwikkelingsdienste vir voorskoolse kinders;
 - (ix) opleiding van persone in die nasionale, provinsiale en plaaslike regeringsfere, vir doeleindes van kapasiteitsbou in daardie regeringsfere;
 - (x) die voorsiening van skoolgeboue of toerusting vir openbare skole en opvoedkundige inrigtings betrokke by openbare weltaadsaktiwiteite in subparagraphs (i) tot (viii) bedoel;
 - (xi) beroepsvoorligting en beradingsdienste voorsien aan persone vir doeleindes van die bywoon van skole of inrigtings vir hoër onderwys in subparagraphs (i) en (ii) beoog;
 - (xii) die voorsiening van koshuisverblyf aan studente van 'n openbare weltaadsorganisasie, instituut, raad of liggaam;

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| <ul style="list-style-type: none"> (xiii) programmes addressing needs in education provision, learning, teaching, training, curriculum support, governance, whole school development, safety and security at schools, preschools or educational institutions as envisaged in subparagraphs (i) to (viii); (xiv) educational enrichment, academic support, supplementary tuition or outreach programmes for the poor and needy. (c) properties which have been assigned to geographical areas in accordance with the provisions of paragraph 4(o). (d) property assigned to the categories as contemplated by paragraphs 4(e) and 4(k). (e) dwelling units categorised in paragraph 5(1)(b) and subject to compliance with the following requirements— <ul style="list-style-type: none"> (i) application for rebate must be submitted annually before 30 September; (ii) applicant must be the registered owner of the property; (iii) the combined income of the owner and his or her spouse must be equal to or less than twice the old age pension as determined by the minister plus 10%; (iv) the owner must be 60 years or older in the case of females and 65 years or older in the case of males; (v) the owner must occupy the property; and (vi) in the case of a semidetached house of which a section is rented out the rebate will only apply to that portion occupied by the owner. (f) properties categorised in paragraph 5(1)(a) of which the owners qualify for indigent support in terms of the municipality's credit control and debt collection policy, to an amount equal to the rate payable on the first R100 000 of the valuation of such a property, subject to the conditions contained in the said policy. (Such owner shall be liable for payment of rates in respect of the valuation of the particular property in excess of R100 000, provided that the R15 000 exemption as contemplated in section 17(1)(h) of the Act shall be excluded from the R100 000.) (g) residential properties categorised in paragraph 5(1)(e), to an amount equal to the rates payable on the first R200 000 of the valuation of such property, provided that the owner— <ul style="list-style-type: none"> (i) must be older than 64 years and shall qualify for such rebate with effect from the financial year during which such owner turns 65 years; (ii) must be the registered owner of the residential property concerned and must occupy such property; and (iii) qualifies for only the most beneficial of any rebates for which he or she qualifies in terms of this policy. <p>(The R15 000 exemption as contemplated in section 17(1)(h) of the Act shall be excluded from the R200 000.)</p> <p>(7) Applications for rebate must be accompanied by the following—</p> <ul style="list-style-type: none"> (a) certified copy of the identity document of the owner or any other proof of the owner's age; provided that no age requirement will apply if the owner is a disabled person in receipt of a disability grant; and (b) proof of a disability grant where applicable. | <ul style="list-style-type: none"> (xiii) programme wat die behoeftes in onderrigvoorsiening, onderrig, leer, opleiding, kurrikulumondersteuning, beheer, heelskoolontwikkeling, veiligheid en sekuriteit by skole, voorskoolse of opvoedkundige instansies soos beoog in subparagraphe (i) tot (viii) aanspreek; (xiv) opvoedingsverryking, akademiese ondersteuning, bykomende onderrig of uitreikingsprogramme vir die armes en behoeftiges. (c) eiendomme wat in geografiese gebiede volgens die bepalings van paragraaf 4(o) ingedeel is. (d) eiendom wat in die kategorie, soos beoog by paragraaf 4(e) en 4(k), ingedeel is. (e) wooneenhede gekategoriseer in paragraaf 5(1)(b) en onderhewig aan ooreenstemming met die volgende vereistes— <ul style="list-style-type: none"> (i) aansoek om korting moet jaarliks voor 30 September ingediend word; (ii) applikant moet die geregistreerde eienaar van die eiendom wees; (iii) die gesamentlike inkomste van die eienaar en sy of haar gade moet gelykstaande aan of minder as twee maal die ouderdomspensioen wees, soos deur die minister vasgestel, plus 10%; (iv) die eienaar moet 60 jaar of ouer wees in die geval van 'n vrou en 65 jaar of ouer in die geval van 'n man; (v) die eienaar moet die eiendom bewoon; en (vi) in die geval van 'n skakelhuis waarvan 'n gedeelte uitverhuur word, sal die korting slegs van toepassing wees op die gedeelte wat deur die eienaar bewoon word. (f) eiendomme ingedeel soos beoog in paragraaf 5(1)(a) waarvan die eienaars kwalifiseer vir deernishulp ooreenkomsdig die kredietbeheer en skuldinvorderingsbeleid van die munisipaliteit, tot 'n bedrag gelykstaande aan die belasting betaalbaar op die eerste R100 000 van die waardasie van sodanige eiendom, onderworpe aan die voorwaardes soos in daardie beleid vervat. (Die uitwerking hiervan sal wees dat so 'n eienaar steeds aanspreeklik sal wees vir betaling van eiendomsbelasting ten opsigte van die waardasie van die betrokke eiendom wat meer as R100 000 is. Die R15 000 vrystelling soos bedoel in artikel 17(1)(h) van die Wet sal uitgesluit word van die R100 000.) (g) residensiële eiendom, ingedeel in die kategorie soos beoog in paragraaf 5(1)(e), tot 'n bedrag gelykstaande aan die belastings betaalbaar op die eerste R200 000 van die waardasie van sodanige eiendom, met dien verstande dat die eienaar— <ul style="list-style-type: none"> (i) ouer as 64 jaar moet wees en vir sodanige korting sal kwalifiseer met ingang vanaf die finansiële jaar waarin sodanige eienaar die ouderdom van 65 jaar bereik; (ii) die geregistreerde eienaar van die betrokke residensiële eiendom moet wees en dit self bewoon; en (iii) sal kwalifiseer slegs vir die mees voordeelige van enige kortings waarvoor hy of sy ingevolge hierdie beleid mag kwalifiseer. <p>(Die R15 000 vrystelling soos bedoel in artikel 17(1)(h) van die Wet sal uitgesluit word van die R200 000.)</p> <p>(7) Aansoek om korting moet deur die volgende vergesel word—</p> <ul style="list-style-type: none"> (a) 'n gesertifiseerde afskrif van die identiteitsdokument van die eienaar of enige ander bewys van die eienaar se ouderdom, met dien verstande dat geen ouderdomsbeperking van toepassing sal wees indien die eienaar 'n gestremde persoon is wat 'n ongeskiktheidstoelaag ontvang nie; en (b) bewys van 'n ongeskiktheidstoelaag waar van toepassing. |
|---|---|

9. Application for exemption or rebate

- (1) Application for exemption or rebate must be made on the prescribed form obtainable from the chief financial officer.
- (2) The following information must be furnished on the prescribed form—
 - (a) personal particulars of the applicant;

9. Aansoek om vrystelling of korting

- (1) Aansoek om vrystelling moet op die voorgeskrewe vorm gedoen word wat beskikbaar is by die hoof finansiële beampte.
- (2) Die volgende besonderhede moet op die voorgeskrewe vorm verstrek word—
 - (a) persoonlike besonderhede van aansoeker;

- (b) postal address of the applicant;
 - (c) erf or lot number of the property in respect of which application is made, as depicted in the municipality's valuation records;
 - (d) a description of the purpose for which such property is used; and
 - (e) any other particulars which the municipality may require.
- (3) All applications for exemption or rebate must be considered by the chief financial officer or his delegatee.
- (4) The chief financial officer or his delegatee may refuse an application for exemption of tax or a rebate on tax if—
- (a) the information furnished on the application form is incomplete, incorrect or false; or
 - (b) the application form is not received on or before the due date determined for such applications.

10. Reductions

- (1) Reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act may be granted where the value of a property is affected by fire damage, demolition or floods.
- (2) The reduction will be subject to a certificate issued by the municipal valuator.

11. Rate adjustments

- (1) The municipality may adjust rates annually during the budget process.
- (2) Rate adjustments must be used to finance operating costs of community services.
- (3) The following annual adjustments will be made in respect of community services—

 - (a) all salary and wage adjustments as agreed at the National Bargaining Council;
 - (b) an inflation adjustment for general expenditure, repairs and maintenance and contributions to funds; and
 - (c) additional depreciation costs or interest and redemption on loans associated with the assets created during the previous financial year.

- (4) Extraordinary expenditure not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an adjustment in property rates.
- (5) All adjustments in the property rates must be communicated to the local community in terms of the council's policy on community participation.

12. Multipurpose use of property

Rates on properties which have been assigned to the category "multiple purposes" shall be levied at the rate as contemplated in section 9(2) of the Act.

13. Costs of exemptions, rebates, reductions and phasing in of rates

- (1) During the budget process the chief financial officer must inform council of all the costs associated with the suggested exemptions, rebates and reductions as well as the cost of phasing in of rates and grants in lieu of rates.
- (2) Provision must be made in the operating budget for—

 - (a) the full potential income associated with property rates; and
 - (b) the full costs associated with exemptions, rebates, reductions, phasing in of rates and grants in lieu of rates.

- (b) posadres van aansoeker;
 - (c) erfnummer van die eiendom waarvoor aansoek gedoen word, soos aangedui in die munisipaliteit se waardasierekords;
 - (d) 'n beskrywing van die doel waarvoor die betrokke eiendom gebruik word; en
 - (e) enige ander besonderhede wat die munisipaliteit mag benodig.
- (3) Alle aansoeke om vrystelling of korting op belasting moet deur die hoof finansiële beampte of sy gedelegeerde oorweeg word.
- (4) Die hoof finansiële beampte of sy gedelegeerde mag die goedkeuring van 'n aansoek om vrystelling of korting op belasting weier indien—
- (a) die besonderhede wat op die aansoekvorm verstrek is, onvolledig, foutief of vals is; en
 - (b) die aansoekvorm nie betyds voor die sperdatum wat vir aansoeke bepaal word, ontvang is nie.

10. Verminderings

- (1) Vermindering in die munisipale waardasie soos bedoel in artikel 15(1)(b) van die Wet sal toegestaan word waar die waarde van die eiendom wesenslik verminder word weens brandskade, sloping of vloedskade.
- (2) Die vermindering sal onderworpe wees aan 'n sertifikaat wat deur die munisipale waardeerdeer vir die doel uitgereik is.

11. Belastingaanpassings

- (1) Die munisipaliteit mag belastings jaarliks tydens die begrotingsproses aanpas.
- (2) Belastingaanpassings moet gebruik word om die bedryfskoste van gemeenskapsdienste te finansier.
- (3) Die volgende jaarlike aanpassings sal ten opsigte van gemeenskapsdienste gemaak word—

 - (a) alle salaris- en loonaanpassings soos oorengerek deur die Suid-Afrikaanse Plaaslike Regerings Bedingsraad;
 - (b) 'n inflasie-aanpassing vir algemene uitgawes, herstelwerk en onderhoud, en bydraes tot statutêre fondse; en
 - (c) addisionele depresiasiiekostes of rente en delgingstekorte wat geassosieer word met die bates wat gedurende die vorige finansiële jaar geskep is.

- (4) Buitengewone uitgawes wat nie gedurende die vorige begrotingstydperk voorsien is nie en wat gedurende 'n begrotingshersieningsproses deur die raad goedgekeur is, sal deur die aangepaste eiendomsbelasting gefinansier word.
- (5) Alle aanpassings in eiendomsbelasting sal ingevolge die raad se beleid insake gemeenskapsdeelname aan die plaaslike gemeenskap bekend gemaak word.

12. Meendoelige gebruik van eiendomme

Belasting op eiendomme wat in die kategorie "meendoelige doeleindes" ingedeel is, sal bereken word teen die koers soos beoog word deur artikel 9(2) van die Wet.

13. Koste van vrystellings, kortings, verminderings, infasering van belasting

- (1) Die hoof finansiële beampte moet die raad gedurende die begrotingsproses in kennis stel van al die koste geassosieer met die voorgestelde vrystellings, kortings, verminderings, infasering van belasting en toelaes in die plek van belasting.
- (2) Voorsiening moet in die bedryfsbegroting gemaak word vir:

 - (a) die volledige potensiële inkomste geassosieer met eiendomsbelasting; en
 - (b) die volle koste geassosieer met kwytskeldings, kortings, verminderings, infasering van belasting en toelaes in die plek van belasting.

14. Payment arrangements

The following matters shall be dealt with in terms of the municipality's credit control and debt collection policy—

- (a) the date on which rates become due;
- (b) the due date for payment of rates which are levied monthly as well as annually;
- (c) interest on taxes in arrears; and
- (d) steps against defaulters.

15. Utilisation of property

Where it is necessary to determine the use of property the permitted use of such a property, as contemplated in section 8(1)(b) of the Act, shall be decisive.

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14. Betalingsreëlings

Die volgende sake sal ingevolge die munisipaliteit se kredietbeheer- en skuldinvorderingsbeleid hanteer word—

- (a) die datum waarop belasting verskuldig word;
- (b) die laaste datum waarop belasting wat maandeliks sowel as jaarliks betaalbaar is, betaal moet word;
- (c) rente op agterstallige belastings; en
- (d) optrede teen wanbetalers.

15. Gebruiksaanwending van eiendom

Waar dit nodig mag wees om te bepaal vir welke doel 'n eiendom gebruik word, sal die toegelate gebruik van sodanige eiendom, soos bepaal deur artikel 8(1)(b) van die Wet, bepalend wees.

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11 Julie 2014

SWARTLAND MUNICIPALITY
PUBLIC AMENITIES BY-LAW

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996, Swartland Municipality enacts as follows:—

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1. Definitions

In this by-law, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates—

“animal” means any equine, bovine, sheep, goat, pig, fowl, camel, dog, cat, or other domestic animal or bird, or any wild animal or reptile which is in captivity or under the control of a person;

“camp” or **“camping”** means to occupy land by picnicking thereon to stay or by occupying it with a caravan or vehicle or erecting thereon a tent or temporary structure and using such caravan, vehicle, tent or temporary structure for the purpose of habitation or sleeping or as a shelter or protection against the weather;

“camping area” means land vesting in and set aside by the municipality as a public picnic, camping or caravan park site or a similar facility approved by the municipality on private land;

“camping permit” means a document printed and issued by the municipality for the purposes contemplated in this by-law or the

SWARTLAND MUNISIPALITEIT
VERORDENING INSAKE OPENBARE GERIEWE

Kragtens die bepalings van Artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996 bepaal Swartland Munisipalteit soos volg:—

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4. Toelating tot openbare gerief
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17. Bevoegdhede van beampte en oortredings
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19. Strafbepalings
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21. Bekragting en dien van kennisgewings en ander dokumente
22. Vermoede
23. Aangaan van ooreenkomste
24. Skakelkomitees in gemeenskap
25. Teenstrydigheid met ander wetgewing
26. Herroeping van verordeninge
27. Kort titel en inwerktering

1. Definisies

In hierdie verordening, geniet die Engelse teks voorrang in die geval van 'n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenis—

“beampte” 'n persoon wat deur die munisipalteit aangestel is of 'n vredesbeampte wat deur die munisipalteit gemagtig is om die bepalings van hierdie verordening te implementeer of af te dwing;

“dier” enige perd, bees, skaap, bok, vark, hoender, kameel, hond, kat, of ander huisdier of voël, of enige wilde dier, voël of reptiel, wat aangehou word of onder die beheer van 'n persoon is;

“drunk” 'n persoon wat weens die alkohol wat hy of sy ingeneem het beheer oor sy of haar geestes- of fisiese vermoëns, of beide, tot so 'n mate verloor het dat hy of sy nie in staat is om hom- of haarsel te gedra nie, of nie in staat is om enige handeling waarmee hy of sy besig is op so 'n wyse te verrig dat dit nie 'n gevvaar vir hom- of haarsel

municipality's officials receipt issued against payment of the prescribed camping charges;

"camping site" means any part of a camping area, demarcated or assigned for the purpose of camping thereon;

"caravan" means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such a vehicle is a trailer;

"drunk" means a person who, reason of the alcohol which he or she has consumed, has lost control of his or her mental or physical faculties, or both, to such an extent as to render him or her incapable of comporting him- or herself, or of performing any act in which he or she is engaged, with safety to him- or herself or with that regard to the rights of others which the law demands;

"erect" in relation to a notice board means construct, post, affix or place;

"garden" means any piece of land under the control of the municipality and maintained by it as a garden for the use of by the public;

"mobile home" means a factory assembled structure with the necessary service connections made so as to be movable on site and designed to be used as a permanent dwelling;

"municipality" means the Municipality of Swartland established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, 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, agent or employee;

"Municipal Manager" means a person appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

"notice board" includes a sign, poster or other device on which the municipality displays information;

"official" means any person appointed by the municipality to implement or enforce the provisions of this by-law;

"person" includes an association or organisation;

"public amenity" means—

(a) any land, commonage, square, camping area, caravan park, beach, swimming pool, bathing area, sports grounds, public open space, public resort, recreation site, river, dam, the Paardenberg nature reserve, zoo-logical, botanical or other garden, or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, which is the property of, or is possessed, controlled or leased by the municipality and to which the general public has access, whether on payment of admission fees or not, but excluding a public road or street;

(b) a building, structure, hall room or office, including any part thereof or any facility or apparatus therein, which is the property of, or is possessed, controlled or leased by the municipality and to which the general public has access, whether on payment of admission fees or not; and

(c) a public amenity contemplated in paragraphs (a) and (b) if it is lawfully controlled or managed in terms of an agreement between a person and the municipality;

"public gathering or procession" means a procession or gathering of more than 10 people;

"public place" means any square, building, park, recreation ground or open space which—

(a) is vested in the municipality;

(b) the public has the right to use; or

(c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-General's office and has been provided for or reserved for the use of the public or the owners of erven in such township;

"vehicle" means any device driven by mechanical, animal, natural or human power, and includes any craft or aircraft, but does not include a wheeled chair or a device drawn or propelled by hand and used solely for the conveyance of a child or invalid.

inhou nie of met daardie agting vir die regte van ander soos deur die reg vereis word nie;

"kamp" of **"kampeer"** om grond te okkuper deur daarop piekniek te hou, te vertoeft, of dit te okkuper met 'n karavaan of voertuig of om 'n tent of tydelike struktuur daarop op te rig en die gebruik van sodanige karavaan, voertuig, tent of tydelike struktuur as woning, slaapgerief of as skuiling of beskerming teen die weer;

"kampeerperseel" enige deel van 'n kampeerruimte wat afgabekan en toegewys is vir die doeleinies van kampering;

"kampeerruimte" grond wat aan die munisipaliteit behoort en deur die munisipaliteit gereserveer is as 'n piekniekarea, kampeerarea of karavaanpark of 'n soortgelyke fasiliteit wat deur die munisipaliteit op private grond goedgekeur is;

"kampeerpermit" 'n dokument wat deur die munisipaliteit gedruk en uitgereik is vir die doeleinies van hierdie verordening of die amptelike kwitansie van die munisipaliteit wat uitgereik is teen betaling van die voorgeskrewe kampeeroofie;

"karavaan" enige voertuig wat permanent ingerig is vir mense om daarin te woon of te slaap ongeag of sodanige voertuig 'n treiler is;

"kennisgewingbord" sluit in 'n teken, plakkaat of ander apparaat waarop die munisipaliteit inligting vertoon;

"lewensredder" beteken 'n persoon wat in sodanige kapasiteit deur die munisipaliteit in diens geneem of aangestel is, of enige lid van die Strandlewensreddingsvereniging van Suid-Afrika, of van 'n geaffilieerde lewensreddingsklub of vereniging van lewensredders;

"mobiele woning" 'n fabrieksvervaardigde struktuur wat bedoel is om gebruik te word as 'n permanente woonplek en wat oor die nodige diensverbindings sodat dit op die kampeerperseel kan beweeg;

"munisipale bestuurder" beteken 'n persoon wat ingevolge Artikel 54A van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet Nr. 32 van 2000) aangestel is;

"munisipaliteit" beteken Swartland Munisipaliteit wat ingevolge Artikel 12 van die Wet op Munisipale Strukture, 117 van 1998 gestig is en sluit enige politieke struktuur, politieke ampsdraer, en behoorlik gemagtigde verteenwoordiger daarvan in of enige werknemer daarvan wat ingevolge hierdie verordening optree uit hoofde van 'n bevoegdheid wat by die munisipaliteit berus en aan sodanige politieke struktuur, politieke ampsdraer, verteenwoordiger of werknemer gedelegeer of subgedelegeer is;

"openbare byeenkoms of optog" beteken 'n optog of byeenkoms van meer as tien mense;

"openbare gerief" beteken—

(a) enige stuk grond, meentgrond, plein, kampeerplek, karavaanpark, strand, swembad, baai-area, sportgrond, openbare oop ruimte, openbare oord, ontspanningsterrein, rivier, dam, die Paardenberg natuurreervaat, diere-, botaniiese of ander tuin of park of voetslaanpad, met inbegrip van enige gedeelte daarvan en enige gerief of apparaat daarin of daarop, wat die munisipaliteit se eiendom is of deur die munisipaliteit besit, beheer of verhuur word waartoe die breë publiek toegang het, het sy by betaling van toegangsgeld of nie, maar sluit 'n openbare pad of straat uit;

(b) 'n gebou, struktuur, saal of kantoor, met inbegrip van enige gedeelte daarvan of enige fasilitet of apparaat daarin, wat die munisipaliteit se eiendom is of deur die munisipaliteit besit, beheer of verhuur word en waartoe die breë publiek toegang het, het sy by betaling van toegangsgeld of nie; en

(c) 'n openbare gerief beoog in paragrawe (a) en (b) indien dit ingevolge 'n ooreenkoms tussen 'n persoon en die munisipaliteit wettig beheer of bestuur word;

"openbare plek" enige plein, gebou, park, ontspanningsarea of oop ruimte wat—

(a) aan die munisipaliteit behoort;

(b) die publiek die reg het om te gebruik; of

(c) aangedui word op 'n algemene plan van 'n woonbuurt wat gelasseer is by 'n akteskantoor of 'n Landmeter-Generaal se kantoor en wat daargestel of gereserveer is vir gebruik deur die publiek of die eienaars van ewe in sodanige woonbuurt;

"oprig" ten opsigte van 'n kennisgewingbord beteken om dit op te rig, aan te bring, vas te maak of staan te maak;

2. Principles and objectives

The municipality adopts this By-law with the aim of controlling access to and use of all public amenities owned by or under the control of the municipality.

"persoon" sluit 'n vereniging of organisasie in;

"tuin" beteken enige stuk grond onder die beheer van die munisipaliteit wat as 'n tuin vir die gebruik van die publiek deur die munisipaliteit in stand gehou word;

"voertuig" beteken enige voertuig aangedryf deur meganiese, diere-, natuurlike of mensekrag en sluit in enige fiets, vaartuig of vliegtuig, maar sluit nie 'n rolstoel of 'n stootwaentjie in wat met die hand gedryf of aangedryf word en uitsluitlik vir die vervoer van 'n kind of invalide gebruik word nie.

2. Doelwitte en oogmerke

Die munisipaliteit aanvaar hierdie verordening met die doel om toegang tot en die gebruik van openbare geriewe wat aan die munisipaliteit behoort of onder die beheer van die munisipaliteit is te beheer.

CHAPTER I: GENERAL PROVISIONS RELATING TO PUBLIC AMENITIES

3. Number of visitors

The municipality may determine—

- (a) the maximum number of persons or vehicles that may be in or at a public amenity at any time; and
- (b) different classes of vehicles that may be in or at a public amenity at any time and it may differentiate between public amenities.

4. Admission to public amenity

(1) The municipality may determine the times, dates and conditions under which a public amenity is open to the public and having due regard to section 6(1)(a).

(2) The municipality may determine the activities that may or may not be undertaken in a public amenity and these include, but are not limited to—

- (a) the driving of a motor vehicle and different classes of motor vehicles in a public amenity;
- (b) kite flying, wind surfing, kite surfing and water sport activities or the use of boats or other jet propelled craft on any dam, river or beach under the control of the municipality;

(3) The municipality may grant to any person or persons, during such hours and for such period as he or she may deem fit, the exclusive use of a public amenity for games, a public meeting, fete, show or other function or entertainment.

(4) The municipality may for reasons of maintenance, development, security, safety or public health, temporarily or permanently—

- (a) close a public amenity or a portion thereof; or
- (b) suspend all or any activities thereon.

(5) Where a person in a public amenity has committed an offence in terms of this by-law, an official may order such person to leave the public amenity, and a person ordered to leave must leave the amenity by the shortest route available to the public;

(6) Where an official on reasonable grounds suspects that a person wishing to enter a public amenity intends to commit an offence in or at the public amenity, he or she may refuse entry to such person.

5. Entrance fees

(1) The municipality may levy different entrance fees and issue entrance tickets in respect of persons of different ages, groups of persons, or different classes of vehicles and grant concessions in respect of entrance fees payable.

HOOFSTUK I: ALGEMENE BEPALINGS TEN OPSIGTE VAN OPENBARE GERIEWE

3. Getal besoekers

Die munisipaliteit mag die volgende bepaal—

- (a) die maksimum getal persone of die maksimum getal voertuie wat op 'n spesifieke tydstip in of by 'n openbare gerief teenwoordig mag wees; en
- (b) verskillende klasse voertuie wat op 'n spesifieke tydstip in of by 'n openbare gerief teenwoordig mag wees en dit mag tussen openbare geriewe onderskeid tref.

4. Toelating tot openbare gerief

(1) 'n Openbare gerief is vir die publiek oop op die tye en datums en onderworpe aan sodanige voorwaardes soos deur die munisipaliteit bepaal mag word met inagneming van artikel 6(1)(a).

(2) Die munisipaliteit mag bepaal watter aktiwiteite in 'n openbare gerief onderneem of nie onderneem mag word nie en dit sluit die volgende in, maar is nie daar toe beperk nie—

- (a) die bestuur van 'n motorvoertuig of verskillende klasse voertuie in 'n openbare gerief;
- (b) die vlieg van vlieërs, wind branderry, vlieër branderry en watersportaktiwiteite of die gebruik van bote of ander kragaangedrewe vaartuie op enige dam, rivier of strand onder die munisipaliteit se beheer.

(3) Die munisipaliteit mag aan enige persoon of persone gedurende sodanige ure en vir sodanige tydperk as wat hy mag goeddink, die eksklusieve reg van openbare geriewe toeken vir speletjies, 'n openbare vergadering, kermis, 'n vertoning of ander funksie of vermaak.

(4) Die munisipaliteit mag met die oog op instandhouding, ontwikkeling, sekuriteit, veiligheid of openbare gesondheid tydelik of permanent—

- (a) 'n openbare gerief of gedeelte daarvan sluit; of
- (b) alle of enige bedrywighede daarop staak.

(5) Waar 'n persoon in 'n openbare gerief ingevolge hierdie verordening 'n misdryf begaan het, mag 'n beampte sodanige persoon gelas om die openbare gerief te verlaat, en 'n persoon wat aldus gelas word om die gerief te verlaat moet die gerief onmiddellik verlaat volgens die kortste roete wat vir die publiek beskikbaar is.

(6) Waar 'n beampte op redelike gronde vermoed dat 'n persoon wat 'n openbare gerief wil binnegaan, voornemens is om 'n misdryf ingevolge hierdie verordening of enige ander wet in of op die openbare gerief te begaan, mag hy of sy die betrokke persoon toegang weier.

5. Toegangsgeld

(1) Die munisipaliteit mag verskillende toegangsgelde hef en toegangskaartjies uitrek ten opsigte van persone van verskillende ouderdomme, groepse persone of verskillende kategorie voertuie en die munisipaliteit mag konsessies verleen ten opsigte van die toegangsgelde wat betaal moet word.

(2) Entrance fees are payable at the entrance to a public amenity, except where another fee is indicated on a notice board in terms of section 6(1).

(3) An entrance ticket contemplated in subsection (1) is valid for the period contemplated in subsection (4) and must be produced on demand of an official of the municipality.

(4) An entrance fee is payable in respect of each day or portion thereof during which a person, group or vehicle is in a public amenity, provided that no fee is payable for the day on which such public amenity is left, if the amenity is left before 10:00 on such day and if the day is not the day of arrival.

(5) No fee contemplated in subsection (1) is repayable where any portion of the period in respect of which such fee has been paid has not been or cannot be utilised, provided that the fee which has been paid in respect of each full day which has not been utilised may, with the approval of the municipality, be repaid upon application, and for the purposes of this subsection "full day" means a period of 24 hours commencing at 10:00 of any day.

6. Notice boards

(1) The municipality may erect a notice board at the entrance to or in the immediate vicinity of a public amenity, on which any of the following are displayed—

- (a) The times, dates and conditions of entry and activities that may be undertaken or those that are prohibited;
- (b) the fees payable; and
- (c) a notice of closure referred to in section 4(4).

(2) No person other than an official or other person authorised to do so in this by-law may move or alter the contents of, and no person may deface or otherwise tamper with a notice board erected by the municipality.

(3) A notice posted by municipality in terms of subsection (1) may contain graphic representations to convey meaning.

7. Consent required for certain activities

(1) No person may, without the written consent of the municipality, at, in or upon a public amenity—

- (a) arrange, hold, present or attend—
 - (i) a public entertainment;
 - (ii) a meeting;
 - (iii) a public gathering or procession, exhibition or performance; or
 - (iv) an auction;

(b) collect money or any other goods;

(c) display or distribute a pamphlet, placards, painting, book, handbill or a printed, written or painted work;

(d) engage in any form of trade.

(2) No person may at or in a public amenity undertake or perform any activity in contravention of a notice board erected in terms of section 6(1).

(3) No person may without the written consent of the municipality erect or establish any fence, structure, dam, shelter or anything else in a public amenity and a person who has obtained such consent may only erect such fence, structure, dam, shelter or anything else at a designated area set aside for this purpose.

(4) No person may, without the written consent of the municipality bring into, or have in his or her possession in a public amenity a firearm, and the municipality may grant consent in the following instances only—

- (a) for the firing of blank cartridges during organised competitions or sports meetings;

(2) Toegangsgeld moet by die ingang van 'n openbare gerief betaal word, behalwe waar 'n ander plek aangegee word op 'n kennisgewingbord wat ingevolge artikel 6(1) opgerig is.

(3) 'n Toegangskaartjie soos beoog in subartikel (1) is geldig vir die tydperk beoog in subartikel (4) en moet op aanvraag van 'n beampte van die munisipaliteit getoon word.

(4) Toegangsgeld moet betaal word ten opsigte van elke dag of gedeelte van 'n dag waartydens 'n persoon, groep of voertuig in 'n openbare gerief is of bly, en is geldig vir die dag, met dien verstande dat indien 'n persoon 'n openbare gerief voor 10:00 verlaat op 'n dag wat nie die dag van sy of haar aankoms by die openbare gerief is nie, hoeft hy of sy nie toegangsgeld te betaal vir die dag waarop hy of sy die gerief verlaat nie.

(5) Geen fooi bedoel in subartikel (1) is terugbetaalbaar waar enige gedeelte van die tydperk ten opsigte waarvan so'n bedrag wat betaal is nie gebruik is nie of nie gebruik kan word nie, met dien verstande dat die bedrag wat ten opsigte van elke volle dag betaal is en wat nie gebruik is nie, met die goedkeuring van die munisipaliteit, en indien die aansoeker skriftelik aansoek doen, terugbetaal kan word en vir die doeleindes van hierdie subartikel beteken "volle dag" 'n periode van 24 uur wat om 10:00 van enige dag 'n aanvang neem.

6. Kennisgewingborde

(1) Die munisipaliteit mag 'n kennisgewingbord by die ingang na of in die onmiddellike omgewing van 'n openbare gerief oprig, waarop enige of al die volgende besonderhede verstrek word:

- (a) die tye, datums en voorwaardes van toegang asook die aktiwiteite wat toegelaat of verbode is;
- (b) die gelde wat betaal moet word; en
- (c) 'n kennisgewing dat die openbare gerief gesluit is soos bedoel in artikel 4(4).

(2) Geen persoon behalwe 'n beampte of ander persoon wat ingevolge hierdie verordening gemagtig is om dit te doen, mag 'n kennisgewingbord wat die munisipaliteit opgerig het, verskuif, die inhoud daarvan verander, dit ontsier of daar mee peuter nie.

(3) 'n Kennisgewing wat deur die munisipaliteit ingevolge subartikel (1) aangebring of opgerig is mag grafiese voorstellinge bevat om 'n betekenis oor te dra.

7. Toestemming vereis vir sekere aktiwiteite

(1) Geen persoon mag sonder skriftelike toestemming van die munisipaliteit op of in 'n openbare gerief—

- (a) enige van die volgende reël, hou, aanbied of bywoon nie:
 - (i) openbare vermaak;
 - (ii) 'n vergadering;
 - (iii) 'n openbare byeenkoms of optog, uitstalling of optrede; of
 - (iv) 'n veiling.
- (b) geld of enige ander goedere vir liefdadigheids- of enige ander doel van die breë publiek invorder nie;
- (c) 'n pamphlet, plakkate, skildery, boek, 'n rekening of 'n gedrukte, geskrewe of geverfde werk vertoon of versprei nie; of
- (d) enige ambag, beroep of besigheid bedryf nie.

(2) Niemand mag by of in 'n openbare gerief enige aktiwiteit verrig of uitvoer in stryd met die aanwysings op 'n kennisgewingbord soos bedoel in artikel 6(1) nie.

(3) Geen persoon mag sonder die skriftelike toestemming van die munisipaliteit enige heining, struktuur, dam, skuiling of enigets anders in 'n openbare gerief oprig of vestig nie en 'n persoon wat sodanige toestemming verkry het, mag sodanige heining, struktuur, dam, skuiling of enigets anders net in 'n toegewese area wat vir dié doel oopgesy gris is, oprig.

(4) Geen persoon mag sonder die skriftelike toestemming van die munisipaliteit 'n vuurwapen in 'n openbare gerief inbring of dit in sy of haar besit hê nie, en die munisipaliteit mag net in die volgende omstandighede sodanige toestemming verleen—

- (a) vir die afvuur van loskruitpatrone gedurende georganiseerde kompetisies, soos vir lewensredders of gedurende sportbyeenkomste;

- (b) in connection with the collection of specimens of marine life or birds or animals for scientific purposes;
 - (c) for the lawful culling of animals; or
 - (d) to signal distress in the instance where a proposed activity may require a distress signal to be given by means of a firearm.
- (5) A person who wishes to obtain the consent of the municipality as contemplated in subsection (1) must complete and submit an application in writing.
- (6) A person who has been granted consent in terms of subsection (5) must at all times keep the consent in his or her possession, and must produce the form on request of an official.

8. Use of public amenities

The municipality may enter into an agreement with any person in terms of which a public amenity or any part thereof may be used for the purposes and subject to the conditions set out in the agreement.

9. Permit

- (1) Notwithstanding the provisions of section 4, 5(1), 5(3), and 6(1), the municipality may, on application and subject to any conditions it may impose, issue, free of charge or otherwise, a permit—
 - (a) to a group of people, such as, but not limited to, a group of bona fide students; or
 - (b) to a person who is undertaking scientific, educational or similar research.
- (2) The holder of a permit issued in terms of subsection (1) may, subject to any other conditions imposed in terms of the said subsection—
 - (a) if he or she is the holder of a valid hunting licence, hunt, catch, kill or remove, fauna under the supervision, control and in accordance with the instructions of an official;
 - (b) pick, collect or remove fauna;
 - (c) take or remove anything of historical or scientific importance;
 - (d) have in his or her possession diving equipment, a weapon, trap, poison or a gardening tool, living or dead fauna or flora;
 - (e) remove any flora or carcase which has been plucked or hunted only if the official has—
 - (i) inspected such flora or carcase;
 - (ii) considered it necessary or desirable, measured the dimensions or mass, or taken a sample of such flora or carcase; and
 - (iii) in writing authorised the permit holder to remove such flora or carcase; or
 - (f) excavate soil, sand or stone or remove organic or inorganic objects.
- (3) The holder of a permit must, on arrival at the public amenity, display such permit to the official in control.

10. Prescribed fees

The municipality may determine fees payable in terms of this By-law.

11. Animals

- (1) No person may in contravention of any prohibitions displayed on a notice board bring any animal into the public amenity, except a blind person accompanied by a guide dog.
- (2) A person who is permitted to bring an animal upon a public amenity must have direct and physical control over the animal by means of a leash or other device, and may not bath, wash or allow such animal to enter or remain in any pond, fountain or ornamental water.

- (b) in verband met die insameling van monsters van mariene lewe, of voëls of diere, of vir wetenskaplike doeleindes;
- (c) vir die wettige uitdunning van diere; of
- (d) as 'n teken dat 'n persoon in nood verkeer in die geval waar 'n beoogde aktiwiteit vereis dat 'n noodelein gegee moet word by wyse van die afvuur van 'n vuurwapen.

(5) 'n Persoon wat die toestemming van die munisipaliteit, soos beoog in subartikel (1) wil verkry, moet die voorgeskrewe aansoekvorm invul en aan die munisipaliteit voorlê.

(6) 'n Persoon wat toestemming ingevolge subartikel (5) verkry het, moet te alle tye sodanige magtiging in sy of haar besit bewaar en moet dit op versoek van 'n beampete toon.

8. Gebruik van openbare geriewe

Die munisipaliteit mag 'n ooreenkoms aangaan met enige persoon ingevolge waarvan 'n openbare gerief of enige gedeelte daarvan gebruik mag word vir die doeleindes van en onderworpe aan enige voorwaardes in dusdanige ooreenkoms uiteengesit.

9. Permit

- (1) Nienteenstaande die bepalings van Artikels 4, 5(1), 5(3) en 6(1), mag die munisipaliteit, wanneer 'n skriftelike aansoek aan die munisipaliteit voorgelê word en onderworpe aan enige sodanige voorwaardes wat die munisipaliteit goeddink om in te stel, 'n permit gratis uitrek—
 - (a) aan 'n groep mense soos byvoorbeeld, maar nie beperk nie, tot 'n groep bona fide studente; of
 - (b) aan 'n persoon wat wetenskaplike, opvoedkundige of soortgelyke navorsing doen.
- (2) Die houer van 'n permit wat ingevolge subartikel (1) uitgereik is, mag, onderworpe aan enige ander voorwaardes wat in gemelde subartikel gestel word—
 - (a) indien hy of sy die houer van 'n geldige jaglisensie is, fauna onder die toesig, beheer en volgens die instruksies van 'n beampete, in of op 'n openbare gerief jag, vang, doodmaak of verwyder;
 - (b) fauna in of van 'n openbare gerief optel, verwyder of afhaal;
 - (c) enigets van historiese of wetenskaplike belang in of van 'n openbare gerief neem of verwyder;
 - (d) duiktoerusting, 'n wapen, ploffstof, 'n strik, gif, hamer, saag, mes of tuinwerktuig, lewende of dood fauna, of flora in sy of haar besit hê;
 - (e) enige flora wat gepluk is of 'n karkas wat gejag is van 'n openbare gerief verwyder net indien die beampete—
 - (i) sodanige flora of karkas geïnspekteer het;
 - (ii) indien sodanige beampete dit nodig of wenslik ag, die afmetings of massa meet, of 'n monster van sodanige flora of karkas neem;
 - (iii) die permithouer skriftelik magtig om sodanige flora of karkas te verwyder;
 - (f) grond, sand of klip uitgrawe of organiese of nie-organiese voorwerpe verwyder.
- (3) Die houer van 'n permit moet, by aankoms by die betrokke openbare gerief, sodanige permit aan die beampete in beheer toon.

10. Voorgeskrewe gelde

Die munisipaliteit mag gelde bepaal wat ingevolge hierdie verordening betaalbaar is.

11. Diere

- (1) Niemand mag enige dier, uitgesonderd die inbring van 'n lidshond deur 'n blinde persoon, by 'n openbare gerief inneem in stryd met 'n verbod wat op 'n kennisgewingbord aangebring is nie.
- (2) Indien 'n persoon toegelaat is om 'n dier in 'n openbare gerief in te bring, moet hy of sy regstreekse en fisiese beheer daaroor uitoeft deur middel van 'n leiband of ander toestel en mag die dier nie in enige dammetjie, fontein of ornamentele water bad of was of toelaat dat die

(3) Any animal not under the control or apparently not under the control of a person, may, if found in or on a public amenity be impounded by the municipality and removed to a pound where it may be dealt with.

12. Prohibited behaviour

(1) No person—

- (a) who is drunk or under the influence of any drug may enter or remain in a public amenity or bring into or use alcoholic beverages or drugs at such public amenity, and a drunk person may not be admitted to a public amenity;
- (b) may in or at a public amenity—
 - (i) break, damage, destroy, tamper with, remove, misuse, disfigure or use anything or fail to observe an instruction by the municipality;
 - (ii) throw or roll a rock, stone or object;
 - (iii) except if authorised to do so under section 9(2)(b), pull out, pick, cut or damage any flora growing in the amenity, or have such flora in his or her possession;
 - (iv) walk, stand, sit or lie on a flowerbed;
 - (v) walk, stand, sit or lie on grass in contradiction with a notice;
 - (vi) write, paint, draw graffiti or a symbol, emblem or the like on a structure or path;
 - (vii) excavate soil, sand or stone or remove organic or inorganic objects; except if authorised to do so in terms of section 9;
 - (viii) interfere with water flow, obstruct water, divert a stream or drain a wetland;
 - (ix) deface or disfigure anything provided by the municipality by pasting or affixing in any way any bills, papers, placards, notices or anything else;
 - (x) wash, polish or repair a vehicle, except emergency repairs;
 - (xi) burn refuse;
 - (xii) litter or dump any refuse, garden refuse or building materials;
 - (xiii) wash crockery or laundry or hang out clothes, except at places indicated by notice for that purpose;
 - (xiv) use or try to use anything provided by the municipality in an amenity for a purpose other than that for which it is designed or determined by notice;
 - (xv) dispose of any burning or smouldering object or throw it out of a motor vehicle;
 - (xvi) behave or conduct himself or herself in an improper, indecent or unbecoming manner;
 - (xvii) defecate, urinate or undress, except in such building or on premises intended for that purpose;
 - (xviii) lie on a bench or seating place provided by the municipality or use it in such a manner that other users or potential users find it impossible to make use thereof;
 - (xix) play or sit on play-park equipment, except if the person concerned is a child under the age of 13 years;
 - (xx) swim, walk or play in a fish-pond, fountain, dam, river, artificial feature or pond in contravention with a notice prohibiting such action;
 - (xxi) having an open wound on his or her body, enter any swimming pool or other water facility provided by the municipality;

dier die water binnegaan of daarin bly nie.

(3) Indien 'n dier in 'n openbare gerief aangetref word wat nie onder die regstreekse beheer van 'n persoon is nie, mag so 'n dier deur die munisipaliteit geskut word en na 'n skut verwyder word waar daar met die dier gehandel sal word.

12. Verbode gedrag

(1) Niemand—

- (a) wat dronk of onder die invloed van enige verdowingsmiddel is mag 'n openbare gerief binnegaan of daar teenwoordig wees nie, of enige alkoholiese drank of verdowingsmiddel by sodanige openbare gerief inbring of gebruik nie, en 'n dronk persoon mag nie tot 'n openbare gerief toegelaat word nie;
- (b) mag in of by 'n openbare gerief—
 - (i) enigets breek, beskadig, vernietig, daarmee peuter, wangebruik, ontsier of versuim om 'n opdrag van die munisipaliteit te gehoorsaam nie;
 - (ii) 'n klip, rots of voorwerp gooi of rol nie;
 - (iii) enige flora wat in die gerief groei, uittrek, pluk, afsny of beskadig of sodanige flora in sy of haar besit hê nie, behalwe indien hy of sy ingevolge artikel 9(2)(b) gemagtig is om dit te doen;
 - (iv) op 'n blombedding loop, staan, sit of lê nie;
 - (v) in stryd met 'n kennisgewingbord op enige gras loop, staan, sit of lê nie;
 - (vi) graffiti of 'n simbool op 'n struktuur of pad skryf, verf, of teken nie;
 - (vii) grond, sand of klip uitgrawe of organiese of anorganiese voorwerpe verwyder nie, behalwe met magtiging ingevolge artikel 9;
 - (viii) inmeng met die vloeい van water, die watervloeい belemmer, 'n stroom aflei of 'n vleiland dreineer nie;
 - (ix) enigets wat deur die munisipaliteit voorsien word, ontsier deur op enige wyse enige biljette, papiere, plekkaartjies, kennisgewings of enigets anders op te plak of aan te bring nie;
 - (x) 'n voertuig was, poleer of herstel nie, behalwe noodherstelwerk aan 'n voertuig;
 - (xi) vullis verbrand nie;
 - (xii) enige vullis, afval, tuinvullis of boumateriale stort nie;
 - (xiii) enige breekgoed of wasgoed was of klere uithang nie, behalwe op plekke waar 'n kennisgewing aandui dat dit vir dié doel gebruik kan word;
 - (xiv) enigets wat die munisipaliteit in sodanige gerief voorsien het, gebruik of probeer gebruik vir enige doel anders as die doel waarvoor dit bestem is of wat by wyse van die kennisgewing bepaal is nie;
 - (xv) 'n brandende of smeulende voorwerp weggooi of dit uit 'n voertuig gooi nie;
 - (xvi) (xvi)hom of haar op 'n onbehoorlike, onbetaamlike of ontoepaslike wyse gedra nie;
 - (xvii) ontlaas, urineer, of sy of haar klere uittrek nie, behalwe in 'n gebou of 'n perseel wat vir dié doel bestem is;
 - (xviii) op 'n bank of sitplek wat deur die munisipaliteit voorsien is, lê of dit op so 'n wyse gebruik dat ander gebruikers of potensiële gebruikers dit onmoontlik vind om dit te gebruik nie;
 - (xix) met speelerreintoerusting speel of daarop sit nie, behalwe indien die betrokke persoon 'n kind onder die ouderdom van dertien jaar is;
 - (xx) teenstrydig met 'n kennisgewing in 'n visdam, fontein, dam, kunsmatige voorwerp of dammetjie swem, loop of speel nie;
 - (xxi) mag enige swembad of ander waterfasiliteit wat deur die munisipaliteit voorsien is, binnegaan indien hy of sy 'n oop wond op sy of haar liggaam het nie;

- (xxii) perform any act that may detrimentally affect the health of another person;
- (xxiii) enter or use a toilet facility indicated by notice for use by members of the opposite sex;
- (xxiv) stay or sleep over night other than in terms of section 14;
- (xxv) hunt, injure, disturb, feed, kill, hurt, follow, disturb, ill-treat or catch an animal, or displace, disturb, destroy or remove a bird, nest or egg, or skin or gut an animal, except if authorised to do so under section 9(2)(a);
- (xxvi) discharge a firearm, airgun or pistol, except if consent has been granted in terms of section 7(4);
- (xxvii) discharge a bow or use a slingshot or catapult;
- (xxviii) in any way whatsoever prejudice the safety, convenience or rights of other persons;
- (xxix) play or conduct a game in a manner that causes annoyance or endangers the safety or property of other persons; or
- (xxx) expose his or her body or clothe indecently;
- (c) may enter—
- (i) or leave a public amenity other than by way of the official entry and exit point;
 - (ii) a public amenity without having paid the entrance fees as contemplated in section 5(1);
- (d) may release or introduce any wild animal, fish, bird or flora into a public amenity;
- (e) may, in or on a public amenity swim, catch fish or otherwise angle if not authorised to do so in terms of a notice board erected in terms of section 6(1).

13. Vehicles

- (1) No person may bring into a public amenity any truck, bus, motor vehicle, motor cycle, quad bike, bicycle or any other vehicle except in accordance with the directions of the municipality.
- (2) Where a person is permitted to drive a vehicle in a public amenity he or she may not—
- (a) travel with the vehicle elsewhere than on a road constructed by the municipality;
 - (b) drive the vehicle at a speed in excess of the speed indicated on a notice board erected by the municipality.
- (3) The provisions of subsection (1) do not apply to an emergency vehicle while lawfully in use as such, or a vehicle used in an emergency, or a vehicle used by an official in the discharge of his or her duties while acting in an emergency.

14. Camping

- (1) No person may camp on any land belonging to or which is under the control of the municipality except on a camping site within the boundaries of a camping area.
- (2) No person may camp in a camping area whether continuous or otherwise for a period exceeding three months in any period of twelve months without the written consent of the municipality.
- (3) The municipality may grant or refuse such an application subject to such conditions and for such period as it may deem fit but not for any period in excess of a further three months.
- (4) The occupier of a camping site must be the person whose name appears on the camping permit and he or she may not sublet, cede, dispose of or in any manner alienate his or her rights thereunder.
- (5) Reservation of camping sites will only be considered upon receipt of a written application.

- (xxii) enige daad verryg wat die gesondheid van 'n ander persoon nadelig mag raak nie;
- (xxiii) 'n toiletfasiliteit wat vir gebruik deur lede van die teenoorgestelde geslag bestem is of wat volgens 'n kennisgewing vir lede van die teenoorgestelde geslag bestem is, binnegaan of gebruik nie;
- (xxiv) oornag bly of oorslaap, afgesien van ingevolge artikel 14 nie;
- (xxv) 'n dier jag, beseer, versteur, voer, doodmaak, seermaak, volg, sleg behandel of vang of 'n voël, nes of eier verskuif, versteur, vernietig of verwijder of 'n lewend dier afslag of die binnegoed verwijder nie, behalwe indien hy of sy ingevolge artikel 9(2)(a) daar toe gemagtig is;
- (xxvi) 'n vuurwapen, windbuks of lugpistool afvuur nie, behalwe indien die nodige toestemming soos beoog in artikel 7(4) verkry is;
- (xxvii) 'n boog aftrek of 'n slingervel of kettie gebruik nie;
- (xxviii) op enige wyse hoegenaamd inbreuk maak op die veiligheid, gerief of regte van ander mense nie;
- (xxix) (xxix)'n speletjie van enige aard hoegenaamd speel op 'n wyse wat ergernis veroorsaak of die veiligheid of eiendom van ander persone bedreig nie; of
- (xxx) sy of haar liggaam ontbloot of onbetaamlik geklee wees nie;
- (c) mag 'n openbare gerief binnegaan—
- (i) of verlaat behalwe by wyse van die amptelike toegang en uitgang; en
 - (ii) indien die toegangsgelde soos beoog in artikel 5(1) nie betaal is nie.
- (d) mag enige wilde dier, voël of flora in 'n openbare gerief inbring of vrylaat nie;
- (e) mag in of op 'n openbare gerief swem, visvang of hengel teenstrydig met 'n kennisgewing soos bedoel in artikel 6(1) nie.

13. Voertuie

- (1) Niemand mag enige vrugmotor, bus, motorvoertuig, motorfiets, vierwielfiets, fiets of enige ander voertuig in 'n openbare gerief bring nie, behalwe in ooreenstemming met die instruksies van die munisipaliteit.
- (2) Waar 'n persoon toegelaat word om 'n voertuig in 'n openbare gerief of gedeelte van 'n openbare gerief te bestuur, mag hy of sy nie—
- (a) op 'n ander plek as op 'n pad wat deur die munisipaliteit gebou is, met die voertuig ry nie; of
 - (b) die voertuig bestuur teen 'n spoed wat die spoed oorskry wat op die kennisgewingbord verskyn wat die munisipaliteit opgerig het.
- (3) Die bepalings van subartikel (1) is nie van toepassing op 'n noodvoertuig indien dit wettiglik vir sodanige doel gebruik word nie, of 'n voertuig wat in 'n noodgeval gebruik word nie, of 'n voertuig wat deur 'n beampte in 'n noodgeval in die uitvoering van sy of haar pligte gebruik word nie.

14. Kampering

- (1) Niemand mag op enige grond wat aan die munisipaliteit behoort of onder die munisipaliteit se beheer is kampeer nie, behalwe op 'n kampeerperseel binne die grense van 'n kampeerruimte.
- (2) Niemand mag vir langer as drie maande, aaneenlopend of andersins, binne 'n periode van twaalf maande in 'n kampeerruimte kamp sonder die skriftelike goedkeuring van die munisipaliteit nie.
- (3) Die munisipaliteit mag enige aansoek wat ontvang word goed- of afkeur en mag ook enige voorwaardes stel, maar die tydperk waarvoor die goedkeuring verleen word mag nie 'n verdere drie maande oorskry nie.
- (4) Die okkupererder van die kampeerperseel moet die persoon wees wie se naam op die permit verskyn en hy of sy mag nie die perseel onderverhuur, sedeer, verkoop of op enige ander wyse sy of haar reg vervreem nie.
- (5) Die reservering van kampeerpersele sal slegs by ontvangs van 'n skriftelike aansoek oorweeg word.

(6) The municipality may determine rules and conditions additional to any provision of this by-law for the use of camping sites under the control of the municipality, which rules and conditions must be displayed in or at the camping area.

(7) The municipality may determine conditions for the establishment of private camping facilities.

15. Caravan parks

(1) Notwithstanding the provisions of section 14(2) the municipality may allocate ten percent (10%), or such greater percentage of the sites in a caravan park to be permanently occupied by caravans or mobile homes.

(2) The municipality may determine conditions for the establishment of private caravan parks.

(3) The municipality may determine rules and conditions additional to any provision of this by-law for the use of caravan parks under the control of the municipality which rules and conditions must be displayed in or at the caravan park.

16. Swimming pools

The municipality may determine rules and conditions in addition to any provision of this by-law for the use of swimming pools which rules and conditions must be displayed at the swimming pools under control of the municipality.

CHAPTER II: GENERAL PROVISIONS

17. Powers of official and offences

The official appointed by the municipality to monitor and enforce this by-law may investigate any act or omission which on reasonable suspicion may constitute an offence in which case he or she may—

- (a) issue a notice of compliance setting out the nature of the offence committed and the steps necessary to remedy the situation;
- (b) request the offender to leave the amenity; or
- (c) if he is a peace officer, issue a fine in terms of the Criminal Procedures Act, 1977.

18. Appeal

A person whose rights are affected by a delegated decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

19. Offences and Penalties

(1) A person who contravenes any of the provisions of sections 5, 6, 7, 9, 11, 12, 13, 14, 15, or 16 or fails to comply with an instruction, request, rule or notice issued in terms of this by-law commits an offence.

(2) A person commits an offence if he or she—

- (a) threatens, resists, hinders or obstructs, or uses foul, abusive or insulting language towards or at an official in the exercise of his or her powers or execution or his or her duties; or
- (b) falsely holds himself or herself out to be an official;
- (c) furnishes false or misleading information when complying with a request of an official; or
- (d) fails to comply with a request of an official.

and shall on conviction be liable to—

- (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment and;
- (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional

(6) Die munisipaliteit mag reëls of voorwaardes bykomstig tot dié wat in hierdie verordening vervat is, stel vir alle kampeerterreine wat onder die munisipaliteit se beheer is en sodanige reëls of voorwaardes moet by die kampterrein vertoon word.

(7) Die munisipaliteit mag voorwaardes stel vir die daarstelling van privaat kampeergeriewe.

15. Karavaanparke

(1) Ondanks die bepalings van artikel 14(2) mag die munisipaliteit tien persent (10%), of enige groter persentasie soos goedgekeur deur die munisipaliteit, toeken vir permanente okkupering deur karavane of mobiele wonings.

(2) Die munisipaliteit mag voorwaardes stel vir die daarstelling van privaat karavaanparke.

(3) Die munisipaliteit mag reëls of voorwaardes bykomstig tot dié wat in hierdie verordening vervat is stel vir alle karavaanparke wat onder die munisipaliteit se beheer is en sodanige reëls of voorwaardes moet by karavaankampe vertoon word.

16. Swembaddens

Die munisipaliteit mag reëls of voorwaardes bykomstig tot dié wat in hierdie verordening vervat is, stel vir die gebruik van swembaddens wat onder die munisipaliteit se beheer is en sodanige reëls en voorwaardes moet by swembaddens vertoon word.

HOOFSTUK II: ALGEMENE BEPALINGS

17. Bevoegdhede van beampte en oortredings

Die beampte wat deur die munisipaliteit aangestel is om hierdie verordening af te dwing mag enige handeling of versuim onderzoek wat redelikerwys vermoed word 'n misdryf te wees en mag—

- (a) 'n kennisgewing van nakoming uitrek waarin die beweerde oortreding uiteengesit word asook die stappe om dit reg te stel;
- (b) die oortreder veroek om die openbare gerief te verlaat; of
- (c) indien hy 'n vredesbampete is, 'n boete uitrek ingevolge die Strafproseswet, 1977.

18. Appèl

Iemand wie se regte geraak word deur 'n gedelegeerde besluit van die munisipaliteit of 'n beampte wat ingevolge hierdie verordening optree, kan teen dié besluit appelleer deur skriftelike kennisgewing van sy of haar voorneme om te appelleer en die redes daarvoor aan die Munisipale Bestuurder voorlê ingevolge artikel 62 van die Plaaslike Regering: Munisipale Stelselwet, Wet 32 van 2000.

19. Strafbepalings

(1) 'n Persoon wat enige van die bepalings van artikels 5, 6, 7, 9, 11, 12, 13, 14, 15 of 16 van hierdie verordening oortree of versuim om daaraan te voldoen of versuim om te voldoen aan 'n instruksie, versoek, reël of kennisgewing uitgerek ingevolge hierdie verordening, pleeg 'n misdryf.

(2) 'n Persoon pleeg 'n misdryf indien hy of sy—

- (a) 'n beampte in die uitoefening van sy of haar bevoegdhede of in die uitvoering van sy of haar pligte bedrieg, teëstaan, hinder of belemmer of onwelvoeglike of beledigende taal teenoor die beampte gebruik;
- (b) hom- of haarselvalslik as 'n beampte voordoen;
- (c) vals of misleidende inligting verstrek; of
- (d) versuim om aan 'n versoek van 'n beampte te voldoen.

en kan by skuldigbevinding—

- (a) 'n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; en
- (b) in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevangenisstraf of sodanige

- imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued and,
- (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

20. Limitation of liability

The municipality is not liable for any damage or loss caused by—

- (a) the exercise of any power or the performance of any duty in good faith under this by-law; or
- (b) the failure to exercise any power, or perform any function or duty in good faith under this by-law.

21. Authentication and service of notices and other documents

(1) A notice issued by the municipality in terms of this By-law is considered to be duly issued if it is signed by an officer authorised by the municipality.

(2) Any notice or other document that is served on a person is considered as duly served—

- (a) when it has been delivered to that person personally;
- (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of 16 years;
- (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic, and an acknowledgment of the posting thereof from the postal service is obtained;
- (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c);
- (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;
- (f) in the event of a body corporate, when it has been delivered at the registered office of the business premises of such body corporate; or
- (g) when it has been delivered, at the request of that person, to his or her e-mail address.

(3) Service of a copy is considered to be service of the original.

(4) When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, or holder of the property or right in question, and it is not necessary to name that person.

22. Presumption

In any prosecution under this by-law it shall be presumed, unless the contrary is proved, that an animal found in a public amenity was brought into the amenity by the owner thereof or a person under the control of the owner, or that the owner or the person allowed the animal to enter the amenity.

23. Entering into agreements

The municipality may enter into a written agreement with any person, organ of State, local community or organisation to provide for—

- (a) the co-operative development of any public amenity;

bykomende gevangenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en

- (c) 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding of versuim.

20. Beperking van aanspreeklikheid

Die munisipaliteit is nie aanspreeklik nie vir enige skade of verlies wat veroorsaak is deur—

- (a) die uitoefening van enige bevoegdheid of die verrigting van enige plig te goeder trou ingevolge hierdie verordening; of
- (b) die versuim om enige bevoegdheid uit te oefen of om enige funksie of plig te goeder trou ingevolge hierdie verordening te verrig.

21. Bekragting en dien van kennisgewings en ander dokumente

(1) 'n Kennisgewing wat ingevolge hierdie verordening deur die munisipaliteit uitgereik word, word geag behoorlik uitgereik te wees indien 'n beampie wat deur die munisipaliteit gemagtig is, dit onderteken het.

(2) Enige kennisgewing of ander dokument wat ingevolge hierdie verordening op 'n persoon beteken word, word geag as behoorlik gedien—

- (a) wanneer dit persoonlik by daardie persoon afgelewer is;
- (b) wanneer dit by daardie persoon se verblyfplek of sakeonderneming in die Republiek gelaat is by 'n persoon wat oënskynlik ouer as sestien jaar is;
- (c) wanneer dit per geregistreerde gesertifiseerde pos gestuur is aan daardie persoon se jongsbekende residensiële of sake-adres in die Republiek, en bevestiging van die pos daarvan by die posdiens verkry is;
- (d) indien daardie persoon se adres in die Republiek onbekend is, wanneer dit op daardie persoon se agent of verteenwoordiger in die Republiek beteken is op die wyse bepaal in paragrawe (a), (b) of (c);
- (e) indien die betrokke persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, wanneer dit op 'n prominente plek op die grond of sakeperseel waarop dit betrekking het, aangebring is;
- (f) in die geval van 'n bestuursliggaam, wanneer dit by die geregistreerde kantoor van die sakeperseel van sodanige bestuursliggaam afgelewer is; of
- (g) wanneer dit op versoek van die betrokke persoon by sy of haar e-posadres afgelewer is.

(3) Die dien van 'n afskrif word geag die dien van die oorspronklike te wees.

(4) Wanneer enige kennisgewing of ander dokument op die eenaar, okkuperdeer of houer van enige eiendom, of reg op 'n eiendom, beteken word, is dit toereikend indien die betrokke persoon in die kennisgewing of ander dokument beskryf word as die eenaar, okkuperdeer of houer van die eiendom of dié betrokke reg, en is dit nie nodig om die naam van die persoon te verstrek nie.

22. Vermoede

By enige vervolging in terme van hierdie verordening sal dit, tensy die teendeel bewys word, vermoed word dat enige dier wat in 'n openbare gerief aangetref word, deur die eenaar of 'n persoon onder beheer van die eenaar in so 'n openbare gerief gebring is of dat die eenaar of ander persoon die dier toegelaat het om die openbare gerief binne te gaan.

23. Aangaan van ooreenkoms

Die munisipaliteit mag 'n skriftelike ooreenkoms aangaan met enige persoon, staatsorgaan, plaaslike gemeenskap of organisasie ten einde voorsiening te maak vir—

- (a) die gesamentlike ontwikkeling van enige openbare gerief;

- (b) the co-operative management of any public amenity; or
- (c) the regulation of human activities within a public amenity.

24. Liaison forums in community

- (1) The municipality may establish one or more liaison forums in a community for the purposes of—
 - (a) creating conditions for a local community to participate in the affairs of the municipality;
 - (b) encouraging a local community to participate in the affairs of the municipality; and
 - (c) promoting the effective and safe use of public amenities.
- (2) A liaison forum may consist of—
 - (a) a member of members of an interest group, or an affected person;
 - (b) a member or members of a community in whose immediate area a public amenity exists;
 - (c) a designated official or officials of the municipality; and
 - (d) the councillor responsible for public amenities.
- (3) The municipality may, when considering an application or registration in terms of this by-law request the input of a liaison forum.
- (4) A liaison forum or any person or persons contemplated in subsection (2) may, on own initiative submit an input to the municipality for consideration.

25. Conflict with other legislation

In the event of any conflict between any provision of this by-law and National and

Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail.

26. 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.

27. Short title and commencement

This By-law shall be known as the Public Amenities By-law, and commences on the date of publication thereof in the Provincial Gazette.

- (b) die gesamentlike bestuur van enige openbare gerief; of
- (c) die regulering van menslike aktiwiteite in 'n openbare gerief.

24. Skakelforums in gemeenskap

- (1) Die munisipaliteit mag een of meer skakelforums in 'n gemeenskap instel vir die doel om—
 - (a) geleenthede vir die gemeenskap te skep om deel te neem aan die aangeleenthede van die munisipaliteit;
 - (b) die gemeenskap aan te moedig om deel te neem aan die aangeleenthede van die munisipaliteit; en
 - (c) die effektiewe en veilige gebruik van openbare geriewe te bevorder.
- (2) 'n Skakelforum mag bestaan uit—
 - (a) 'n lid of lede van 'n belangsgroep, of geaffekteerde persoon;
 - (b) 'n lid of lede van 'n gemeenskap in wie se onmiddellike omgewing 'n openbare gerief bestaan;
 - (c) 'n aangewese beampte of beampes van die munisipaliteit; en
 - (d) die raadslid verantwoordelik vir openbare geriewe.
- (3) Die munisipaliteit mag wanneer 'n aansoek om toestemming, permit of vrystelling sertifikaat oorweeg word ingevolge hierdie verordening, waarvan toepassing, die insette van 'n skakelforum versoek.
- (4) 'n Skakelforum of enige persoon of persone bedoel in subartikel (2) mag op eie inisiatief, 'n inset aan die munisipaliteit vir oorweging stuur.

25. Teenstrydigheid met ander wetgewing

In die geval van teenstrydigheid tussen enige bepaling van hierdie verordening en Nasionale- en Proviniale wetgewing, standarde, beleid of riglyne, sal sodanige Nasionale- en Proviniale wetgewing, standarde, beleid of riglyne voorrang geniet.

26. Herroeping van verordeninge

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit geïnkorporeer is, aangekondig is, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

27. Kort titel en inwerktering

Hierdie verordening staan bekend as die Verordening insake Openbare Geriewe en tree in werking op die datum van publikasie in die Proviniale Koerant.

SWARTLAND MUNICIPALITY**BY-LAW RELATING TO ROADS AND STREETS**

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996, Swartland Municipality, enacts as follows:—

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SWARTLAND MUNISIPALITEIT**VERORDENING INSAKE PAAIE EN STRATE**

Kragtens die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal Swartland Munisipaliteit soos volg:—

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30. Werk in openbare paaie of strate
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42. Appeal

43. Exemption

44. Offences and penalties

45. Conflict with other legislation

46. Repeal of by-laws

47. Short title and commencement

CHAPTER 1: DEFINITIONS, PURPOSE AND OBJECTIVES**1. Definitions**

In this by-law, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates:—

“animals” mean any horses, mules, donkeys, cattle, pigs, sheep, goats, ostriches, and other wild animals;

“drunk” means a person who, reason of the alcohol which he or she has consumed, has lost control of his or her mental or physical faculties, or both, to such an extent as to render him or her incapable of comporting him- or herself, or of performing any act in which he or she is engaged, with safety to him- or herself or with that regard to the rights of others which the law demands;

“municipality” means the Municipality of Swartland established in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof 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 area” means the area of jurisdiction of Swartland Municipality as determined in terms of the Municipal Demarcation Act, 1998;

“municipal manager” means a person appointed in terms of section 54A of the Municipal Systems Act, 2000;

“motor vehicle” means any self-propelled vehicle and includes—

(a) a trailer, and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include—

(i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or

(ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person;

HOOFTUK 5: GEDRAG IN STRATE

34. Verbode gedrag

HOOFTUK 6: VERTONING VAN STRAATNOMMERS

35. Straatnommers

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HOOFTUK 1: DEFINISIES, BEGINSELS EN DOELWITTE**1. Definisies**

In hierdie verordening, geniet die Engelse teks voorrang in die geval van 'n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenis:

“diere” perde, muile, donkies, beeste, varke, skape, bokke, volstruise, inheemse soogdiere en enige ander wilde diere;

“dronk” 'n persoon wat weens die alkohol wat hy of sy ingeneem het beheer oor sy of haar geestes- of fisiese vermoëns, of beide, tot so 'n mate verloor het dat hy of sy nie in staat is om hom- of haarself te gedra nie, of nie in staat is om enige handeling waarmee hy of sy besig is op so 'n wyse te verrig dat dit nie 'n gevær vir hom- of haarself inhou nie of met daardie agting vir die regte van ander soos deur die reg vereis word nie;

“motorvoertuig” enige selfgedrewe voertuig en ook—

(a) 'n sleepwa; en

(b) 'n voertuig met pedale en met 'n enjin of 'n elektriese motor as 'n integrerende deel daarvan of daaraan geheg en wat ontwerp of aangepas is om deur middel van sodanige pedale, enjin of motor, of sodanige pedale sowel as sodanige enjin of motor aangedryf te word, maar nie ook—

(i) 'n voertuig wat aangedryf word deur elektriese krag verkry uit opgaarbattery en wat deur 'n voetganger beheer word nie;

(ii) 'n voertuig met 'n massa van hoogstens 230 kilogram nie en wat spesial ontwerp en gebou, en nie net aangepas is nie, vir gebruik deur iemand wat aan die een of ander liggaamlike gestremdheid of ongeskiktheid ly en wat uitsluitlik deur sodanige persoon gebruik word;

"public place" means any square, building, park, recreation ground or open space which—

- (a) is vested in the municipality;
- (b) the public has the right to use; or
- (c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-General's office and has been provided for or reserved for the use of the public or the owners of erven in such township;

"sidewalk" means that portion of a street between the outer boundary of the roadway of a road and the boundary lines of adjacent properties or buildings which is intended for the use of pedestrians;

"street" means any street, road, cycle path, thoroughfare or any other place, including—

- (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 thirty 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, 1927, 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;

"vehicle" means a device designed or adapted mainly to travel on wheels, tyres or crawler tracks and includes such a device which is connected with a draw-bar to a breakdown vehicle and is used as part of the towing equipment of a breakdown vehicle to support any axle or all the axles of a motor vehicle which is being salvaged other than such a device which moves solely on rails;

"work" means work of any nature whatsoever undertaken on any land under the jurisdiction of Swartland Municipality and, without in any way limiting the ordinary meaning of the word, includes the erection of new building or alterations or additions to any existing building, tents or structures for recreational-, church- or any other type of gathering, excavations, the building of bridges and crossings over sidewalks, the laying of cables and pipes, the dumping of building or other material anywhere in a street or delivery to or removal from any site of any soil or material of any nature whatsoever.

"munisipale gebied" die regsgebied van Swartland Munisipaliteit soos bepaal ingevolge die Munisipale Afbakeningswet, 1998;

"munisipaliteit" die Swartland Munisipaliteit gestig ingevolge Artikel 12 van die Munisipale Strukturewet, 117 van 1998, en sluit in enige politieke struktuur, politieke ampsbeklede, raadslid, behoorlik gevoldmagtige agent daarvan of enige werknemer daarvan handelende ingevolge hierdie verordening uit hoofde van 'n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbeklede, raadslid, agent of werknemer;

"munisipale bestuurder" 'n persoon aangestel ingevolge artikel 54A van die Munisipale Stelselwet, 2000;

"openbare plek" enige plein, gebou, park, ontspanningsterrein, of oop ruimte wat—

- (a) in die munisipaliteit gesetel is;
- (b) die publiek die reg het om te gebruik; of
- (c) aangedui word op 'n algemene plan van 'n woonbuurt wat gelasseer is by 'n akteskantoor of 'n Landmeter-Generaal se kantoor en wat daargestel of gereserveer is vir gebruik deur die publiek of die eienaars van erwe in sodanige woonbuurt;

"straat" enige straat, pad, fietspad, of deurgang of enige ander plek wat insluit:

- (a) die soom van enige sodanige pad, straat of deurgang;
- (b) enige voetpad, sypaadjie of soortgelyke voetgangergedeelte van 'n padreserwe;
- (c) enige brug, pont of drif waaroor of waardeur enige sodanige pad, straat of deurgang loop;
- (d) enige ander voorwerp wat 'n deel uitmaak van sodanige pad, straat of deurgang, wat te enige tyd—
 - (i) aan die publiek opgedra is;
 - (ii) sonder onderbreking deur die publiek gebruik is vir 'n tydperk van minstens dertig jaar;
 - (iii) deur die munisipaliteit of ander bevoegde owerheid tot sodanig verklaar of gemaak is, of
 - (iv) deur 'n plaaslike owerheid aangelê is, en
- (v) enige grond, met of sonder geboue of strukture daarop, wat as 'n straat aangetoon word op—
 - (aa) enige onderverdelingsplan of diagram deur die munisipaliteit of ander bevoegde owerheid goedgekeur en waarvolgens gehandel is, of
 - (bb) enige algemene plan soos omskryf in die Opmetingswet, 9 van 1927, wat in 'n registrasiekantoor of die Landmeter-Generaal se kantoor geregistreer is of gebêre word,

tensy sodanige grond op sodanige plan of diagram as 'n private straat beskryf word.

"sypaadjie" dié gedeelte van 'n straat tussen die buitegrens van die ryvlak van 'n pad en die grenslynne van aanliggende eiendomme of geboue wat bedoel is vir die gebruik van voetgangers;

"voertuig" 'n toestel ontwerp of aangepas om hoofsaaklik op wiele, bande of rusperbande te loop en ook so 'n toestel wat met 'n trekstang aan 'n teëspoedwa verbind is en gebruik word as deel van die sleepoerusting van 'n teëspoedwa om enige of al die asse van 'n motorvoertuig wat geberg word, te ondersteun, behalwe so 'n toestel wat uitsluitlik op spore beweeg;

"werk" werk van watter aard ook al wat onderneem word op enige grond of straat of openbare plek binne die regsgebied van Swartland Munisipaliteit en, sonder om die gewone betekenis van die woord op enige wyse te beperk, omvat dit die oprigting van 'n nuwe gebou of veranderings of aanbouings aan enige bestaande gebou, die oprigting van tente vir ontspannings- of kerkdoeleindes of vir enige ander tipe byeenkoms, die lê van kabels of pype, die stort van bou- of ander materiaal op enige plek in 'n straat of openbare plek of die aflewering aan of verwydering vanaf enige perseel van enige grond of materiaal van watter aard ook al;

2. Purpose and objectives

The Swartland Municipality, acting under the Constitution and relevant legislation, and being aware of its duty to control the use of roads, streets and sidewalks and to manage any work undertaken in such roads, streets and sidewalks so as to provide a safe environment for all people within the municipal area, adopts this by-law to provide mechanisms and guidelines for such control and management.

CHAPTER 2: GENERAL PROVISIONS RELATING TO ROADS AND STREETS

3. Streets and sidewalks

(1) No person may—

- (a) make, construct, reconstruct, or alter a street or sidewalk—
 - (i) except with the written permission of the municipality, or
 - (ii) otherwise than in accordance with the requirements prescribed by the municipality,
 - (b) construct a veranda, stoep, steps or other projection or erect a post in a street or public place except with the written permission of the municipality, or
 - (c) without the permission of the municipality display, advertise or offer for sale any motor vehicle, motorbike, boat, vessel, caravan, trailer or any other vehicle in or on a street or public place.
- (2) Beautification or improvement in the form of planting of lawn, ornamental plants or trees may be undertaken by the public on condition that—
- (a) pedestrian traffic not be obstructed;
 - (b) traffic visibility not be obstructed; and
 - (c) municipal services not be damaged or influenced negatively.

4. Advertisements visible from streets

(1) No person may display any advertisement, placard, poster or bill in a street or public place—

- (a) except with the written permission of the municipality, and
 - (b) subject to such conditions as may be determined by the municipality.
- (2) This section shall not be applicable to signs which have been exempted under the provisions of the municipality's applicable by-law relating to advertising and signage.

5. Animals or objects causing an obstruction

No person may—

- (a) deposit or leave any goods or articles in a street, or in an area designated therefor, other than for a reasonable period during the course of the loading, off-loading or removal thereof, or
- (b) in any way obstruct the pedestrian traffic on a sidewalk by bringing or allowing to be brought thereon any animal, object or vehicle (other than a pram or wheelchair which is being used for the conveyance of children or the disabled), or
- (c) cause or allow any blind, awning, cord or other object to project or to be stretched over or onto a street—
 - (i) except with the written permission of the municipality, and
 - (ii) subject to such conditions as may be determined by the municipality.

2. Doel en oogmerke

Handelende ingevolge die Grondwet en ander relevante wetgewing en bewus van sy verpligting om die gebruik van paaie, strate en sypaadjes te beheer en om enige werk wat in dusdanige strate, paaie en sypaadjes verrig word te bestuur ten einde 'n veilige omgewing vir alle mense binne die munisipale gebied te verseker, aanvaar die Swartland Munisipaliteit hierdie verordening ten einde meganisme en riglyne vir dusdanige beheer en bestuur te voorsien.

HOOFSTUK 2: ALGEMENE BEPALINGS VAN TOEPASSING OP PAAIE EN STRATE

3. Strate, sypaadjes en openbare plekke

Niemand mag—

- (a) 'n straat of 'n sypaadjie bou, aanlê, heraanlê of verander nie—
 - (i) behalwe met die skriftelike toestemming van die munisipaliteit, of
 - (ii) behalwe in ooreenstemming met die vereistes wat die munisipaliteit bepaal,
 - (b) 'n veranda, muur of 'n stoep, trappies of ander uitsteeksel bou of 'n paal oprig in 'n straat of openbare plek nie;
 - (c) sonder die toestemming van die munisipaliteit, in of op 'n straat, sypaadjie of openbare plek enige motorvoertuig, motorfiets, boot, vaartuig, karavaan, sleepwa of enige ander voertuig uitstal, adverteer, of te koop aanbied nie.
- (2) Verfraaiing of verbetering in die vorm van die aanplant van grasperke, sierplante of bome mag deur die publiek op sypaadjes onderneem word onderworpe aan die volgende voorwaardes—
- (a) dat voetgangerverkeer nie belemmer word nie;
 - (b) dat verkeersuitsig nie belemmer word nie; en
 - (c) dat munisipale dienste nie beskadig of negatief beïnvloed word nie.

4. Advertensies sigbaar vanaf strate

(1) Niemand mag 'n advertensie, aanplakbiljet, plakkaat of biljet in 'n straat of openbare plek vertoon nie—

- (a) behalwe met die skriftelike toestemming van die munisipaliteit, en
 - (b) onderworpe aan die voorwaardes wat die munisipaliteit stel.
- (2) Hierdie artikel is nie van toepassing op tekens wat kragtens die bepalings van die munisipaliteit se toepaslike verordening insake reklame en advertensietekens toegelaat word nie.

5. Diere of voorwerpe wat 'n versperring veroorsaak

Niemand mag—

- (a) goedere of artikels in 'n straat, of op 'n area waar daarvoor voorseeing gemaak is, of op of in 'n openbare plek neersit of laat bly nie, behalwe vir 'n redelike typerk terwyl dit op- of afgelaai of verwyder word, of
- (b) op enige wyse die voetgangerverkeer op 'n sypaadjie belemmer deur enige dier, voorwerp of voertuig (uitgesonderd 'n kinderwaentjie of rolstoel wat vir die vervoer van kinders of gestremdes gebruik word) daarop te bring of toe te laat dat dit daarop gebring word nie, of
- (c) 'n blinding, skerm, tou of ander voorwerp oor of op 'n straat laat uitsteek of span of toelaat dat dit daaroor uitsteek of gespan word nie—
 - (i) behalwe met die skriftelike toestemming van die munisipaliteit, en
 - (ii) onderworpe aan die voorwaardes wat die munisipaliteit stel.

6. Trees in streets

The management and protection of trees in roads, streets or public places will be undertaken in terms of the municipality's tree policy and any person who wishes to plant, remove, prune or cut down any tree or shrub in a road, street or public place must obtain the permission of the municipality to do so.

7. Trees or growth causing an interference or obstruction

(1) Whenever there is upon any property any tree or other growth which interferes with overhead wires or is a source of annoyance, damage, danger or inconvenience to persons using a street, the municipality may by notice in writing order the owner or occupier of such property to prune or remove such tree or growth to the extent and within the period specified in such notice.

(2) If any person fails to comply with a notice in terms of this section, the municipality may itself prune or remove the tree or growth at the expense of the person on whom the notice was served.

8. Refuse, motor vehicle wrecks, waste material, etc.

No person may—

- (a) dump, leave or accumulate any garden refuse, motor vehicle wrecks, spare parts of vehicles, building or waste materials, rubbish or any other waste products in any street or public place, or
- (b) permit any such objects or substances to be dumped or placed in a street or public place from premises owned or occupied by him, except with the written permission of the municipality and subject to such conditions as may be determined by the municipality.

9. Parking of heavy vehicles and caravans

(1) No person may, for an uninterrupted period exceeding two hours, except on places reserved for parking of such vehicles, park on a street or public place—

- (a) a motor vehicle with a tare exceeding 3500 kg;
- (b) a trailer;
- (c) a semi-trailer, or
- (d) a caravan,

(2) Whenever a vehicle is parked in contravention of subsection (1), it is deemed that such vehicle has been parked by the owner thereof unless the contrary is proved.

10. Parking attendants

(1) No person may, in exchange for money or some other thing of value or in anticipation thereof—

- (a) direct the driver or occupant of a motor vehicle to a public parking space; or
- (b) provide any other parking or related services in a street or public place.

(2) Notwithstanding subsection (1), the municipality may, subject to such requirements and conditions as determined by it on application by a person or organisation, permit such person or organisation to direct the operator or occupant of a vehicle to a public parking space or to provide any other parking or related service.

11. Encroachments

(1) Subject to section 3 and to such further conditions as it deems necessary, the municipality may by agreement permit encroachment on municipal property or the erection or maintenance of a veranda, balcony, sign, projecting sign or similar structure which projects in or over any street or public place;

6. Bome in strate

Die bestuur en beskerming van bome in paaie, strate of openbare plekke sal ingevolge die munisipaliteit se beleid ten opsigte van bome geskied en niemand mag sonder die munisipaliteit se goedkeuring enige boom of struik in 'n pad, straat of openbare plek plant, verwyder, snoei of afkap nie.

7. Bome of gewasse wat 'n hindernis of versperring veroorsaak

(1) Wanneer daar ook al op 'n eiendom 'n boom of ander gewas is wat lugrade belemmer of wat ergernis, skade, gevaar of ongerief veroorsaak vir persone wat 'n straat of openbare plek gebruik, kan die munisipaliteit by skriftelike kennisgewing die eienaar of okkuperer van sodanige eiendom gelas om sodanige boom of gewas te snoei of teverwyder in die mate en binne die tydperk wat in sodanige kennisgewing bepaal word.

(2) Indien iemand versuim om te voldoen aan 'n kennisgewing ingevolge hierdie artikel, kan die munisipaliteit self die boom of gewas snoei of verwyder op koste van die persoon aan wie die kennisgewing beteken is.

8. Vullis, motorvoertuigwakkie, afvalmateriaal, ens.

Niemand mag—

- (a) enige tuinvullis, motorvoertuigwakkie, onderdele van voertuie, bou- of afvalmateriaal, rommel of enige ander afvalprodukte in 'n straat of openbare plek stort of laat lê of ophoop nie, of
- (b) toelaat dat sodanige voorwerpe of stowwe vanaf 'n perseel waarvan hy die eienaar of okkuperer is, in 'n straat of op 'n openbare plek gestort of geplaas word nie, behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes wat sodanige munisipaliteit stel.

9. Parkering van swaar voertuie en karavane

(1) Niemand mag binne die munisipale gebied—

- (a) 'n motorvoertuig met 'n tarra wat 3500 kilogram oorskry;
- (b) 'n sleepwa;
- (c) 'n leunwa, of
- (d) 'n woonwa.

in 'n straat of openbare plek parkeer vir 'n ononderbroke tydperk wat twee ure oorskry nie, buiten op plekke wat vir sodanige voertuie geoormerk is.

(2) Wanneer ook al 'n voertuig geparkeer is instryd met subartikel (1), word daar, totdat die teendeel bewys word, vermoed dat sodanige voertuig geparkeer is deur die eienaar daarvan.

10. Parkeerplek aanwysers

(1) Niemand mag, hetsy teen vergoeding of enigiets anders van waarde in awagting van vergoeding:

- (a) die bestuurder of okkuperer van 'n motorvoertuig aanwys waar 'n parkeerruimte is nie; of
- (b) enige ander parkeer- of verwante dienste in 'n straat of openbare plek verrig nie.

(2) Ondanks die bepalings van subartikel (1), mag die munisipaliteit, onderworpe aan enige vereistes en voorwaardes wat dit mag stel, by die ontvangs van 'n aansoek van enige persoon of organisasie, so 'n persoon of organisasie toelaat om parkeerruimtes aan te wys of enige ander parkeer of verwante dienste in 'n openbare plek te verrig.

11. Oorskrydings

(1) Onderworpe aan die bepalings van artikel 3 en aan enige verdere voorwaardes wat die munisipaliteit mag stel, mag die munisipaliteit oorskryding op munisipale eiendom of die oprigting van of onderhou aan 'n veranda, balkon, teken of soortgelyke struktuur wat in of oor 'n straat of openbare plek hang of uitsteek, goedkeur.

(2) When any immovable property owned by a municipality or under the control or management of the municipality is encroached upon without permission, the municipality may take the steps necessary to remove or regularise such encroachment.

(3) The municipality may reduce the extent of a public place or street which is encroached upon by the extent of the encroachment or by such greater extent as may be desirable.

(4) A permit issued under subsection (1) is, for the purposes of subsection (2), deemed to be a regularisation of the encroachment referred to in such permit.

(5) A person who wishes to obtain the permission of the municipality as contemplated in subsection (1) must complete and submit to the municipality the prescribed form, and the municipality may issue a permit subject to the prescribed fee having been paid.

(6) The municipality may, in addition to any other penalty which may be imposed, and subject to an appropriate court order—

- (a) demolish, remove or fill in the projection or projecting structure concerned; or
- (b) cause such projection or projecting structure to be demolished, removed or filled in, at the cost of the owner thereof or the person responsible for such encroachment.

(2) Wanneer daar sonder toestemming van die munisipaliteit op enige onroerende eiendom van die munisipaliteit oorskry word, mag die munisipaliteit die stappe neem wat nodig is om sodanige oorskryding te verwyder of te reguleer.

(3) Die munisipaliteit mag die omvang van 'n openbare plek of straat waarop daar oorskry word verminder tot die mate van die oorskryding of tot so 'n groter omvang as wat wenslik mag wees.

(4) 'n Permit wat ingevolge subartikel (1) uitgereik is word vir die doeleindeste van subartikel (2) geag regulering te wees ten opsigte van die oorskryding daarin vermeld.

(5) Enige persoon wat die munisipaliteit se toestemming, soos beoog in subartikel (1), wil bekom moet die voorgeskrewe vorm voltooi en by die munisipaliteit indien en die munisipaliteit mag so 'n permit uitrek indien die voorgeskrewe fooi betaal is.

(6) Enige persoon wat die bepalings van subartikel (5) oortree pleeg 'n misdryf en enige persoon wat enige voorwaarde wat ingevolge subartikel (1) opgelê, pleeg 'n misdryf en die munisipaliteit mag, bykomend tot enige ander straf wat opgelê mag word—

- (a) die oorskrydende struktuur afbreek, verwyder of invul; of
- (b) reël dat die oorskrydende struktuur afgebreek, verwyder of ingeval word en die eienaar of persoon wat vir die oorskryding verantwoordelik is aanspreeklik hou vir die kostes verbonde aan enige afbreek, verwydering of invulling.

CHAPTER 3: PROHIBITION OF CERTAIN ACTIVITIES IN ROADS AND STREETS

12. Vehicle repairs in streets

No person may, in a street or public place—

- (a) effect any repairs or service to a vehicle, except where necessary for the purpose of removing such vehicle from the place where it was involved in an accident, or
- (b) clean or wash a vehicle.

13. Games and other acts in streets

No person may do anything in a street or public place which may endanger the life or safety of any person, animal or thing or may be a nuisance, obstruction or annoyance to the public.

14. Use of explosives

No person may in or upon a street or public place use explosives or undertake blasting operations—

- (a) except with the written permission of the municipality, and
- (b) subject to such conditions as may be determined by the municipality.

15. Conveyance of animal carcasses or other waste products through streets

No person may carry or convey through a street or public place the carcase of an animal or any garbage, night soil, refuse, litter, rubbish, manure, gravel or sand—

- (a) unless it is properly covered, and
- (b) unless it is conveyed in such type of container as will not allow any offensive liquids or parts of the load to be spilt in the street.

16. Fences on street boundaries

Subject to the provisions of the municipality's applicable by-law relating to fencing and boundary walls no person may erect a barbed-wire-, razor wire-, electrified fence or other dangerous fence on the boundary of a street or public place except with the written permission of the municipality.

17. Building materials in streets

No person may bore or cut stone or bricks, slake or sift lime, or mix building materials, or store or place building materials or any other

HOOFSTUK 3: VERBOD OP SEKERE AKTIWITEITE IN PAAIE EN STRATE

12. Herstelwerk aan voertuie in strate

Niemand mag in 'n straat of openbare plek—

- (a) 'n voertuig herstel of versien nie, behalwe waar dit nodig is om sodanige voertuig te kan verwyder van die plek waar dit in 'n ongeluk betrokke was, of
- (b) 'n voertuig skoonmaak of was nie.

13. Speletjies en ander handeling in strate

Niemand mag enigets in 'n straat of openbare plek doen wat die lewe of veiligheid van 'n persoon, dier of ding in gevaar kan stel of 'n oorlaas, belemmering of ergernis vir die publiek kan wees nie.

14. Gebruik van ploffstowwe

Niemand mag in of op 'n straat of openbare plek ploffstowwe gebruik of skietwerk uitvoer nie—

- (a) behalwe met die skriftelike toestemming van die munisipaliteit en
- (b) onderworpe aan die voorwaardes wat die munisipaliteit stel.

15. Vervoer van karkasse van diere of ander afvalstowwe deur strate en openbare plekke

Niemand mag die karkas van 'n dier of afval, nagvuil, vullis, rommel, vuilgoed, mis, gruis of sand deur 'n straat of openbare plek dra of vervoer nie—

- (a) tensy dit behoorlik bedek is, en
- (b) tensy dit in so 'n tipe houer vervoer word dat aanstootlike vloeistowwe of dele van die vrag nie in die straat of openbare plek gestort word nie.

16. Heinings op straatgrense

Onderworpe aan die bepalings van die munisipaliteit se toepaslike verordening insake heinings en grensmure mag niemand sonder die munisipaliteit se skriftelike toestemming 'n doringdraadheining, lemmetjiesdraadheining, geëlektrifiseerde heining of ander gevaaalike heining op die grens van 'n straat of openbare plek oprig nie.

17. Boumateriaal in strate en openbare plekke

Niemand mag in 'n straat of openbare plek klippe of stene boor of kap, kalk blus of sif, of enige boumateriaal meng nie, of boumateriaal of

materials in a street except with the written permission of the municipality, and subject to the requirements prescribed by the municipality.

18. Balconies and verandas

No person may, except with the written permission of the municipality—

- (a) use a balcony or veranda erected beyond the boundary line of a street or public place for purposes of trading or the storage of goods, or for the washing or drying of clothes thereon, or
- (b) enclose or partition a balcony or veranda erected beyond the boundary line of a street or public place or portion thereof as a living or bedroom.

19. Drying of washing on fences on boundaries of streets

No person may dry or spread washing on a fence on the boundary of a street or public place in a manner that obstructs traffic visibility.

20. Damaging of notice-boards

No person may deface, damage or in any way interfere with any notice-board, road traffic sign, street-name board or other similar sign or any hoarding which has been erected by the municipality or with consent of the municipality in a street or public place.

21. Street collections and distribution of handbills

(1) No person may—

- (a) collect or attempt to collect money in a street or public place or organise or in any way assist in the organisation of such collection, except with the written permission of the municipality and subject to such conditions as may be determined by the municipality; or
 - (b) distribute a handbill or similar advertising material or cause it to be distributed in any street or public place or cause it to be placed on or in any vehicle without prior permission of the municipality.
- (2) An application fee as determined by the municipality from time to time may be levied in respect of any application in terms of subsection (1).

22. Poison in streets

No person other than an official of the municipality or an authorised person who administers legally approved weed-killers or poisons, may use, set or cast poison in any street or public place.

23. Roller-skating and skating on skateboards

No person may, except with the prior written permission of the municipality, skate on roller-skates or a skateboard or a similar device in or on a street or public place or in or upon an area where skating is prohibited by an applicable road traffic sign.

24. Persons to be decently clad

No person may appear in any street without wearing any clothes or not being clothed in such a manner as decency demands; provided that this provision does not apply to a child under the age of seven years.

25. Amusement shows and devices

(1) No person may set up or use in any street or public place any circus, whirligig, roundabout or other side-show or device or tent for the amusement or recreation of the public or for religious purposes—

- (a) except with the written permission of the municipality and subject to such conditions as may be determined by the municipality;

enige ander materiaal opberg of plaas nie behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die vereistes wat die munisipaliteit bepaal.

18. Balkonne en verandas

Behalwe met die skriftelike toestemming van die munisipaliteit, mag niemand—

- (a) 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is, gebruik vir die doel van handeldryf of die opberg van goedere, of vir die was of droog van klere daarop nie, of
- (b) 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is of gedeelte daarvan as 'n woon- of slaapvertrek omsluit of afskort nie.

19. Droogmaak van wasgoed op heinings op grense van strate en openbare plekke

Niemand mag wasgoed op 'n heining op die grens van 'n straat of openbare plek droogmaak of dit daaroor hang op 'n wyse wat verkeersuitsig belemmer nie.

20. Beskadiging van kennisgewingborde

Niemand mag 'n kennisgewingbord, padverkeersteken, straatnaambord of ander soortgelyke teken of 'n skutting wat deur of met die toestemming van die munisipaliteit in 'n straat of openbare plek opgerig is, ontsier of beskadig of hom of haar op enige wyse daarmee bemoei nie.

21. Straatkollekte en verspreiding van strooibiljette

(1) Niemand mag—

- (a) in 'n straat of openbare plek geld insamel of probeer insamel of sodanige insameling organiseer of op enige wyse behulpsaam wees met die organisering daarvan nie, behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes deur die munisipaliteit gestel; of
- (b) 'n strooibiljet of soortgelyke advertensiemateriaal versprei of laat versprei in enige straat of openbare plek, of enige strooibiljet of soortgelyke advertensiemateriaal op of in enige voertuig plaas of laat plaas sonder voorafverkreë toestemming van die munisipaliteit nie.

(2) Aansoekgelde soos van tyd tot tyd deur die munisipaliteit bepaal kan deur die munisipaliteit gehef word ten opsigte van enige aansoek ingevolge subartikel (1).

22. Gif in strate

Niemand behalwe 'n amptenaar van die munisipaliteit of 'n gemagtigde persoon wat wettig goedgekeurde onkruiddoders of gifstof toedien, mag gif in 'n straat of openbare plek plaas, gebruik of gooie nie.

23. Rolskaats en skaats op skaatsplanke

Niemand mag, behalwe met die voorafverkreë skriftelike toestemming van die munisipaliteit, met rolskaatse of 'n skaatsplank of soortgelyke toestel in of op 'n straat of openbare plek, of in of op 'n terrein waar dit deur 'n toepaslike padverkeersteken verbied word, skaats nie.

24. Persone moet behoorlik geklee wees

Niemand mag op straat of in 'n openbare plek verskyn sonder om geklee te wees of geklee wees op 'n wyse wat nie aan die eise van welvoeglikheid voldoen nie, met dien verstande dat hierdie bepaling nie op 'n kind onder die ouderdom van sewe jaar van toepassing is nie.

25. Vermaaklikheidsvertonings en -toestelle

(1) Niemand mag 'n sirkus, draaimeule, mallemeule of ander byvertoning of toestel of tent vir die vermaak of ontspanning van die publiek in 'n straat of op 'n openbare plek oprig of gebruik nie—

- (a) behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes wat die munisipaliteit stel;

- (b) unless suitable sanitary conveniences for both sexes of the staff and the public have been provided; and
 - (c) if it is in any way dangerous or unsafe for public use.
- (2) An authorised official of the municipality shall, for the purposes of inspection at all reasonable times have free access to such circus, whirligig, roundabout or other side-show or device.

26. Animals in a street

No person may allow an animal to be unattended or at large in any street or public place or allow such animal to be a danger or annoyance to the public.

27. Restriction of access to streets

No person may, without the approval of the municipality, close or barricade any street or restrict access thereto.

CHAPTER 4: WORK IN STREETS, PUBLIC ROADS AND SIDEWALKS AND WATER DISCHARGED ONTO ROADS AND STREETS

28. Use of vehicles that may damage street surface

- (1) No person may—
 - (a) use a vehicle or allow it to be used in any street or public place if such vehicle is in such a defective condition that it will or may cause damage to any street or public place;
 - (b) drive, push, roll, pull or propel any object, machine or other material through or along a street or public place in such a way, or while such object, machine or material is in such a condition, as may damage, break or destroy the surface of the street or public place in any way;
- (2) If the municipality identifies a person who, as a result of the actions referred to in subsection (1), has damaged, broken or destroyed the surface of a street, the cost of repairs, as determined by the municipality, may be recovered from the offender.

29. Obstruction on public roads and restriction of access to streets

No person may deposit or cause to be deposited or leave or cause to be left sand, stone, earth, bricks, timber, lime, cement or other building or excavated material or burning material of whatever nature on a portion of a public road, sidewalk or footpath, unless it is deposited within an enclosure in respect of which the written consent of the municipality has first been obtained.

30. Work in public roads or streets

No person may undertake work in any public road or on property belonging to the municipality without prior permission being obtained in terms of the operational manual as contemplated in section 31.

31. Norms, standards and guidelines

- (1) The municipality may determine and publish norms, standards and guidelines which describe appropriate measures for work in public roads, streets or other property belonging to the municipality, and such norms standards and guidelines must be kept in the form of an operational manual.
- (2) The norms, standards and guidelines contemplated in subsection (1) may differentiate between communities, geographical areas and different kinds of premises.

32. Discharge of water on public road

- (1) No person may, without prior written permission of the municipality—
 - (a) lead or discharge water, except storm water on, over or across a public road; or
 - (b) by any means whatever, raise the level of water in a river, dam or

- (b) tensy geskikte sanitêre geriewe vir albei geslagte van die personeel aldaar verskaf is, en
 - (c) as dit enigsins gevaarlik of onveilig vir die gebruik van die publiek is.
- (2) 'n Gemagtigde amptenaar van die munisipaliteit het vir inspeksiedoeleindes te alle redelike tye vrye toegang tot sodanige sirkus, draaimeule of ander byvertoning of toestel.

26. Diere in 'n straat of openbare plek

Geen persoon mag toelaat dat 'n dier sonder toesig in enige straat of openbare plek losloop of dat sodanige dier 'n oorlas of gevaar vir die publiek mag wees nie.

27 Beperking van toegang tot paaie

Niemand mag sonder die munisipaliteit se goedkeuring enige straat sluit of toegang daartoe beperk nie.

HOOFSTUK 4: WERK IN PAAIE, OPENBARE PAAIE EN SYPAADJIES EN UITLAAT VAN WATER OP PAAIE EN STRATE

28. Gebruik van voertuie wat straatoppervlak kan beskadig

- (1) Niemand mag—
 - (a) 'n voertuig in 'n straat of openbare plek gebruik of toelaat dat dit daarin gebruik word indien sodanige voertuig in so 'n gebreklike toestand is dat dit skade aan 'n straat of openbare plek sal veroorsaak of moontlik sal veroorsaak nie, en
 - (b) enige voorwerp, masjien of ander materiaal deur of langs 'n straat of openbare plek bestuur, stoot, rol, trek of laat voortbeweeg op so 'n wyse, of terwyl sodanige voorwerp, masjien of materiaal in so 'n toestand is, dat die oppervlak van die straat of openbare plek op enige wyse daardeur beskadig, gebreek of vernietig kan word nie.
- (2) Indien die munisipaliteit 'n persoon identifiseer wat, as gevolg van die aksies in subartikel (1) vermeld, die oppervlak van 'n straat beskadig, gebreek of vernietig het, mag die munisipaliteit die herstelkoste bereken en van die oortreder verhaal.

29. Obstruksie in openbare paaie en strate

Niemand mag enige sand, klip, grond, stene, hout, kalk, cement of enige ander bou- of uitgrawingsmateriaal of brandende materiaal van watter aard ookal op 'n gedeelte van 'n openbare pad, sypadjie of voetpad laat of toelaat dat dit daar gelaat word nie, tensy dit in 'n afsluiting, wat deur die munisipaliteit goedgekeur is, gelaat word.

30. Werk in openbare paaie of strate

Niemand mag enige werk in 'n openbare pad of op eiendom wat aan die munisipaliteit behoort, onderneem sonder die voorafverkreeë goedkeuring van die munisipaliteit ingevolge die operasionele handleiding soos bedoel in artikel 31 nie.

31. Norme, standarde en riglyne

- (1) Die munisipaliteit mag norme, standarde en riglyne daarstel en publiseer wat gepaste maatreëls vir werk in openbare paaie, strate of ander munisipale eiendom daarstel, en dusdanige norme, standarde en riglyne moet in die vorm van 'n operasionele handleiding bygehou word.
- (2) Die norme, standarde en riglyne waarna in subartikel (1) verwys word, mag tussen gemeenskappe, geografiese gebiede en verskillende tipes persele differensieer.

32. Vrylaat van water op 'n openbare pad

- (1) Niemand mag sonder die skriftelike goedkeuring van die munisipaliteit—
 - (a) enige water, insluitende stormwater indien gekonsentreer, op of oor 'n openbare pad lei of vrystel nie; of
 - (b) op welke wyse ookal die vlak van water in 'n rivier, dam of enige

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| <p>watercourse so as to cause interference with or endanger a public road.</p> <p>(2) A person who wishes to perform an action as contemplated in subsection (1), must submit to the municipality an application which contains full technical details of the proposed action, and the municipality may refuse or grant permission and—</p> <ul style="list-style-type: none"> (a) should the municipality refuse permission, it must supply the person with the written reasons for the refusal; (b) should the municipality grant the permission, it may do so subject to such conditions, requirements or specifications which it may determine in each individual case. <p>(3) The municipality may, subject to any law which may be applicable and after obtaining permission of the owner and the occupier of the land concerned, if any—</p> <ul style="list-style-type: none"> (a) deviate a watercourse, stream or river if the deviation is necessary for— <ul style="list-style-type: none"> (i) the protection of a public road or structure related to a public road; or (ii) the construction of a structure connected with or belonging to a public road; and (b) divert storm water from or under a public road onto private property other than land containing buildings, other structures or improvements. | <p>waterwerke verhoog op so 'n wyse dat dit inmeng met 'n openbare pad of dit in gevaar stel nie.</p> <p>(2) Enige persoon wat 'n handeling soos besoog in subartikel (1) wil verrig moet 'n aansoek met die volledige tegniese besonderhede van die voorgenome optrede by die munisipaliteit indien en die munisipaliteit mag die aansoek goed- of afkeur en—</p> <ul style="list-style-type: none"> (a) indien die munisipaliteit toestemming sou weier, moet dit skriftelike redes vir sodanige weierung verstrek; of (b) indien die munisipaliteit toestemming sou verleen, mag dit voorwaardes, vereistes of spesifikasies stel of voorskryf vir elke individuele geval. <p>(3) Die munisipaliteit mag met die nodige kennisgewing aan die eienaar van grond—</p> <ul style="list-style-type: none"> (a) 'n stroom of rivier of enige ander waterwerke se vloei verander, indien so 'n verandering nodig is vir— <ul style="list-style-type: none"> (i) die beskerming van 'n openbare pad of enige struktuur wat daarmee verband hou; of (ii) die oprigting van 'n struktuur wat verband hou met of behoort aan 'n openbare pad; en (b) stormwater van of onder 'n openbare pad op privaateiendom afleef, behalwe grond waarop geboue, ander strukture of verbeterings is. |
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33. Overflow of water in streets

No person may cause or allow any water other than rainwater to flow into a street.

CHAPTER 5: BEHAVIOUR IN STREETS

34. Prohibited conduct

No person may in a street—

- (a) cause a nuisance to other persons by loitering, standing, sitting or lying or begging;
- (b) sleep, overnight or erect any shelter, except at a place designated by the municipality;
- (c) wash or dry clothes, blankets or any other domestic articles;
- (d) use abusive, insulting, obscene, threatening or blasphemous language;
- (e) fight or act in a riotous manner;
- (f) discharge a firearm, airgun or air-pistol;
- (g) annoy or inconvenience any other person by yelling, shouting or making any noise in any manner whatsoever;
- (h) spit, defecate, urinate or wash himself;
- (i) solicit or importune any person for the purpose of prostitution or immorality;
- (j) engage in gambling;
- (k) be drunk or under the influence of drugs or use intoxicating liquor or drugs.

CHAPTER 6: DISPLAY OF STREET NUMBERS

35. Street numbers

(1) The municipality may prescribe by notice in writing to the owner of any premises that a number allocated to such premises in terms of section 39(c) must be displayed and the owner of such premises must, within 30 days of the date of such notice, display the allocated number on the premises.

(2) A number displayed as contemplated by subsection (1) must—

- (a) be displayed in a conspicuous position on the premises and must at all times be visible and legible from the adjacent street; and
- (b) be replaced by the owner of the premises as often as it gets obliterated, defaced or illegible.

HOOFSTUK 5: GEDRAG IN STRATE

34. Verbode gedrag

Niemand mag in 'n straat—

- (a) tot oorlas van ander persone slenter, staan, sit, lê of bedel nie;
- (b) slaap of oornag of enige skuiling oprig nie behalwe op 'n plek deur die munisipaliteit aangewys;
- (c) klere, komberse of ander huishoudelike artikels was, skoonmaak of droogmaak nie;
- (d) skel-, beledigende, onwelvoeglike, dreigende of godslasterlike taal besig nie;
- (e) baklei of oproerig optree nie;
- (f) 'n vuurwapen, windbuks of windpistool afvuur nie;
- (g) tot ergernis of ongemak van enige ander persoon skreeu, gil of enige lawaai op watter wyse ook al maak nie;
- (h) spuug, homself was, ontlaas of urineer nie;
- (i) met die oog op prostitutie of onsedelikheid iemand aanspreek of lastig val nie;
- (j) dobbelary beoefen nie;
- (k) dronk of onder die invloed van dwelms wees of alkoholiese drank of ander dwelmmiddels gebruik nie; of

HOOFSTUK 6: VERTONING VAN STRAATNOMMERS

35. Straatnommers

(1) Die munisipaliteit kan by wyse van skriftelike kennisgewing aan die eienaar van enige perseel, voorskryf dat 'n nommer wat deur die munisipaliteit ingevolge artikel 39(c) aan so 'n perseel toegeken is, op sodanige perseel vertoon moet word en die eienaar van sodanige perseel moet binne 30 dae na die datum van sodanige kennisgewing die toegekende nommer op die perseel aanbring.

(2) 'n Nommer wat vertoon word soos besoog in sub-artikel (1) moet:

- (a) op 'n opsigtelike plek op die perseel vertoon word en moet te alle tye sigbaar en leesbaar vanaf die aangrensende straat wees; en
- (b) deur die eienaar van die perseel vervang word so dikwels as wat dit uitgewis of geskend of onleesbaar word.

CHAPTER 7: GENERAL POWERS OF THE MUNICIPALITY

36. Municipality may act and recover costs

- (1) Notwithstanding any other provisions of this by-law, the municipality may—
- (a) where the permission of the municipality is required before a person may perform a certain action or build or erect anything, and such permission has not been obtained; and
 - (b) where any provision of this by-law is contravened under circumstances in which the contravention may be terminated by the removal of any structure, object, material or substance, serve a written notice on the owner of the premises or the offender, as the case may be, to terminate such contravention, or to remove the structure, object, material or substance, or to take such other steps as the municipality may require to rectify such contravention within the period stated in such notice.
- (2) Any person who fails to comply with a notice in terms of subsection (1) shall be guilty of an offence, and the municipality may, without prejudice to its powers to take action against the offender, take the necessary steps to implement such notice at the expense of the owner of the premises or the offender, as the case may be.

37. Closure of streets or roads

- (1) The municipality may permanently close or divert any street or part thereof or restrict access to any street.
- (2) When the municipality decides to act in terms of subsection (1), it must give notice of such intention in terms of its communication policy; in the absence of such policy the municipality must give notice of its intention in a local newspaper in at least two official languages.
- (3) Any objection against the intended action must be delivered in writing to the municipal manager within 14 days from the date of notification in terms of subsection (2) for submission to the municipality.

38. Temporary closure of streets or roads

- (1) The municipality may, without complying with the provisions of section 37—temporarily close a street—
- (a) for the purpose of or pending the construction, reconstruction, maintenance or repair of such street; ;
 - (b) for the purpose of or pending the construction, erection, laying, extension, maintenance, repair or demolition of any building, structure, works or service alongside, on, across, through, over or under such street—
 - (i) if such street is, in the opinion of the municipality, dangerous to traffic;
 - (ii) by reason of any emergency or public event which, in the opinion of the municipality, requires special measures for the control of traffic or special provision for the accommodation of crowds, or
 - (iii) for any other reason which, in the opinion of the municipality, renders the temporary closing of such street necessary, and
- (2) The municipality may temporarily divert a street which has been closed in terms of subsection (1)(a).
- (3) The municipal manager may in his discretion, for general information, place a notice of temporary closure in a local newspaper.

39. Construction, maintenance and naming of streets

The municipality may in its area—

- (a) make, construct, reconstruct, alter and maintain streets;

HOOFSTUK 7: ALGEMENE BEVOEGDHEDE VAN DIE MUNISIPALITEIT

36. Munisipaliteit kan optree en koste verhaal

- (1) Ondanks enige andersluidende bepalings van hierdie verordening kan die munisipaliteit—
- (a) waar die toestemming van die munisipaliteit benodig is alvorens 'n persoon 'n sekere daad mag verrig of iets mag bou of oprig, en sodanige toestemming nie verkry is nie, en
 - (b) waar enige bepaling van hierdie verordening oortree word in omstandighede waar die oortreding beëindig kan word deur die verwydering van enige struktuur, voorwerp, materiaal of stof, 'n skriftelike kennisgewing aan die eienaar van die perseel of die oortreder, na gelang van die geval, beteken om sodanige oortreding te beëindig, of die struktuur, voorwerp, materiaal of stof te verwijder, of die ander stappe te doen wat die munisipaliteit vereis om sodanige oortreding reg te stel binne die tydperk in sodanige kennisgewing vermeld.
- (2) Iedereen wat versuim om aan 'n kennisgewing ingevolge subartikel (1) te voldoen, is skuldig aan 'n misdryf, en die munisipaliteit kan, sonder inkorting van sy bevoegdhede om teen die oortreder op te tree, die nodige stappe doen om op koste van die eienaar van die perseel of die oortreder, na gelang van die geval, uitvoering aan sodanige kennisgewing te gee.

37. Sluiting van paaie en strate

- (1) Die munisipaliteit kan enige straat permanent sluit of enige gedeelte van 'n straat sluit of verlê of toegang na 'n straat of openbare plek beperk.
- (2) Indien die munisipaliteit ingevolge subartikel (1) wil handel, moet hy ingevolge sy kommunikasiebeleid kennis gee van sy voorneme om dit te doen; by gebrek aan sodanige beleid moet die munisipaliteit sy voorneme deur middel van 'n toepaslike kennisgewing in minstens twee ampelike tale in 'n plaaslike nuusblad bekend maak.
- (3) Enige besware teen die voorgenome handeling moet binne 14 dae na datum van kennisgewing ingevolge subartikel (2) skriftelik by die Munisipale Bestuurder ingediend word vir voorlegging aan die Raad of 'n komitee of persoon aan wie bevoegdheid gedelegeer is om daaroor te besluit.

38. Tydelike sluiting van paaie of strate

- (1) Die munisipaliteit kan, sonder nakoming van die bepalings van artikel 37 'n straat tydelik sluit—
- (a) vir die doeleindes of in afwagting van die aanleg, heraanleg, onderhoud of herstel van sodanige straat;
 - (b) vir die doeleindes of in afwagting van die bou, oprigting, aanleg, uitbreiding, onderhoud, herstel of sloping van enige gebou, struktuur, werke of diens langsaan, op, dwarsoor, deur, oor of onder sodanige straat;
 - (i) indien sodanige straat na die mening van die munisipaliteit in'n toestand is wat gevaelik is vir verkeer;
 - (ii) as gevolg van enige noodtoestand of openbare geleentheid wat na die mening van die munisipaliteit spesiale maatreëls vir die beheer van verkeer of spesiale voorsiening vir die akkommodasie van skares vereis, of
 - (iii) om enige ander rede wat na die mening van die munisipaliteit die tydelike sluiting van sodanige straat of openbare plek wenslik maak.
- (2) Die munisipaliteit mag 'n straat wat ingevolge subartikel (1)(a) gesluit is, tydelik verlê.
- (3) Die munisipale bestuurder kan, indien hy dit nodig ag, 'n kennisgewing van sodanige tydelike sluiting vir algemene inligting in 'n plaaslike nuusblad plaas.

39. Aanleg, onderhoud en benaming van strate

Die munisipaliteit kan binne sy regsgebied—

- (a) strate aanlê, heraanlê, verander en onderhou;

- (b) name and re-name streets; and
- (c) allocate and re-allocate numbers to properties abutting on streets.

40. Declaration of streets

- (1) The municipality may—
 - (a) declare any land or portion of land under its control to be a street;
 - (b) declare any private street or portion thereof to be a public street.
- (2) When the municipality decides to act in terms of subsection (1), it must give notice of such intention in terms of its communication policy; in the absence of such policy, the municipality must give notice of its intention in a local newspaper in at least two official languages.
- (3) Any objection against the intended action must be delivered in writing to the municipal manager within 14 days from the date of notification in terms of subsection (2).

CHAPTER 8: PROCESSIONS

41. Processions

- (1) Subject to the provisions of subsection (6), no person may hold, organise, initiate, control or actively participate in a procession or gathering in a street or dance or sing or play a musical instrument, or do anything which is likely to cause a gathering of persons or the disruption or obstruction of traffic in such street or use any loudspeaker or other device for the reproduction or amplification of sound without the written permission of the municipality in terms of subsections (2) and (3).
- (2) Any person who intends to perform or carry out any one or more of the actions described in subsection (1) must submit a written application for permission, which must reach the municipality at least seven days before the date upon which any such action is intended to be performed or carried out, provided that persons who intend to participate actively in a procession, or gathering need not apply to the municipality for permission and it is not illegal for such persons to participate actively in such procession or gathering if the organiser, promoter or controller has obtained the permission of the municipality. An application made in terms hereof must contain the following—
 - (a) Full details of the name, address and occupation of the applicant;
 - (b) full details of the street or public place where or route along which any one or more of the actions prescribed in subsection (1) is or are intended to be performed or carried out, proposed starting and finishing times and, in the case of processions and gatherings, the number of persons expected to attend; and
 - (c) general details of the purpose of any one or more of the aforesaid actions intended to be performed or carried out.
- (3) Any application submitted in accordance with subsection (2) shall be considered by the municipality, and if any one or more of the actions to be performed or carried out as proposed in such application is or are not likely to be in conflict with the interests of public peace, good order or safety, the municipality may issue a certificate granting permission and imposing conditions.
- (4) The municipality may refuse to approve applications in terms of subsection (2) if an action will be in conflict with the interests of public peace, good order or safety.

- (b) strate benoem en herbenoem;
- (c) nommers toeken en hertoeken aan eiendomme wat aan strate grens.

40. Verklaring van strate

- (1) Die munisipaliteit kan:
 - (a) enige grond of gedeelte grond onder sy beheer tot straat, of enigestraat of gedeelte daarvan tot 'n openbare plek verklaar; en
 - (b) enige privaat straat of gedeelte daarvan tot openbare straat of enige plek of gedeelte daarvan tot openbare pad verklaar.
- (2) Indien die munisipaliteit ingevolge subartikel (1) wil handel moet hy ingevolge sy kommunikasiebeleid kennis gee van sy voorneme om dit te doen; by gebrek aan sodanige beleid moet die munisipaliteit sy voorneme deur middel van 'n toepaslike kennisgewing in minstens twee amptelike tale in 'n plaaslike nuusblad bekendmaak.
- (3) Enige besware teen die voorgenome handeling moet binne 14 dae na datum van kennisgewing ingevolge subartikel (2) skriftelik by die munisipale bestuurder ingedien word.

HOOFSTUK 8: OPTOGTE

41. Optogte

- (1) Behoudens die bepalings van sub-artikel (6) mag niemand in enige straat of openbare plek 'n optog of byeenkoms hou, reël, inisieer, beheer, daaraan deelneem, of dans of sing of 'n musiekinstrument bespeel, of enigets doen wat waarskynlik 'n byeenkoms van persone of 'n verwarring van versperring van verkeer in sodanige straat of openbare plek sal veroorsaak, of enige luidspreker of ander toestel vir die reproduksie van versterking van klank gebruik nie sonder die skriftelike toestemming van die munisipaliteit ingevolge subartikels (2) en (3).
- (2) Iedereen wat voornemens is om een of meer van die handelinge soos bedoel in subartikel (1), in enige straat of openbare plek te verrig of uit te voer, moet 'n skriftelike aansoek om toestemming daartoe indien, wat die munisipaliteit moet bereik minstens sewe dae voor die datum waarop dit die voorneme is om een of meer van sodanige handelinge te verrig of uit te voer; met dien verstande dat persone wat voornemens is om daadwerklik aan 'n optog, byeenkoms in enige straat of openbare plek deel te neem, nie by die munisipaliteit om toestemming daartoe aansoek hoeft te doen nie en dit nie vir sodanige persone onwettig is om daadwerklik aan sodanige optog of byeenkoms deel te neem nie indien die organiserer, ondernemer of beheerder daarvan die toestemming van die munisipaliteit verkry het. 'n Aansoek wat hierkragtens gedoen word, moet die volgende bevat:
 - (a) volledige besonderhede van die naam, adres en beroep van die aansoeker;
 - (b) volledige besonderhede van die straat of openbare plek waar en roete waarlangs dit die voorneme is om een of meer van die handelinge beskryf in sub-artikel (1) te verrig of uit te voer, die voorgestelde aanvangs- en sluitingstyd van een of meer van voornoemde handelinge en, in die geval van optogte, en byeenkomste, die getal persone wat na verwagting teenwoordig sal wees, en
 - (c) algemene besonderhede en die doel van een of meer van voornoemde handelinge wat dit die voorneme is om te verrig of uit te voer.
- (3) Enige aansoek wat ooreenkomsdig subartikel (2) ingedien word, moet deur die munisipaliteit oorweeg word, en indien een of meer handelinge wat verrig of uitgevoer gaan word soos in sodanige aansoek voorgestel, na die mening van die munisipaliteit waarskynlik nie in stryd met die belang van die openbare vrede, goeie orde of veiligheid sal wees nie, moet die munisipaliteit 'n sertifikaat uitrek waarby toestemming en magtiging verleen word vir die verrigting of uitvoering van een of meer van sodanige handelinge, onderworpe aan die voorwaarde wat die munisipaliteit nodig ag vir die handhawing van die openbare vrede, goeie orde of veiligheid.
- (4) Die munisipaliteit kan weier om toestemming te verleen vir die verrigting of uitvoering van een of meer van die handelinge wat in subartikel (2) beskryf word, indien die verrigting of uitvoering van sodanige handeling of handelinge in stryd met die belang van die openbare vrede, goeie orde of veiligheid sal wees.

- (5) The municipality may withdraw any permission granted in terms of subsection (3), if, as a result of further information, the action will be in conflict with the interests of public peace, good order or safety.
- (6) The provisions of this section do not apply to—
- wedding or funeral processions; and
 - to a gathering or demonstration as contemplated by the Regulation of Gatherings Act, 1993 (Act 205 of 1993).

CHAPTER 9: GENERAL MATTERS

42. Appeal

A person whose rights are affected by a decision delegated by the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

43. Exemption

(1) Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.

(2) The municipality may—

- grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
- alter or cancel any exemption or condition in an exemption; or
- refuse to grant an exemption.

(3) In order to consider an application in terms of subsection (1), the municipality may obtain the input or comments of the owners or occupants of surrounding premises.

(4) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.

(5) If any condition of an exemption is not complied with, the exemption lapses immediately.

44. Offences and penalties

A person who contravenes any provision or fails to comply with any provision of this by-law or who fails to comply with a notice issued in terms of this by-law, commits an offence and shall on conviction be liable to—

- a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and
- in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
- a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

45. Conflict with other legislation

In the event of any conflict between any provision of this by-law and National and Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail.

(5) Die munisipaliteit kan enige toestemming wat kragtens subartikel (3) verleen is, terugtrek indien hy, as gevolg van nadere inligting van mening is dat die verrigting of uitvoering van die betrokke handeling of handelinge instryd met die belang van die openbare vrede, goeie orde of veiligheid sal wees.

(6) Die bepalings van hierdie artikel is nie van toepassing nie op—

- optogte vir huwelike of begrafnisse; en
- 'n byeenkoms of betoging soos beoog by die Wet op die Reëling van Byeenkomste, No 205 van 1993.

HOOFSTUK 9: ALGEMENE BEPALINGS

42. Appèl

'n Persoon wie se regte geraak word deur 'n besluit wat deur die munisipaliteit gedelegeer is, mag ingevolge Artikel 62 van die Wet op Plaaslike Regering : Munisipale Stelsels, Wet 32 van 2000 teen daardie besluit appèl aanteken deur binne 21 dae van die kennisgewing van die besluit skriftelike kennis van die appèl en die redes daarvoor aan die Munisipale Bestuurder te gee.

43. Vrystellings

(1) Enigiemand mag by wyse van 'n skriftelike aansoek, waarin die redes volledig verstrek word, by die munisipaliteit aansoek doen om vrystelling van enige bepaling van hierdie verordening.

(2) Die munisipaliteit mag—

- skriftelik vrystelling verleen en die voorwaardes waarvolgens en die tydperk waarvoor sodanige vrystelling verleen word, moet in die vrystelling uiteengesit word;
- enige vrystelling of voorwaarde van 'n vrystelling verander of kanselleer; of
- weier om 'n vrystelling te verleen.

(3) Ten einde 'n aansoek ingevolge subartikel (1) te oorweeg, mag die munisipaliteit die insette en kommentaar van die eienaars of okkuperders van omliggende eiendomme bekom.

(4) 'n Vrystelling tree nie in werking voordat die aansoeker skriftelik onderneem het om aan alle voorwaardes wat die munisipaltei ingevolge subartikel (2) opgelê het, te voldoen nie, en indien daar met 'n aktiwiteit begin word voordat sodanige onderneming aan die munisipaliteit voorgelê is, verstryk die vrystelling.

(5) Indien daar nie aan enige voorwaarde van 'n vrystelling voldoen word nie, verval die vrystelling onmiddellik.

44. Strafbepalings

'n Persoon wat enige bepaling van hierdie verordening oortree of versuim om daaraan te voldoen, pleeg 'n misdryf en kan by skuldigbevinding—

- 'n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; en
- in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevangenisstraf of sodanige bykomende gevangenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en
- 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding of versuim.

45. Teenstrydigheid met ander wetgewing

In die geval van teenstrydigheid tussen enige bepaling van hierdie verordening en Nasionale en Proviniale wetgewing, standarde, beleid of riglyne, sal sodanige Nasionale en Proviniale wetgewing, standarde, beleid of riglyne voorrang geniet.

46. 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.

47. Short title and commencement

This by-law shall be known as the By-law relating to Roads and Streets and shall come into operation on the date of publication thereof in the Provincial Gazette.

51340

11 July 2014

46. Herroeping van verordeninge

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit geïnkorporeer is, aangekondig is, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

47. Kort titel en inwerkingtreding

Hierdie verordening staan bekend as die Verordening insake Paaie en Strate en tree in werking op die datum van publikasie daarvan in die Provinciale Koerant.

51340

11 Julie 2014

SWARTLAND MUNICIPALITY

STORM WATER MANAGEMENT BY-LAWS

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Swartland Municipality, enacts as follows:—

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11. Exemptions
12. Offences and Penalties
13. Conflict with other legislation
14. Repeal of By-laws
15. Short title and commencement

1. Definitions

In this by-law, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates:—

“built-up areas” means those portions or areas of the municipality which are divided into erven by means of physical survey or which are surrounded by surveyed erven, including the public roads adjacent thereto as well as portions or areas falling within the urban edge of the approved Spatial Development Framework;

“floodplain” means land adjoining a watercourse which is predisposed to flooding up to the 100 year recurrence interval;

“municipality” means the Swartland 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;

“organ of state” bears the meaning assigned to it in section 239 of the Constitution.

“person” includes any natural person, juristic person, association or organ of state;

“pollute” means the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it—

- (a) less fit for any beneficial purpose for which it may reasonably be expected to be used;
- (b) harmful or potentially harmful—
 - (i) to the welfare, health or safety of human beings;
 - (ii) to any aquatic or non-aquatic organisms;
 - (iii) to the resource quality;
 - (iv) to property; or
 - (v) to any other fish or aquatic animals or life.

“private storm water system” means a storm water system which is owned, operated or maintained by a person on his or her own property;

SWARTLAND MUNISIPALITEIT

VERORDENING INSAKE STORMWATERBESTUUR

Kragtens die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, verorden die Swartland Munisipaliteit soos volg:—

Inhoudsopgawe

1. Woordomskrywing
2. Doel van verordening
3. Toepassing van verordening
4. Verbode handelinge
5. Toepassing en voorwaardes wat die munisipaliteit mag instel
6. Stormwaterstelsels op privaat grond
7. Bevoegdhede van munisipaliteit
8. Skakelforums in gemeenskap
9. Waarmerking en betekenis van kennisgewings en ander dokumente
10. Appèl
11. Vrystellings
12. Strafbepalings
13. Teenstrydigheid met ander wetgewing
14. Herroeping van verordeninge
15. Kort titel en inwerkingtreding

1. Woordomskrywing

In hierdie verordening geld die Engelse teks in geval van teenstrydigheid en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenis:

“beboude gebiede” die gedeeltes van die munisipaliteit wat deur fisiese opmeting in erwe verdeel is of wat deur opgemete erwe omring word en ingesloten die openbare paaike aangrensend daaraan asook gedeeltes binne die stedelike soom van die goedgekeurde Ruimtelike Ontwikkelingsraamwerk;

“besoedel” beteken die direkte of indirekte verandering van die fisiese, chemiese of biologiese samestelling van 'n waterbron deurdat dit—

- (a) minder gesik gemaak word vir enige voordelige gebruik waarvoor dit redelikerwys verwag word om te wees vir gebruik, of
- (b) skadelik of potensieel skadelik—
 - (i) vir die welstand, gesondheid of veiligheid van mense;
 - (ii) vir enige water of nie-water organismes;
 - (iii) vir enige waterbron oorsprong gehalte;
 - (iv) vir enige eiendom; of
- (v) vir vis of ander waterdiere of lewe. **“munisipaliteit”** beteken die Swartland Munisipaliteit ingestel ingevolge Artikel 12 van die Wet op Munisipale Strukture, 117 van 1998, en sluit alle politieke strukture, politieke amptsdraers, raadslede, behoorlik gemagtigde agente of alle werknemers in wat ingevolge hierdie verordening optree uit hoofde van 'n bevoegdheid wat by die munisipaliteit berus en aan sodanige politieke struktuur, politieke amptsdraer, raadslid, agent of werknemer gedelegeer of gesubdelegeer is;

“persoon” sluit in enige natuurlike persoon, regspersoon, vereniging of staatsorgaan;

“privaat stormwaterstelsel” 'n stormwaterstelsel wat deur 'n persoon op sy of haar eie grond besit, bedryf en in stand gehou word;

“staatsorgaan” die betekenis wat ingevolge Artikel 239 van die Grondwet daarvan toegeskryf word;

"stormwater" means water resulting from natural rainfall or the accumulation thereof, and includes—

- (a) groundwater and spring water ordinarily conveyed by the storm water system; and
- (b) sea water within estuaries,

but excludes water in a drinking water or waste water reticulation system;

"storm water system" means both the constructed and natural facilities, including roads, pipes, culverts, watercourses and their associated floodplains, whether over or under public or privately owned land, used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use or disposal of storm water;

"watercourse" bears the meaning assigned to it in the National Water Act, 1998 (Act 36 of 1998);

"water source" includes any water way, surface water, estuary or aquifer;

2. Purpose of by-law

The purpose of this by-law is to regulate storm water management and activities that may have an adverse impact on the development, operation and maintenance of the storm water system.

3. Application of by-law

This by-law binds an organ of state and applies to storm water systems in built-up areas and the natural environment on which it may have a negative impact.

4. Prohibited conduct

- (1) No person may, except with the written consent of the municipality—
 - (a) discharge, place or permit to enter into the storm water system—
 - (i) anything other than storm water;
 - (ii) anything likely to damage the storm water system or interfere with the operation thereof;
 - (iii) anything likely to pollute the water in the storm water system;
 - (b) discharge from any place, or place onto any surface, any substance other than storm water, where that substance could reasonably be expected to find its way into the storm water system;
 - (c) undertake any action that is likely to destroy, damage, alter, endanger or interfere with the free flow of water or the storm water system, or the operation thereof, which action includes, but is not limited to—
 - (i) obstructing or reducing the capacity of the storm water system;
 - (ii) opening a pipe, culvert or canal which forms part of the storm water system;
 - (iii) constructing or erecting any building, structure or thing over or in such a position or in such a manner as to destroy, damage, endanger or interfere with the storm water system or the operation thereof;
 - (iv) draining, abstracting or diverting any water directly from the storm water system;
 - (v) filling, excavating, shaping, landscaping, opening up or removing the ground above, within, under or immediately next to any part of the storm water system;
 - (vi) changing the design or the use of, or otherwise modify any feature of the storm water system which alone or in combination with other existing or potential land uses, may cause an increase in flood levels or create a potential flood risk; or

"stormwater" water afkomstig van natuurlike reënval of die opgaar daarvan, en sluit in—

- (a) grondwater en fonteinwater wat normaalweg deur die stormwaterstelsel gevoer word; en
- (b) seawater binne riviermondings,

maar sluit water in 'n drinkwater- of afvalwaterretikulasiestelsel uit;

"stormwaterstelsel" sowel geboude as natuurlike fasilitete, met inbegrip van pype, duikers, waterlope en die gepaardgaande vloedvlaktes, hetsy bo of onder openbare of privaat grond, wat gebruik word vir die bestuur, opgaar, afvoer, tydelike bewaring, beheer, monitering, behandeling, gebruik of wegdoening van stormwater;

"vloedvlakte" grond langs 'n waterbron wat geneig is om herhalend in 100-jaar sikkusse te oorstrom;

"waterbron" sluit in enige waterweg, oppervlakwater, riviermond of waterdraer;

"waterloop" die betekenis wat ingevolge die Nasionale Waterwet, 1998 (Wet 36 van 1998) daaraan toegeskryf word.

2. Doel van verordening

Die doel van hierdie verordening is om stormwaterbestuur en—aktiwiteite wat moontlik 'n nadelige uitwerking op die ontwikkeling, bedryf en instandhouding van die stormwaterstelsel mag hê, te reguleer en te beheer.

3. Toepassing van verordening

Hierdie verordening bind 'n staatsorgaan en is van toepassing op stormwaterstelsels in beboude gebiede asook die natuurlike omgewing waarop dit 'n moontlike negatiewe impak kan hê.

4. Verbode handelinge

- (1) Niemand mag, sonder die skriftelike toestemming van die munisipaliteit—
 - (a) die volgende in die stormwaterstelsel laat afvoer, plaas of toelaat dat dit die stormwaterstelsel binnegaan nie—
 - (i) enigets anders as stormwater;
 - (ii) enigets wat die stormwaterstelsel waarskynlik sal beskadig of die werking daarvan sal beïnvloed;
 - (iii) enigets wat die water in die stormwaterstelsel waarskynlik sal besoedel;
 - (b) enige materiaal wat nie stormwater is nie, van enige plek afvoer of op enige oppervlak plaas waar daardie materiaal redelikerwys in die stormwaterstelsel kan beland;
 - (c) enige stap doen wat die stormwaterstelsel of die werking daarvan waarskynlik sal vernietig, beskadig, in gevaar stel of daarmee inmeng nie, welke handeling die volgende insluit, maar nie daartoe beperk is nie—
 - (i) versperring of vermindering van die kapasiteit van die stormwaterstelsel;
 - (ii) oopmaak van 'n pyp, waterloop of kanaal wat deel van die stormwaterstelsel uitmaak;
 - (iii) versperring of oprigting van enige gebou, struktuur of ding oor of in so 'n posisie of op so 'n manier dat die stormwaterstelsel of die werking daarvan vernietig, beskadig, in gevaar gestel of daarmee ingemeng word;
 - (iv) die dreining, uittrekking of afleiding van enige water regstreeks uit die stormwaterstelsel;
 - (v) die opvul, uitgrawe, vorming, landskapping, oopmaak of verwydering van die grond bo, binne, onder of reg langs enige deel van die stormwaterstelsel;
 - (vi) verandering van die ontwerp of die gebruik van of andersins die wysiging van enige kenmerk van die stormwaterstelsel wat op sigself of in kombinasie met ander bestaande of potensiële grondgebruiken die vloedvlakke kan laat styg of 'n potensiële vloedgevaar kan skep; of

- (vii) any activity which alone or in combination with other existing or future activities, may cause an increase in flood levels or create a potential flood risk.
- (d) deposit storm water, whether originated on private or other areas, in a pipe line or structure (water and sewerage) other than a storm water network.
- (2) No person may carry out any activity that causes storm water to flood the property of the municipality or that of any other person or to create the risk of such flooding.
- (3) When an incident contemplated in subsection (1) (a), (b), (c) of (d) occurs without the consent of the municipality—
- if the incident is not the result of natural causes, the person responsible for the incident; or
 - the owner of the property on which the event took place or is taking place, must immediately report the incident to the municipality, and take, at own cost, all reasonable measures to contain and minimise the effects of the incident, which measures include, but are not limited to, the undertaking of cleaning up operations including the rehabilitation of the environment.

5. Application and conditions which municipality may impose

- (1) A person who wishes to obtain the consent of the municipality as contemplated in section 4, must submit an application in the form prescribed by the municipality.
- (2) When considering an application the municipality may require the applicant to provide the municipality, at own cost, with impact studies such as, but not limited to, environmental impact studies or environmental impact investigations or engineers' reports which are required by environmental legislation.
- (3) The municipality may also require the applicant to establish and provide documentation indicating flood lines and high water marks.

6. Storm water systems on private land

- (1) An owner of property on which a private storm water system is located—
- may not carry out any activity which may impair the effective functioning of the storm water system or which could reasonably be expected to impair the effective functioning of the storm water system; and
 - must, at own cost, keep the storm water system functioning effectively, including undertaking, on written instruction by the municipality, the refurbishment and reconstruction thereof if the municipality has reasonable grounds for issuing such instruction;
- (2) Subsection (1)(b) does not apply where the municipality has accepted responsibility for any of the duties contained in a maintenance agreement or in terms of a condition of a servitude.
- (3) Should an owner fail or refuse to comply with an instruction by the municipality made in terms of subsection (1)(b) or subsection (3), the municipality may undertake measures to refurbish or reconstruct the storm water system, and the municipality may recover from the owner all reasonable costs incurred as a result of action taken.
- (4) If, in the opinion of the municipality, it is impracticable for storm water to be drained from any high-lying erf direct to a public street, the owner of any lower lying erf shall be obliged to accept or permit the passage of such storm water and the owner of such high-lying erf, discharging over the lower lying erf, shall be liable for a proportionate share of the cost of any pipe-line or drain which the owner of such lower lying erf may find necessary to construct for the purpose of conducting the water so discharged.

7. Powers of municipality

- (1) The municipality may at all reasonable times enter upon any premises or any portion thereof with the aim of carrying out any inspection or test to determine the current status of a storm water system.
- (2) The municipality may, for the purpose of providing and maintaining infrastructure for a storm water system—

- (vii) enige aktiwiteit wat op sigself of in kombinasie met ander bestaande of toekomstige aktiwiteite 'n stygging in vloedvlakte kan veroorsaak of 'n potensiële vloedrisiko kan skep.
- (d) enige stormwater, het sy afkomstig van privaat- of ander gebiede of areas in enige ander pyleiding of struktuur (riool en water) as 'n stormwaternetwerk, stort nie.
- (2) Geen persoon mag enige aktiwiteit onderneem wat veroorsaak dat stormwater die eiendom van die munisipaliteit of enige ander persoon oorstrom, of die risiko van sodanige oorstroming veroorsaak nie.
- (3) Wanneer 'n incident beoog in subartikel (1)(a), (b), (c) of (d) sonder die toestemming van die munisipaliteit voorkom—
- indien die incident nie die gevolg van natuurlike oorsake is nie, moet die persoon wat vir die incident verantwoordelik is; of
 - die eienaar van die eiendom waarop die gebeurtenis plaasgevind het of besig is om plaas te vind, die incident onmiddellik by die munisipaliteit aanmeld en op eie koste alle redelike maatreëls tref om die uitwerking van die incident te beperk, welke maatreëls die instel van opruimingsaksies met inbegrip van die rehabilitering van die omgewing, insluit maar nie daartoe beperk is nie.

5. Aansoek en voorwaardes wat die munisipaliteit mag instel

- (1) 'n Persoon wat die toestemming van die munisipaliteit wil verkry, soos beoog in artikel 4, moet 'n skriftelike aansoek indien by die munisipaliteit.
- (2) By die oorweging van 'n aansoek kan die munisipaliteit die aansoeker vra om die munisipaliteit, op eie koste, te voorsien van impakstudies wat omgewingsimpakstudies of omgewingsimpakondersoek of ingenieursverslae wat ingevolge omgewingswetgewing vereis word kan insluit, maar nie daartoe beperk is nie.
- (3) Die munisipaliteit mag die aansoeker ook gelas om dokumentasie oor vloedlyne en hoogwatermerke te vind en te voorsien.

6. Stormwaterstelsels op privaat grond

- (1) 'n Eienaar van eiendom waarop 'n privaat stormwaterstelsel geleë is—
- mag geen aktiwiteit uitvoer wat afbreuk kan doen aan die doeltreffende funksionering van die stormwaterstelsel of wat redelikerwys verwag kan word om afbreuk te doen aan die doeltreffende funksionering van die stormwaterstelsel nie; en
 - moet die stormwaterstelsel op eie koste doeltreffend onderhou met inbegrip van, na 'n skriftelike opdrag van die munisipaliteit, die opknapping en herkonstruksie daarvan indien die munisipaliteit redelike gronde vir die uitreiking van sodanige opdrag het.
- (2) Subartikel (1)(b) is nie van toepassing indien die munisipaliteit verantwoordelikheid aanvaar het vir enige van die pligte vervat in 'n onderhoudsooreenkoms of ingevolge 'n voorwaarde van 'n serwituit nie.
- (3) Indien 'n eienaar versuim of weier om te voldoen aan 'n instruksie wat die munisipaliteit ingevolge subartikel (1)(b) uitrek, kan die munisipaliteit maatreëls instel om die stormwaterstelsel op te knap of te herbou, en die munisipaliteit kan alle redelike koste wat as gevolg van die stappe wat gedoen is, aangegaan is, van die eienaar verhaal.
- (4) Waar dit na die mening van die munisipaliteit onmoontlik is vir stormwater om vanaf 'n hoëliggende erf na 'n openbare straat te dreineer, sal die eienaar van 'n laerliggende erf verplig wees om sodanige stormwater te ontvang of deur te laat en sal die eienaar van die hoëliggende erf, wat die stormwater dreineer, aanspreeklik wees vir 'n proporsionele gedeelte van die koste van enige pyplyn of dreineringstelsel wat deur die laerliggende eienaar aangegaan moet word om die stormwater af te voer.

7. Bevoegdhede van munisipaliteit

- (1) Die munisipaliteit mag enige perseel of enige gedeelte daarvan op alle redelike tye betree met die doel om 'n inspeksie of toets uit te voer om die huidige status van 'n stormwaterstelsel te bepaal.
- (2) Die munisipaliteit mag, vir die doel om infrastruktuur vir 'n stormwaterstelsel te voorsien en in stand te hou—

- | | |
|---|---|
| <p>(a) on any premises, construct, expand, alter, maintain or lay any drain, pipe or other structure related to the storm water system on or under any immovable property, and may do any other thing necessary or desirable or incidental, supplementary or ancillary to such construction, expansion, alteration or maintenance;</p> <p>(b) drain storm water or discharge water from any municipal service works into any watercourse;</p> <p>(c) repair and make good any damage done in or damage resulting from a contravention of section 4(1)(a)(ii), 4(1)(c) or 4(1)(d) such as, but not limited to—</p> <ul style="list-style-type: none"> (i) subject to an appropriate court order, demolishing, altering or otherwise dealing with any building, structure or other thing constructed, erected or laid in contravention of section 4(1)(c)(iii); (ii) filling in, removing and making good any ground excavated, removed or placed in contravention of section 4(1)(c)(v); <p>(d) remove anything—</p> <ul style="list-style-type: none"> (i) discharged or permitted to enter into the storm water system or watercourse in contravention of section 4(1)(a) or (b); (ii) damaging, obstructing or endangering or likely to obstruct, endanger or destroy any part of the storm water system; <p>(e) seal off or block any point of discharge from any premises, irrespective of whether the point is used for lawful purposes;</p> <p>(f) cancel any consent granted in terms of section 5 if any condition under which the consent was granted is not complied with;</p> <p>(g) by written notice, instruct any owner of property where storm water is generated or accumulated to retain storm water on such property or to lay, at the cost of such owner, a storm water drain pipe or gutter to a suitable place indicated by the municipality, irrespective of whether the course of the pipe or gutter will run over private property or not;</p> <p>(h) drain storm water into any water source, whether or not such source is on private property.</p> <p>(3) Should an owner of property fail to comply with an instruction contemplated in subsection (2)(g)(i), the municipality may undertake measures to retain such storm water or to lay such storm water drain pipe or gutter.</p> <p>(4) Where it seems that any action or neglect by a person or owner of property may lead to a contravention of a provision of this by-law, the municipality may notify, in writing, such person or owner to comply with such requirement as may be necessary to prevent the occurrence of such contravention.</p> <p>(5) The municipality may recover all reasonable costs incurred as a result of action taken—</p> <ul style="list-style-type: none"> (a) in terms of subsection (2)(c) or (d), from the person who was responsible for a contravention of the provisions of this by-law or the owner of the property on which a contravention occurred; or (b) in terms of subsection (3), from the owner of the property. <p>(6) Any drain, pipe or structure provided in terms of subsection (2)(a) vests in the municipality.</p> | <p>(a) op enige perseel, enige kanaal, pyp of ander struktuur wat met die stormwaterstelsel verband hou, op of onder enige onroerende eiendom bou, uitbrei, wysig, instandhou of lê en mag enige ander stappe doen wat nodig of wenslik is of verband hou met, of aanvullend of bykomstig is tot sodanige konstruksie, uitbreiding, wysiging of instandhouding;</p> <p>(b) stormwater of afvoerwater uit enige munisipale dienswerke in 'n waterbron dreineer;</p> <p>(c) enige skade wat gedoen is of skade wat voortspruit uit 'n oortreding van artikel 4(1)(a)(ii), 4(1)(c) of 4(1)(d) soos die volgende, maar nie daartoe beperk nie, herstel en regmaak—</p> <ul style="list-style-type: none"> (i) onderhewig aan 'n toepaslike hofbevel, die sloping, wysiging of ander hantering van enige gebou, struktuur of ander ding wat in stryd met artikel 4(1)(c)(iii) gebou, opgerig of gelê is; (ii) invul, verwydering en regstelling van enige grond wat in stryd met artikel 4(1)(c)(v) uitgegrawe, verwyder of geplaas is. <p>(d) enigets verwyder—</p> <ul style="list-style-type: none"> (i) wat in stryd met artikel 4(1)(a) of (b) in die stormwaterstelsel of waterloop afgevoer is of toegelaat is om dit binne te gaan; (ii) wat enige deel van die stormwaterstelsel beskadig, versper of bedreig of dit waarskynlik sal versper, in gevaar stel of vernietig; <p>(e) enige afvoerpunt vanaf enige perseel, ongeag of die punt vir wettige doeinde gebruik word al dan nie, afseël of blokkeer;</p> <p>(f) enige toestemming wat ingevolge artikel 5 verleen is, kanselleer indien daar nie aan enige voorwaarde waarkragtens die toestemming verleen is, voldoen word nie;</p> <p>(g) by wyse van skriftelike kennisgewing, opdrag aan enige eienaar van eiendom gee om stormwater op sodanige eiendom te behou of om op die koste van sodanige eienaar 'n stormwaterdreineerpyp of afvoersloot na 'n geskikte plek wat deur die munisipaliteit aangedui word, te lê, ongeag of die pyp of afvoersloot oor privaat eiendom sal loop al dan nie;</p> <p>(h) stormwater in enige waterbron, het sy dit op privaat grond is al dan nie, af te voer.</p> <p>(3) Indien 'n eienaar van eiendom versuim om te voldoen aan 'n opdrag beoog in subartikel (2)(g)(i), kan die munisipaliteit maatreëls tref om sodanige stormwater terug te hou of om 'n stormwaterdreineerpyp of afvoersloot te lê.</p> <p>(4) Waar dit voorkom asof enige optrede of versuim deur 'n persoon of die eienaar van 'n eiendom kan lei tot 'n oortreding van 'n bepaling van hierdie verordening, kan die munisipaliteit sodanige persoon of eienaar skriftelik gelas om te voldoen aan 'n vereiste ten einde te voorkom dat sodanige oortreding geskied.</p> <p>(5) Die munisipaliteit mag alle redelike koste wat aangegaan is as gevolg van optrede geneem—</p> <ul style="list-style-type: none"> (a) ingevolge subartikel (2)(c) of (d), verhaal van die persoon wat verantwoordelik was vir die oortreding van die bepaling van hierdie verordening of die eienaar van die eiendom waarop 'n oortreding geskied het; of (b) ingevolge subartikel (3), van die eienaar van die eiendom. <p>(6) Enige drein, pyp of struktuur wat ingevolge subartikel (2)(a) voorsien is, word die eiendom van die munisipaliteit.</p> |
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8. Liaison forums in community

- (1) The municipality may establish one or more liaison forums in a community for the purposes of—
- (a) creating conditions for a local community to participate in the affairs of the municipality; and
 - (b) promoting the storm water activities of the municipality;
- (2) A liaison forum may consist of—
- (a) a member of members of an interest group, or an affected person in the spirit of section 2(4)(f) to (h) of the national Environmental Management Act, 1998;
 - (b) a designated official or officials of the municipality;

8. Skakelforms in gemeenskap

- (1) Die munisipaliteit mag een of meer skakelforms in die gemeenskap instel vir doeinde om—
- (a) omstandighede vir 'n plaaslike gemeenskap te skep om deel te neem aan die sake van die munisipaliteit; en
 - (b) die stormwater aktiwiteite van die munisipaliteit te bevorder.
- (2) 'n Skakelforum mag bestaan uit—
- (a) 'n lid of lede van 'n belanggroep of 'n geaffekteerde persoon, in die gees van Artikel 2(4)(f) tot (h) van die Wet op Nasionale Omgewingsbe-stuur, 1998;
 - (b) 'n aangewese beampte of beampies van die munisipaliteit;

- (c) a councillor; and
- (d) any other person or persons on which the municipality may decide.
- (3) (a) the municipality may, in the implementation and application of this by-law, request the input of a liaison forum.
- (b) a liaison forum or any person or persons contemplated in subsection (2) may, on own initiative submit an input to the municipality.

9. Authentication and service of notices and other documents

- (1) A notice or other document requiring authentication by the municipality must be signed by the municipal manager and when issued by the municipality in terms of this by-law is deemed to be duly issued if it is signed by the municipal manager.
- (2) Any notice or other document that is served on a person in terms of this by-law is regarded as having been served if such notice or document has been served in terms of section 115(1) of the Municipal Systems Act, 2000 (Act 32 of 2000).
- (3) Service of a copy is deemed to be service of the original.
- (4) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

10. Appeal

A person whose rights are affected by a delegated decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

11. Exemptions

- (1) Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.
- (2) The municipality may—
 - (a) grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
 - (b) alter or cancel any exemption or condition in an exemption; or
 - (c) refuse to grant an exemption.
- (3) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (4) If any condition of an exemption is not complied with, the exemption lapses immediately.

12. Offences and Penalties

- (1) A person who contravenes any provision or fails to comply with any provision of this by-law, or fails to comply with a notice issued in terms of this by-law, commits an offence and shall on conviction be liable to—
 - (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and
 - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and

- (c) 'n raadslid; en
- (d) sodanige ander persoon of persone wat die munisipaliteit mag besluit.
- (3) (a) Die munisipaliteit mag, in die implementering of toepassing van hierdie verordening, die insette van 'n skakelforum versoek.
- (b) 'n Skakelforum, of enige persoon of persone bedoel in subartikel (2) mag op eie inisiatief 'n inset aan die munisipaliteit voorlê.

9. Waarmerking en betekenis van kennisgewings en ander dokumente

- (1) 'n Bevel, kennisgewing of ander dokument wat deur die munisipaliteit gewaarmerk moet word, moet behoorlik onderteken wees.
- (2) Enige kennisgewing of ander dokument wat ingevolge hierdie verordening aan 'n persoon beteken word, word geag as beteken te wees wanneer dit ooreenkomsdig Artikel 115(1) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, beteken is.
- (3) Betequing van 'n afskrif word geag betekenis van die oorspronklike te wees.
- (4) Enige regsgeding is doelmatig en genoegsaam aan die munisipaliteit beteken wanneer dit by die munisipale bestuurder of 'n persoon wat by die munisipale bestuurder se kantoor is, afgewer is.

10. Appèl

'n Persoon wie se regte geraak word deur 'n besluit wat deur die munisipaliteit gedelegeer is, mag ingevolge Artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000 teen daardie besluit appèl aanteken deur binne 21 dae van die kennisgewing van die besluit skriftelike kennis van die appèl en die redes daarvoor aan die munisipale bestuurder te gee.

11. Vrystellings

- (1) Enigiemand mag by wyse van 'n skriftelike aansoek, waarin die redes volledig verstrek word, by die munisipaliteit aansoek doen om vrystelling van enige bepaling van hierdie verordening.
- (2) Die munisipaliteit mag—
 - (a) skriftelik vrystelling verleen en die voorwaarde waarvolgens en die tydperk waarvoor sodanige vrystelling verleent word, moet in die vrystelling uiteengesit word;
 - (b) enige vrystelling of voorwaarde van 'n vrystelling verander of kanselleer; of
 - (c) weier om vrystelling te verleen.
- (3) 'n Vrystelling tree nie in werking voordat die aansoeker skriftelik onderneem het om aan alle voorwaarde wat die munisipaliteit ingevolge subartikel (2) opgelê het, te voldoen nie, en indien daar met 'n aktiwiteit begin word voordat sodanige onderneming aan die munisipaliteit voorgelê is, verstryk die vrystelling.
- (4) Indien daar nie aan enige voorwaarde van 'n vrystelling voldoen word nie, vervalt die vrystelling onmiddellik.

12. Strafbepalings

- (1) 'n Persoon wat enige bepaling van hierdie verordening oortree of versuim om daaraan te voldoen of versuim om te voldoen aan 'n kennisgewing uitgereik ingevolge hierdie verordening, pleeg 'n misdryf en kan by skuldigbevinding—
 - (a) 'n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; en
 - (b) in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevangenisstraf of sodanige bykomende gevangenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en

- (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.
- (2) A person commits an offence if he or she—
 - (a) threatens, resists, hinders, obstructs or otherwise interferes with, or who uses foul or abusive language towards or at an employee or contractor of the municipality in the exercise of any powers or performance of any duty or function in terms of this by-law; or
 - (b) impersonates an employee or contractor of the municipality.

13. Conflict with other legislation

In the event of any conflict between any provision of this by-law and National and

Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail.

14. 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.

15. Short title and commencement

This by-law shall be known as the Storm Water Management By-law, and commences on the date of publication thereof in the Provincial Gazette.

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- (c) 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding of versuim.
- (2) 'n Persoon pleeg 'n misdryf indien hy of sy—
 - (a) 'n werknemer of kontrakteur van die munisipaliteit in die uitvoering van enige magte of die verrigting van enige funksie of plig ingevolge hierdie verordening dreig, teenstaan, hinder, belemmer of hom of haar andersins pla of vuil taal of skeltaal teenoor hom of haar gebruik; of
 - (b) hom of haar as 'n werknemer of kontrakteur van die munisipaliteit voordoen.

13. Teenstrydigheid met ander wetgewing

In die geval van teenstrydigheid tussen enige bepaling van hierdie verordening en Nasionale- en Provinciale wetgewing, standarde, beleid of riglyne, sal sodanige Nasionale- en Provinciale wetgewing, standarde, beleid of riglyne voorrang geniet.

14. Herroeping van verordeninge

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit geïnkorporeer is, aangekondig is, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

15. Kort titel en inwerkingtreding

Hierdie verordening is die Verordening insake Stormwaterbestuur en tree in werking op die datum van publikasie in die Provinciale Koerant.

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SWARTLAND MUNICIPALITY**TARIFF BY-LAW**

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Swartland municipality, enacts as follows:—

1. Definitions

In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and, unless the context otherwise indicates—

“agricultural consumer” includes but is not limited to farms, smallholdings and agricultural show grounds;

“break even” occurs where the volume sales are equal to the fixed and variable cost associated with the provision of the service;

“charitable and welfare institutions and organisations” include but are not limited to any institution managed on a non profitable basis by a church association or a registered charity organisation such as—

- (a) old age homes;
- (b) pre-primary schools;
- (c) care facility for pre-primary children;
- (d) old age facility;
- (e) care facilities for the homeless; and
- (f) children’s homes.

“commercial consumer” includes but is not limited to business undertakings, shops, offices, liquor stores, supermarkets, public garages, gathering places, nurseries, places of entertainment, service stations, hairdressing salons, banks, hotels, guesthouses, boarding houses and doctor and dentist consulting rooms;

“community service” means services classified as such by the municipality in respect of which the tariffs are of a regulatory nature, and set at a level where the costs are not recovered fully from public service charges;

“council” means the municipal council of the Swartland municipality;

“councillor for financial matters” means the councillor of the municipal council responsible for financial matters;

“domestic consumer” includes but is not limited to residential premises, group housing, town houses, semi-detached houses and flats;

“economic service” means services classified as such by the municipality for which tariffs are determined with the intention to recover the total costs of the services from consumers;

“educational and community institution” includes but is not limited to schools, colleges, or pre-primary schools that are not operated by a registered charity or welfare organisation, libraries, museums, churches, hospitals, clinics, correctional institutions, school hostels and community halls;

“fixed costs” means costs which do not vary with consumption or volume produced;

“geographical area” means an area identified as such by the municipality due to service backlogs, social circumstances or any other reasons;

“indigent household” means households that are registered as such in terms of the municipality’s Credit Control and Debt Collection By-law;

“industrial consumers” includes but is not limited to industrial undertakings, factories, warehouses, workshops, scrap yards, stores, wine cellars, abattoirs, dairy processing plants and fish markets;

“in season” means the period from the 1st December of a year up to 31 January of the following year and from the Monday before the Easter weekend up to and including Easter Monday;

“lifeline tariff” means a unit charge calculated by dividing the total cost associated with the service by the volume consumed (units);

“municipality” means the municipality of Swartland and includes any delegated official or service provider of the municipality;

SWARTLAND MUNISIPALITEIT**TARIEWEVERORDENING**

Ingevolge die bepальings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal Swartland munisipaliteit soos volg:—

1. Woordomskrywings

In hierdie verordening geld die Engelse teks in die geval van enige teenstrydigheid met die Afrikaanse teks, en tensy die konteks anders aandui, beteken—

“beleid” die Tariefbeleid wat deur die munisipaliteit aanvaar is en vervat is in die Bylae tot hierdie verordening, welke Bylae verwys;

“binneseisoen” die periodes vanaf 1 Desember van ‘n jaar tot en met 31 Januarie van die daaropvolgende jaar en vanaf Maandag voor Paasaweek tot en met Paas Maandag;

“die Wet” die Plaaslike Regering: Munisipale Stelsels Wet, 2000 (Wet Nr. 32 van 2000);

“ekonomiese diens” die dienste wat deur die munisipaliteit as sodanig geklassifiseer is en waarvan die tariewe sodanig bereken is dat minstens die totale koste van die diens van ‘n verbruiker verhaal kan word;

“gelykbreek” die punt waar die totale inkomste van verkope gelyk is aan die vaste en veranderlike koste wat met die levering van ‘n diens geassosieer word;

“gemeenskapsdien” die dienste wat deur die Raad as sodanig geklassifiseer is, en waarvan die tariewe sodanig bereken is dat die koste van die dienste nie ten volle verhaal kan word nie en bloot van ‘n regulerende aard is;

“geografiese gebied” is gebiede wat as sulks deur die munisipaliteit geïdentifiseer is, en waarvan die tariewe sodanig bereken is dat die munisipaliteit ‘n wins by die levering van die dienste maak;

“handelsdienste” die dienste wat as sulks deur die munisipaliteit geklassifiseer is, en waarvan die tariewe sodanig bereken is dat die munisipaliteit ‘n wins by die levering van die dienste maak;

“handelsverbruiker” sluit in maar is nie beperk nie tot sakeondernemings, winkels, kantore, drankwinkels, supermarkete, openbare garages, vergaderplekke, kwekerye, vermaakklikheidsplekke, diensstasies, haarkapper salonne, banke, hotelle, gastehuise, losieshuise, dokters- en tandarts spreekkamers;

“hierdie verordening” sluit in die Tariefbeleid soos vervat in die Bylae;

“huishoudelike verbruiker” sluit in maar is nie beperk nie tot woonhuise, groephuse, meenthuise, skakelhuise en woonstelle;

“hulpbehoewende huishoudings” huishoudings wat as sulks by die munisipaliteit geregistreer is en wat aan die kwalifikasies soos bepaal in die Kredietbeheer en Skuldinvorderingsverordening voldoen;

“inwoner” ‘n persoon wat gewoonlik in die regsgebied van die munisipaliteit woonagtig is;

“landbouverbruiker” ingesluit maar is nie beperk nie tot plase, kleinhoeves en landbou skougronde;

“liefdadigheids- en welsyninrigtings en organisasies” sluit in maar is nie beperk nie tot enige inrigting wat deur ‘n kerkgemeenskap of ‘n geregistreerde welsynsorganisasie op ‘n nie-winsbejag grondslag bedryf word soos—

- (a) ouetehuise;
- (b) pre-primêre skole;
- (c) versorgingsoorde vir voorskoolse kinders;
- (d) bejaardesorgfasiliteite;
- (e) huisvesting of versorgingsfasiliteite vir haweloses; en
- (f) kinderhuise;

“lewenslyntarief” ‘n eenheidstarief wat bereken word deur die totale koste van die diens deur die volume verbruik (eenhede) te deel;

“munisipaliteit” die munisipaliteit van Swartland en sluit enige gedelegeerde amptenaar of diensverskaffer van die munisipaliteit in;

"municipal services" means "municipal services" as defined in section 1 of the Act, and includes a function or a combination of functions listed in Schedules 4B and 5B of The Constitution of the Republic of South Africa, 1996, and any other service rendered by the municipality;

"policy" means the Tariff Policy adopted by the municipality as reflected in the Schedule to this by-law which Schedule refers;

"resident" means a person who is an ordinary resident in the municipal area;

"special agreement" means a special tariff agreement entered into with a consumer who makes a significant economic contribution to the community and who creates job opportunities;

"special refuse" means perishable foodstuffs emanating from abattoirs, fish processing plants, fruit processing plants, etc.

"sport and recreation facilities" include but are not limited to—

- (a) properties used exclusively for sport and recreation purposes;
- (b) school sport fields which are metered separately for water and electricity consumption; and
- (c) caravan parks;

"the Act" means the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000);

"this by-law" includes the Credit Control and Debt Collection Policy as reflected in the Schedule;

"total cost" means the sum of all fixed and variable costs associated with a service;

"trading services" means services classified as such by the municipality for which tariffs are determined with the intention to make a profit on the delivery of the services;

"two-part tariff" means a tariff that covers the fixed and variable costs separately. The fixed costs are calculated by dividing the total fixed costs by the number of customers per category and the variable costs are calculated by dividing the total variable costs by the volume consumed;

"units consumed" means the number of units consumed of a particular service and which are measured in terms of the tariff structure reflected in paragraph 9;

"variable costs" means costs that vary with consumption or volume produced.

2. Adoption and implementation of tariff policy

(1) The municipality must adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements which complies with the provisions of the Systems Act, the Local Government: Municipal Finance Management Act, No 56 of 2003 and any other applicable legislation.

(2) The municipality shall not be entitled to impose tariffs other than in terms of a valid tariff policy.

3. Contents of tariff policy

The municipality's tariff policy shall—

- (a) reflect the principles referred to in section 74(2) of the Systems Act and specify any further principles for the imposition of tariffs which the municipality may wish to adopt;
- (b) specify the manner in which the principles referred to in section 74(2) are to be implemented in terms of the tariff policy;

"munisipale dienste" "munisipale dienste" soos omskryf in artikel 1 van die Wet, en sluit 'n funksie of 'n kombinasie van funksies in soos gelys in Bylae 4B en 5B van Die Grondwet van die Republiek van Suid-Afrika, 1996, en enige ander diens wat deur die munisipaliteit gelewer word;

"nywerheidsverbruiker" sluit in maar is nie beperk nie tot nywerheidsondernehemings, fabrieke, pakhuise, werkswinkels, skrootwerwe, store, wynkelders, slagpale, melkverwerkingsaanlegte en vismarkte

"opvoedkundige en gemeenskapsinrigting" sluit in maar is nie beperk nie tot skole, kolleges of pre-primêre skole wat nie deur 'n geregistreerde liefdadigheids- of welsynsorganisasie bedryf word nie, biblioteke, museums, kerke, hospitale, klinieke, korrektiewe instellings, skoolkoshuise en gemeenskapsale;

"raad" die munisipale raad van Swartland munisipaliteit;

"raadslid vir finansiële aangeleenthede" die raadslid van die munisipaliteit wie verantwoordelik is vir finansiële aangeleenthede;

"spesiale afval" bederfbare voedselprodukte afkomstig van slagpale, vis verwerkings aanlegte, vrugte inmaakaanlegte, ens.

"spesiale ooreenkoms" 'n spesiale tarief ooreenkoms wat met 'n verbruiker aangegaan word wat 'n beduidende ekonomiese bydrae tot die gemeenskap maak en werk skep;

"sport- en ontspanningsfasiliteite" sluit in maar is nie beperk nie tot—

- (a) enige eiendom wat hoofsaaklik vir sport- en ontspanningsdoeleindes gebruik word;
- (b) skoolsportvelde wat vir doeleindes van water- of elektriesiteitsvoorsiening afsonderlik gemeter word; en
- (c) woonwaparke;

"totale koste" die somtotaal van al die vaste en veranderlike koste wat met 'n diens verband hou;

"twee-deeltarief" 'n tarief wat afsonderlik gehef word om die vaste en veranderlike koste van 'n diens afsonderlik te verhaal, waar die vaste koste bereken word deur die totale bedrag van die vaste koste van die diens deur die totale aantal kliënte te deel, en die veranderlike koste bereken word deur die totale bedrag van die veranderlike koste deur die volume wat verbruik is, te deel;

"vaste koste" koste wat nie met verhoogde of verminderde verbruik van volume geproduceer, verander nie;

"veranderlike koste" die koste wat met die verhoogde of verminderde verbruik of volume geproduceer, verander;

"verbruikte eenhede" die getal eenhede van 'n bepaalde diens wat verbruik is en wat gemeet word ingevolge die tariefstruktuur wat in paragraaf 9 beoog word;

2. Aanvaarding en implementering van tariefbeleid

(1) Die munisipaliteit moet 'n tariefbeleid aanvaar en implementeer vir die heffing van geldte vir 'n munisipale diens wat deur die munisipaliteit gelewer word, of wat gelewer word deur middel van diensleveringsooreenkoms wat aan die bepalings van die Stelselwet, die Wet op Plaaslike Regering: Bestuur van Munisipale Finansies (MFMA) Nr. 56 van 2003 en enige ander toepaslike wetgewing voldoen.

(2) Die munisipaliteit is nie geregtig om tariewe op te lê behalwe ingevolge 'n geldige tariefbeleid nie.

3. Inhoud van die tariefbeleid

Die munisipaliteit se tariefbeleid moet—

- (a) die beginsels ingevolge artikel 74(2) van die Wet weerspieël asook enige beginsels vir die oplegging van tariewe wat die munisipaliteit mag aanvaar, spesifiseer;
- (b) die wyse uiteensit waarop die beginsels waarna in paragraaf (a) verwys word ingevolge die tariefbeleid geïmplementeer moet word;

- (c) specify the basis of differentiation, if any, for tariff purposes between different categories of consumers, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination; and
- (d) include such further enforcement mechanisms, if any, as the municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Law and Policy.

4. Application and enforcement of tariff policy

- (1) The policy shall apply to all tariffs determined by the municipality during the annual budget process; provided that the municipality may determine tariffs during the course of a financial year when—
- (a) a new service is introduced;
 - (b) no tariff for an existing service has previously been imposed; or
 - (c) it is necessary to correct a tariff already imposed.
- (2) Payment of tariffs shall be enforced through this by-law, the Credit Control and Debt Collection By-law and any other enforcement mechanisms determined by the municipality.

5. Repeal of by-laws

The Tariff By-law published on 29 April 2005 is hereby repealed.

6. Short title and commencement

This By-Law shall be known as the Tariff By-Law of Swartland Municipality and shall become effective on 1 July 2014.

SCHEME

SWARTLAND MUNICIPALITY TARIFF POLICY

In terms of section 74 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000) the Municipality of Swartland adopts the following Tariff Policy—

Table of contents

1. Objectives of policy
2. Tariff principles
3. Categories of consumers
4. Service classification
5. Expenditure classification
6. Cost elements
7. Tariff types
8. Tariff structure and methods of calculations
9. Notification of tariffs, fees and service charges

1. Objectives of policy

The objectives of this policy are—

- (a) to comply with the provisions of section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000); and
- (b) to give guidance to the councillor responsible for finance regarding tariff proposals to be submitted to council annually during the budget process.

- (c) die grondslag vir onderskeid, indien enige, vir tariefdoeleindes tussen die verskillende kategorieë verbruikers, debiteure, diensverskaffers, dienste, diensstandarde en geografiese gebiede spesifieer mits sodanige onderskeid nie op onbillike diskriminasie neerkom nie;

- (d) sodanige verdere toepassingsmeganismes, indien enige, wat die munisipaliteit mag ople, bykomend tot daardie vervat in die Kredietbeheer- en Skuldinvorderingsverordening.

4. Toepassing en afdwinging van die tariefbeleid

(1) Die beleid is van toepassing op alle tariewe deur die munisipaliteit goedgekeur tydens die jaarlikse begrotingsproses, met dien verstaande dat die munisipaliteit gedurende die loop van 'n finansiële jaar tariewe kan bepaal indien—

- (a) 'n nuwe diens ingestel word;
- (b) geen tarief vir 'n bestaande diens voorheen gehef is nie; of
- (c) dit nodig is om 'n tarief wat reeds gehef is, reg te stel.

(2) Betaling van tariewe sal afgedwing word deur middel van hierdie verordening, die Kredietbeheer- en Skuldinvorderingsverordening, asook enige ander maatreëls vir afdwinging deur die munisipaliteit bepaal.

5. Herroeping

Die Tariefverordening gepubliseer op 29 April 2005 word hiermee herroep.

6. Kort titel en inwerkingtredie

Hierdie verordening staan bekend as die Tarieve Verordening van Swartland Munisipaliteit en tree in werking op 1 Julie 2014.

BYLAE

SWARTLAND MUNISIPALITEIT TARIEFBELEID

Ingevolge artikel 74 van die Plaaslike Regering: Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) aanvaar Swartland munisipaliteit die volgende Tariefbeleid—

Inhoudsopgawe

1. Oogmerke van die beleid
2. Tariefbeginsels
3. Kategorieë verbruikers
4. Klassifikasie van dienste
5. Uitgaweklassifikasie
6. Koste elemente
7. Tarief tipies
8. Tariefstruktuur en metodes van berekening
9. Kennisgewing van tariewe, fooie en diensteheffings

1. Oogmerke van die beleid

Die oogmerke van hierdie beleid is—

- (a) om aan die bepalings van artikel 74 van die Wet te voldoen; en
- (b) om leiding te gee aan die raadslid wat verantwoordelik is vir finansies, aangaande tariefvoorstelle wat aan die raad gedurende die jaarlikse begroting gedoen moet word.

2. Tariff principles

The following principles shall apply—

- (a) restricted free services to consumers and financial assistance to indigent households shall be considered only in as far as it can be financed from—
 - (i) financial allocations by the National Government; and
 - (ii) a grant for that purpose by the municipality, which shall be determined annually during the budget process.
- (b) all consumers of municipal services must be treated equitably and the various categories of consumers must pay the same charges based on the same cost structure;
- (c) the amount payable by consumers must be in proportion to usage of the service;
- (d) indigent households must at least have access to basic services through lifeline tariffs or direct subsidisation;
- (e) tariffs must reflect the total cost of services unless stated otherwise in this policy document;
- (f) where provided for in this policy, consumers may choose a tariff from a range of applicable tariffs;
- (g) tariffs must be set at a level that facilitates the sustainability of services by ensuring that—
 - (i) cash inflows cover cash outflows which mean that sufficient provision for working capital and bad debts must be made; and
 - (ii) access to the capital market is maintained by providing for the repayment of capital, maintaining sufficient liquidity levels and making profit on trading services.
- (h) provision shall be made in appropriate circumstances for a surcharge on a tariff which will apply when a restriction of use is required which may include national disasters and periods of droughts;
- (i) efficient and effective use of resources shall be encouraged by providing for penalties to prohibit exorbitant use;
- (j) the extent of subsidisation of tariffs shall be disclosed;
- (k) VAT is excluded from all tariffs and shall be additional to these tariffs when applicable.

3. Categories of consumers

- (1) The tariff structure may provide for the following categories of consumers—
 - (a) domestic consumers;
 - (b) commercial consumers;
 - (c) industrial consumers;
 - (d) agricultural consumers;
 - (e) municipalities;
 - (f) consumers with whom special agreements were made;
 - (g) consumers in certain geographical areas;
 - (h) sport and recreation facilities;
 - (i) educational and communal institutions; and
 - (j) charitable and welfare institutions and organisations.
 - (k) Government.
- (2) The municipality may differentiate between different categories of consumers, debtors, service providers, services, service standards, geographical areas and other matters.
- (3) The differentiation shall be based on one or more of the following elements—
 - (a) infrastructure costs;

2. Tariefbeginsels

Die volgende beginsels sal toegepas word—

- (a) beperkte gratis dienste aan verbruikers en finansiële bystand aan hulpbehoewende huishoudings sal oorweeg word, slegs in sover dit gefinansier kan word uit—
 - (i) finansiële toekenning deur die Nasionale Regering aan die munisipaliteit vir dié doel; en
 - (ii) 'n bewilliging vir dié doel deur die munisipaliteit wat jaarliks tydens die begrotingsproses bepaal sal word.
- (b) alle verbruikers van munisipale dienste sal billik behandel word. Die verskillende kategorieë van verbruikers moet billike tariewe betaal wat op dieselfde kostestruktuur gebaseer is;
- (c) die bedrag wat verbruikers betaal moet in verhouding met hul gebruik van daardie dienste wees;
- (d) geïdentifiseerde hulpbehoewende huishoudings moet minstens tot basiese dienste toegang hê deur lewenslyntariewe of direkte subsidies;
- (e) tariewe moet die totale koste van die diens weerspieël, tensy anders aangedui in hierdie beleidsdokument;
- (f) waar in hierdie beleid uitdruklik aldus bepaal, sal 'n verbruiker die keuse hê om 'n aantal toepaslike tariewe te kies;
- (g) tariewe moet vasgestel word teen vlakke wat die finansiële volhoubaarheid van die diens ondersteun. Volhoubaarheid kan bereik word deur toe te sien dat—
 - (i) kontant invloei die kontant uitvloei dek, wat beteken dat voldoende voorsiening vir bedryfskapitaal en slegte skuld gemaak moet word; en
 - (ii) toegang tot die kapitaalmark moet gehandhaaf word deur voorsiening vir die terugbetaling van lenings te maak, likiditeitsvlakke te handhaaf en winste op handelsdienste te maak.
- (h) voorsiening moet in gepaste omstandighede vir 'n toeslag op 'n tarief vir 'n diens gemaak word, wat sal nodig wees gedurende 'n nasionale ramp en in tydperke van droogte wanneer beperkinge op gebruik nodig is;
- (i) doeltreffende en effektiewe gebruik van hulpbronne sal aangemoedig word deur boetes om buitensporige gebruik te beperk in te stel;
- (j) die mate van subsidiëring van tariewe sal openbaar gemaak word;
- (k) tariewe is deurgaans BTW uitgesluit, dus is BTW addisioneel tot hierdie tariewe waar van toepassing.

3. Kategorieë van verbruikers

- (1) Afsonderlike tariewe kan vir die volgende kategorieë van verbruikers ingestel word—
 - (a) huishoudelike verbruikers;
 - (b) handelsverbruikers;
 - (c) nywerheidsverbruikers;
 - (d) landbouverbruikers;
 - (e) munisipaliteite;
 - (f) verbruikers met wie spesiale ooreenkomsaangevaag is;
 - (g) verbruikers in bepaalde geografiese gebiede;
 - (h) sport- en ontspanningsfasilitate;
 - (i) opvoekundige en gemeenskapsinrigtings; en
 - (j) liefdadigheids- en welsynsinrigtings en organisasies.
 - (k) Staat
- (2) Die munisipaliteit mag onderskei tussen verskillende kategorieë verbruikers, debiteure, diensverskaffers, dienste, diensstandarde, geografiese areas en ander sake.
- (3) Onderskeiding moet gebaseer word op een of meer van die volgende elemente—
 - (a) infrastruktuur koste;

- (b) volume usage; or
- (c) availability and service standards.

4. Service classification

The municipality may, subject to the guidelines provided by the National Treasury and the Mayoral Committee, make provision for the following classification of services:

- (a) **trading services**
 - (i) water
 - (ii) electricity
 - (iii) camping facilities
- (b) **economic services**
 - (i) refuse removal
 - (ii) sewerage disposal
- (c) **community services**
 - (i) air pollution (ii) fire fighting services
 - (iii) local tourism
 - (iv) town planning
 - (v) municipal public works
 - (vi) storm water management system in built-up areas
 - (vii) trading regulations
 - (viii) fixed billboards and the display of advertisements in public places
 - (ix) cemeteries
 - (x) control of public nuisances
 - (xi) control of undertakings that sell liquor to the public
 - (xii) facilities for accommodation, care and burial of animals
 - (xiii) fencing and fences
 - (xiv) licensing of dogs
 - (xv) licensing and control of undertakings that sell food to the public
 - (xvi) local amenities
 - (xvii) local sport facilities
 - (xviii) municipal parks and recreation
 - (xix) municipal roads
 - (xx) noise pollution
 - (xxi) pounds
 - (xxii) public places
 - (xxiii) street trading/street lighting
 - (xxiv) traffic and parking
 - (xxv) building control
 - (xxvi) licensing of motor vehicles and transport permits
 - (xxvii) nature reserves

5. Expenditure classification

Expenditure may be classified as:

- (a) Subjective classification which includes—
 - (i) salaries, wages and allowances
 - (ii) bulk purchases
 - (iii) general expenditure
 - (iv) repairs and maintenance
 - (v) capital charges (interest and redemption)/depreciation

- (b) volume verbruik; of
- (c) beskikbaarheid en diensstandaarde.

4. Klassifikasie van dienste

Die munisipaliteit mag, onderworpe aan die riglyne van die Nasionale Tesourie en die Uitvoerende Burgemeesterskomitee voorsiening maak vir die volgende klassifikasie van dienste:

- (a) **handelsdienste**
 - (i) water
 - (ii) elektrisiteit
 - (iii) kampeergeriewe
- (b) **ekonomiese dienste**
 - (i) vullisverwydering
 - (ii) riool afvoer
- (c) **gemeenskapsdienste**
 - (i) lugbesoedeling.
 - (ii) brandweerdienste.
 - (iii) plaaslike toerisme.
 - (iv) stadsbeplanning.
 - (v) munisipale openbare werke
 - (vi) stormwaterbestuurstelsels in beboude gebiede
 - (vii) handelsregulasies.
 - (viii) reklameborde en die vertoon van advertensies op openbare plekke
 - (ix) begraafplease
 - (x) beheer oor openbare steurnisse
 - (xi) beheer oor ondernemings wat drank aan die publiek verkoop
 - (xii) fasiliteite vir die akkommodasie, omsien na en begrawing van diere
 - (xiii) omheining en heinings
 - (xiv) lisensiëring van honde
 - (xv) lisensiëring en beheer van ondernemings wat voedsel aan die publiek verkoop
 - (xvi) plaaslike geriewe
 - (xvii) plaaslike sportgeriewe
 - (xviii) munisipale parke en ontspanning
 - (xix) munisipale paaie
 - (xx) geraasbesoedeling
 - (xxi) skutte
 - (xxii) openbare plekke
 - (xxiii) straathandel/straatbeligting
 - (xxiv) verkeerbeheer en parkering
 - (xxv) boubeheer
 - (xxvi) lisensiëring van voertuie en voertuigbestuurspermitte
 - (xxvii) natuurreservate

5. Uitgawe klassifikasie

Uitgawes sal in die volgende kategorieë geklassifiseer word:

- (a) Subjektiewe klassifikasie wat insluit—
 - (i) salaris, lone en toelaes
 - (ii) grootmaat aankope
 - (iii) algemene uitgawes
 - (iv) herstelwerk en onderhoud
 - (v) kapitaalonkoste (rente en delging)/waardevermindering

| | |
|--|--|
| <ul style="list-style-type: none"> (vi) contribution to fixed assets (vii) contribution to funds— <ul style="list-style-type: none"> (aa) bad debts; (bb) working capital; and (cc) statutory funds (viii) contribution to reserves (ix) gross expenditure (x) less charge-out (xi) net expenditure (xii) income; and (xiii) surplus/deficit <p>This classification of expenditure each with a unique vote must be applied to all cost centres.</p> <p>(b) Objective classification in terms of which the following cost centres must be created to which the costs associated with providing the service can be allocated—</p> <ul style="list-style-type: none"> (i) department (ii) section/service (iii) division/service | <ul style="list-style-type: none"> (vi) bydrae tot vaste bates; (vii) bydrae tot fondse— <ul style="list-style-type: none"> (aa) slegte skuld; (bb) bedryfskapitaal; en (cc) statutêre fondse (viii) bydrae tot reserwes (ix) bruto uitgawes (x) uit-debitering (xi) netto uitgawes (xii) inkomste; en (xiii) surplus/tekort <p>Die klassifikasie van uitgawes, elk met 'n unieke posnommer, sal op alle koste-eenhede toegepas word.</p> <p>(b) Objektiewe klassifikasie in terme waarvan die volgende koste-eenhede geskep word waarheen die koste verbonde aan die verskaffing van 'n diens toegedeel kan word—</p> <ul style="list-style-type: none"> (i) departement (ii) afdeling/diens (iii) onderafdeling/diens |
| <h2>6. Cost elements</h2> <p>The following cost elements may be used to calculate the tariffs for the different services—</p> <p>(a) fixed costs which consist of the capital costs (interest and redemption) on external loans as well as internal advances or depreciation whichever are applicable to the service, and any other costs of a permanent nature as determined by the municipality;</p> <p>(b) variable cost which includes all other variable costs that have reference to the service; and</p> <p>(c) total cost which consists of the fixed cost and variable cost.</p> | <h2>6. Koste elemente</h2> <p>Die volgende koste elemente sal gebruik word om tariewe vir die verskillende dienste te bereken—</p> <p>(a) vaste koste wat bestaan uit die kapitaalkoste (rente en delging) op eksterne lenings sowel as interne voorskotte of waardevermindering wat ook al van toepassing is op die diens of enige ander koste van 'n permanente aard soos deur die munisipaliteit bepaal.</p> <p>(b) veranderlike koste wat insluit alle veranderlike koste in verband met die levering van die diens; en</p> <p>(c) totale koste wat bestaan uit die vaste koste plus veranderlike koste.</p> |

7. Tariff types

In determining the type of tariff applicable to the type of service the municipality may make use of the following five options or a combination thereof—

- (a) a single tariff which shall consist of a cost per unit consumed and which will be recovered through unit charges at the level where income and expenditure breaks even. Subject to a recommendation by the Director: Financial Services the municipality may approve profits on trading services which will be added to the fixed and variable cost of the service for the purpose of calculating the tariffs.
- (b) cost related two-to-three part tariff which shall consist of two to three parts—
 - (i) management, capital, maintenance and operating costs may be grouped together and be recovered by a fixed charge, independent of consumption for all classes of consumers;
 - (ii) variable costs may be recovered by a unit charge per unit consumed; and
 - (iii) three part tariffs may be used to calculate the tariff for electricity and to provide for maximum demand and usage during periods of limited demand.
- (c) inclining block tariff which is based on consumption levels being categorised into blocks, with the tariff increasing as consumption levels increase. The first step in the tariffs will be calculated at break-even point and subsequent steps will be calculated to yield a result that would discourage excessive use of the commodity.
- (d) declining block tariff which is the opposite of the inclining block tariff and decreases as consumption levels increase. The first step will be calculated by dividing the fixed and variable cost and profit by the volume consumed and will only be used for special agreements.

7. Tarief tipies

In die vasstelling van 'n toepaslike tarief vir 'n diens, sal die munisipaliteit gebruik maak van die volgende vyf moontlikhede of 'n kombinasie daarvan—

- (a) 'n enkeltarief wat sal bestaan uit 'n koste per eenheid verbruik en wat verhaal word deur eenheidsprysse op dievlak waar kistes en inkomste gelykbreek. Onderhewig aan 'n aanbeveling van die Direkteur: Finansiële Dienste kan die munisipaliteit besluit om winste op bepaalde dienste te maak, wat by die vaste en veranderlike koste van die diens gevoeg word vir die doeleindes van die berekening van die tarief.
- (b) koste verbandhouend twee-tot-driedeel tarief wat sal bestaan uit twee tot drie dele—
 - (i) bestuur-, kapitaal-, onderhoud- en lopende koste mag saam gegroepeer en verhaal word deur 'n vaste tarief, onafhanklik van verbruik vir alle klasse van verbruikers;
 - (ii) veranderlike koste kan verhaal word deur 'n eenheidstarief per eenheid verbruik; en
 - (iii) die drie-deel tariewe sal slegs gebruik word om tariewe vir elektrisiteit te bereken en om voorsiening te maak vir maksimum aanvraag en verbruik tydens periodes van beperkte aanvraag.
- (c) toenemende bloktarief gebaseer op verbruiksvlakte wat gekategoriseer word in blokke, met tariewe wat vermeerder soos wat die verbruik vermeerder. Die eerste trap sal bereken word by die gelykbreekpunt en opeenvolgende trappe sal bereken word om 'n resultaat te lever wat oormatige gebruik van die kommoditeit sal ontmoedig.
- (d) afnemende bloktarief wat die teenoorgestelde is van die toenemende bloktarief en neem af soos wat verbruik toeneem. Die eerste trap sal bereken word deur die vaste en veranderlike koste en wins deur die totale volume gebruik te deel en sal slegs gebruik word tydens spesiale ooreenkomste.

- (e) regulating tariff which is of a regulatory nature and the municipality may recover the full cost or a portion thereof associated with rendering the service.

8. Tariff structure and methods of calculations

The following tariff structure shall be applied to determine tariffs—

(1) Water

(a) Tariff structure—

- (i) fixed tariff per consumer plus a single tariff per unit used (kilolitres used);
 - (ii) single tariff per consumer.
- (b) Method of calculation—
- (i) the fixed costs of the service shall consist of the costs indicated as such by the municipality;
 - (ii) the number of consumers shall be used to determine the fixed costs per consumer;
 - (iii) where a fixed cost per consumer is charged, the unit charge shall be calculated by dividing the variable cost by the volume consumed;
 - (iv) where a fixed cost per consumer is not charged, the unit charge shall be calculated by dividing the total cost by volume consumed;
 - (v) if for any reason a meter cannot be read or has not been read, the municipality shall be entitled to render an account based on the estimated consumption calculated on the last known 3months' average consumption preceding the date on which the meter was last read;
 - (vi) where a property is not connected to the water reticulation system but can reasonably be so connected, an availability charge equal to the fixed costs calculated in accordance with the provisions of sub paragraph (b)(i) will be payable;
 - (vii) profit made on the service shall be added to the fixed and variable cost before tariffs are calculated.

(2) Electricity

(a) Tariff structure—

- (i) kWh—Active Energy;
- (ii) kVA—maximum demand (thermic or block) register in a half an hour period;
- (iii) kVArh—Reactive Energy;
- (iv) peak, standard and off-peak time periods—according to bulk purchase tariff structure;
- (v) high and low consumption seasons—according to bulk purchase tariff structure;
- (vi) allocation of holiday season—according to bulk purchase tariff structure;

(b) Method of calculation—

- (i) the guidelines and policy issued by the National Electricity Regulator shall form the basis for calculating tariffs;
- (ii) cross subsidisation between and within categories of consumers may be allowed based on the load factors of the categories and consumers within the category;
- (iii) portions of the fixed costs will be recovered through an energy or time-of-use charge.

- (e) regulerende tarief is slegs van 'n regulerende aard en die munisipaliteit kan die volle of slegs 'n gedeelte van die kostes verbonde aan die lewering van die diens verhaal.

8. Tariefstruktuur en metodes van berekening

Die volgende tariefstruktuur sal gebruik word om tariewe te bepaal—

(1) Water

(a) Tariefstruktuur—

- (i) vaste tarief per verbruiker plus 'n enkel tarief per eenheid verbruik (kiloliters verbruik).
- (ii) enkeltarief per verbruiker.

(b) Metode van berekening—

- (i) die vaste koste van die diens sal bestaan uit die kostes wat as sulks deur die munisipaliteit aangewys word;
- (ii) die aantal verbruikers sal gebruik word om die vaste komponent van die tarief per verbruiker te bereken;
- (iii) waar 'n vaste koste per verbruiker verhaal word sal die eenheidstarief bereken word deur die veranderlike koste deur die volume verbruik te deel;
- (iv) waar die raad nie 'n vaste koste per verbruiker verhaal nie sal die eenheidstarief bereken word deur die totale koste deur die volume verbruik te deel;
- (v) waar verbruik nie gemeet is nie of nie gemeet kan word nie, sal die munisipaliteit geregtig daarop wees om die koste te bepaal bereken volgens die laaste 3 maande se gemiddelde verbruik voor die datum waarop die meter die laaste keer gelees is;
- (vi) waar 'n eiendom nie by die waternetwerk aangesluit is nie en redelikerwys daarby aangesluit kan word sal 'n beskikbaarheidstarief betaalbaar wees gelyk aan die vaste koste bereken ooreenkomsdig die bepalings van sub paragraaf (b)(i).
- (vii) wins op die lewering van die diens gemaak sal by die vaste en veranderlike koste getel word voordat tariewe bereken word.

(2) Elektrisiteit

(a) Tariefstruktuur—

- (i) kWh—Aktiewe Energie;
- (ii) kVA—Maksimum aanvraag (termies of blok) geregistreer oor 'n halfuur;
- (iii) kVArh—Reaktiewe Energie;
- (iv) piek, standaard en afpiek tydperke—volgens grootmaat aankoop tariefstruktuur;
- (v) hoë en lae verbruik seisoene—volgens grootmaat aankoop tariefstruktuur;
- (vi) toedeling van vakansiedae—volgens grootmaat aankoop tariefstruktuur.

(b) Metode van berekening—

- (i) die riglyne en beleid wat deur die Nasionale Elektrisiteitsreguleerde uitgereik word, sal die basis vorm waarvolgens tariewe bereken word;
- (ii) gebaseer op die lasfaktor van die kategorieë en die verbruikers binne die verskillende kategorieë sal kruissubsidiëring tussen en binne kategorieë van verbruikers toegelaat word;
- (iii) gedeeltes van die vaste koste sal deur die energie en tyd-van-gebruik kostes verhaal word;

(iv) in applying the abovementioned principle, the cost allocation basis, cost groupings, tariff components and tariff types reflected in the following tables shall be used—

| Tariff types | Fixed charge Rands/ consumer/ Month | Active Energy charge cents/ kWh | Seasonally Time-of-use Energy charge Peak Standard Off-peak | Capacity- charge Rands/kVA/ month | Reactive energy charge cents/kWh |
|--|--|--|---|--|---|
| One part | | X | | | |
| One part Block | block 1 block 2 | X X | | | |
| Two part | | X | X | | |
| Two part Block | Block 1 Block 2 Block 3 Block 4 | X X X X | | | X X X X |
| Three part | | X | X | | X |
| Three part time-of-use Peak | | X | | | X |
| High season Standard Off-peak | | | X | | |
| Peak | | | X | | |
| Low season Standard Off-peak | | | X | | |
| Four part time-of-use Peak | | X | | X | X |
| High season Standard Off-peak | | | X | | |
| Peak | | | X | | |
| Low season Standard Off-peak | | | X | | |
| Three part Net-Metering Import Export | | X X | | | |

(aa) The one-part single energy rate tariff—

All costs allocated to a consumer category which normally makes use of a one-part single energy rate tariff shall be expressed in a single cents/kWh charge, calculated as follows—

- (i) the maximum demand costs (rands/kVA/month) of all consumers that will normally use a single tariff will be calculated by considering the average load factor applicable to the type of consumers and added to the variable cost;
- (ii) the fixed cost (rand per consumer per month) and the energy cost (kWh) shall be added to the variable cost;
- (iii) the total cost (maximum demand, fixed and energy costs) allocated to consumers which normally uses a one-part-single-energy tariff shall be calculated at a break-even point comparable with the number of kWh units determined by Eskom;
- (iv) the total cost will be expressed in a cents/kWh tariff.

(bb) The two-part tariff—

- (i) a portion of the fixed cost equal to the operating and administrative cost of the Electricity Department shall be recovered through a rands per consumer per month charge;
- (ii) the remaining portion of the fixed cost will be added to the variable cost and recovered through a unit charge (cent/kWh charge);
- (iii) the tariff consists of a fixed monthly charge plus a variable charge related to metered kWh consumption.

(cc) The three-part tariff—

- (i) a portion of the fixed cost as described in sub paragraph (2)(bb)(i) shall be recovered through a rand/consumer/ month charge;
- (ii) the remaining portion of the fixed cost shall be recovered through a unit charge (cent/kWh) and maximum demand charge (rand/kVA/month);

(iv) om bestaande beginsel toe te pas sal die kostetoedelingsbasis, kostegroepering, tariefkomponente en tarietypes wat in die volgende tabel gereflekteer word, gebruik word—

| Tarief tipe | Vaste Koste Rand/ Verbruiker/ Maand | Aktiewe Energie tariewe Sent/ kWh | Seisoen gebonde Tyd van Gebruik Energie tariewe Piek Standaard Afpiek | Kapasiteits- tarief Rand/ kVA/ maand | Reaktiewe energie tarief Sent/ kWh |
|--|--|--|---|---|--|
| Een deel | | X | | | |
| Een deel Blok 1 Blok 2 | | X X | | | |
| Twee deel | X | X | | | |
| Twee deel Blok Blok 1 Blok 2 Blok 3 Blok 4 | X | X X X X | | | X X X X |
| Drie deel | X | X | | X | |
| Drie deel tyd van gebruik Piek Hoë seisoen Standaard Afpiek Piek Laag seisoen Standaard Afpiek | X | | X X X X X | | X |
| Vier deel tyd van gebruik Piek Hoë seisoen Standaard Afpiek Piek Laag seisoen Standaard Afpiek | X | | X X X X X | X | X |
| Drie deel Netto Meter Invoer Uitvoer | X | X X | | | |

(aa) Die een-deel enkel energietarief—

Alle kostes wat aan 'n verbruikers kategorie toegedeel word, wat normaalweg van 'n een-deel enkel energietarief gebruik maak, word in 'n sent/kWh tarief uitgedruk en soos volg bereken—

- (i) die maksimum aanvraagkoste (rand/kVA/maand) van alle verbruikers wat normaalweg van enkeltariewe gebruik maak word bereken deur die gemiddelde lasfaktor van die tipe verbruikers in aanmerking te neem en word by die veranderlike kostes getel;
- (ii) die vaste koste (rand/verbruiker/maand) en energiekoste (kWh) word ook by die veranderlike koste getel;
- (iii) die totale koste (aanvraag, vaste en aankoopskoste) wat aan een-deel enkel energietarief verbruikers toegedeel word, moet verhaal word by 'n gelykbreepunt wat vergelykbaar is met die aantal kWh eenhede soos vasgestel deur Eskom;
- (iv) die totale koste sal uitgedruk word in 'n sent/kWh tarief.

(bb) Die twee-deel tarief—

- (i) 'n gedeelte van die vaste koste wat gelykstaande is aan die bedryfs- en administratiewe kostes van die Elektrisiteitsdepartement word verhaal deur 'n rand/verbruiker/maand heffing;

- (ii) die oorblywende gedeelte van die vaste koste word by die veranderlike koste getel en deur middel van 'n eenheidstarief (sent/kWh heffing) verhaal;

- (iii) die tarief sal gevolglik bestaan uit 'n vaste maandelikse heffing plus 'n veranderlike heffing wat verband hou met die gemeterde kWh verbruik.

(cc) Die drie-deel tarief

- (i) 'n gedeelte van die vaste koste soos beskryf in sub paragraaf (2)(bb)(i) word deur middel van 'n rand/verbruiker/maand heffing verhaal;

- (ii) die oorblywende gedeelte van die vaste koste word deur middel van die eenheidstarief (sent/kWh heffing) en maksimum aanvraag heffing (rand/kVA/maand) verhaal;

- (iii) the maximum demand charge (rand/kVA cost) shall be recovered through the capacity charge where applicable;
- (iv) the cent/kWh charge shall recover the total variable cost plus portions of re-allocated fixed and demand charges (rand/consumer/month and rand/kVA costs) where applicable.

(dd) Time-of-use tariff—

- (i) time-of-use tariffs offered shall be based on the peak, standard and off-peak tariffs and time periods of the supply authority to maintain cost recovery in the event of load profile shifting. Transmission and distribution network charges may be recovered through rand/kVA charges;
- (ii) the cents/kWh charge recovers the full variable costs as well as a portion of the reallocated rands/kVA charges where applicable;
- (iii) the rands per consumer per month charge is not reallocated;
- (iv) the structure of the time-of-use tariff will be calculated according to the purchase structure;
- (v) the time-of-use tariff will only be offered in areas where similar tariffs are available to the municipality;
- (vi) where a profit is made on the service it will be added to the fixed and variable cost before tariffs are calculated.
- (vii) where a property is not connected to the electricity reticulation system but can reasonably be so connected, an availability tariff equal to the fixed costs calculated in accordance with the provisions of sub paragraph (2)(b) shall be payable.

(ee) Net metering—

- (i) net-metering import tariff (energy supplied to the consumer) cent/kWh charges shall be based on the average cost of supply including a portion of operating cost, surplus and purchase cost allowing for time-of-use tariff variations;
- (ii) net-metering export tariff (energy supplied by the consumer) cent/kWh charges shall not exceed the average cost of purchase allowing for time of use tariffs applicable during the time period of supply;
- (iii) a portion of the fixed cost equal to the operating and administrative cost of the Electricity Department shall be recovered through a rands/consumer/month charge.

(3) Waste removal

(a) Unit of measurement—

- (i) number of premises whether built on or not, is a basic unit;
- (ii) bulk refuse removal;
- (iii) special refuse; and
- (iv) gate levies/coupons

(b) Method of calculation—

- (i) a basic refuse tariff equal to the unit tariff applicable to domestic consumers shall be levied on each premises whether built upon or not;
- (ii) a unit tariff per premise shall be levied which will be calculated by dividing the total cost by the total number of premises;
- (iii) where more than one dwelling unit, as defined in the municipality's scheme regulations, are situated on premises (such as semi-detached units or blocks of flats), each such dwelling unit shall be regarded as separate premises for the purposes of this paragraph;

- (iii) die maksimum aanvraagskoste (rand/ kVA koste) word deur die kapasiteitstarief verhaal waar van toepassing;
- (iv) die sent/kWh heffing verhaal die volle veranderlike kostes en gedeeltes van die hertoegewysde vaste en aanvraagkostes (rand/verbruiker/maand en rand// kVA kostes) waar van toepassing.

(dd) Tyd-van-gebruik tarief—

- (i) tyd-van-gebruik tariewe wat aangebied word, is gebaseer op die piek-, standaard- en afpiektariewe en tydperiodes van die voorsieningsowerheid om kosteverhaling te handhaaf in geval van lasprofielverskuiwing. Transmissie- en verspreidingsnetwerk-koste kan deur rand/kVA heffings verhaal word;
- (ii) Die sent/kWh heffing verhaal die volle veranderlike kostes en 'n gedeelte van die hertoegedeelde rand/kVA heffing waar van toepassing;
- (iii) Die rand/verbruiker/maand heffing word nie her-toegewys nie;
- (iv) die struktuur van die tyd-van-gebruik tarief sal bereken word volgens die aankoopstruktuur;
- (v) Die tyd-van-gebruik tarief sal slegs aangebied word in areas waar soortgelyke tariewe beskikbaar is.
- (vi) waar 'n wins op die levering van die diens gemaak word, sal dit by die vaste en veranderlike koste getel word voordat tariewe bereken word;
- (vii) Waar 'n eiendom nie by die elektrisiteitsnetwerk aangesluit is nie en redelikerwys daarby aangesluit kan word sal 'n beskikbaarheidstarief betaalbaar wees gelyk aan die vaste koste bereken ooreenkomsdig die bepalings van sub paragraaf (2)(b).

(ee) Netto-meter—

- (i) netto-meter invoertarief (energie verskaf aan die verbruiker) sent/kWh heffing sal gebaseer word op die gemiddelde koste van voorsiening insluitend 'n gedeelte van die bedryfskoste, surplus en aankoopkoste in ag genome tyd-van-gebruik tariefvariasies;
- (ii) netto-meter uitvoertarief (energie verskaf deur die verbruiker) sent/kWh sal nie die gemiddelde koste van aankoop oorskry nie in ag genome tyd-van-gebruik tariewe wat van toepassing is tydens die periode van voorsiening;
- (iii) 'n gedeelte van die vaste koste gelyk aan die bedryfs- en administratiewe koste van die Elektrisiteitsdepartement sal deur 'n rand/verbruiker/maand heffing verhaal word.

(3) Vullisverwydering

(a) Tariefstruktuur—

- (i) aantal persele beboud en onbeboud 'n basiese eenheid;
- (ii) grootmaat vullis verwydering;
- (iii) spesiale afval; en
- (iv) hekgelde/koopons.

(b) Metode van berekening—

- (i) 'n Basiese vullis tarief gelykstaande aan die eenheidstarief wat op huishoudelike verbruikers van toepassing is, sal gehef word vir elke perseel beboud of onbeboud. ;
- (ii) 'n eenheidstarief per perseel sal gehef word wat bereken sal word deur die totale koste deur die totale aantal persele te deel;
- (iii) waar meer as een wooneenheid, soos gedefinieer in die munisipaliteit se soneringskema regulasies, op 'n perseel geleë is (soos 'n skakelhuis of 'n blok woonstelle), sal elke sodanige wooneenheid vir doeleindes van hierdie paragraaf, geag word 'n afsonderlike perseel te wees;

| | |
|---|---|
| <ul style="list-style-type: none"> (iv) for each business on premises a compulsory levy shall be charged that will be adjusted according to volume of refuse removed. The refuse unit for business is two plastic bags or two 85 litre refuse bins or a 240 litre wheely bin per week. For domestic premises it is unlimited. (v) a tariff equal to the unit tariff levied in terms of sub paragraph (b)(ii) & (iv) in respect of the removal of refuse on premises situated within the urban fringe areas of the towns of Malmesbury, Moorreesburg, Riebeek-Wes, Riebeek-Kasteel, Darling, Yzerfontein, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands and Koringberg and Ongegund shall be applicable to refuse removal once a week per premises. (vi) with regard to premises situated outside the above mentioned urban fringe areas, or the occasional removal removal of refuse, a tariff based on a levy per load or part thereof shall be levied; (vii) the tariff for special refuse shall be levied by adding the cost of air space occupied, measured in tons, to the actual cost to treat and cover such refuse; (viii) the coupon prices for refuse delivered personally at waste sites, shall be determined according to vehicle capacity, the air space occupied as well as the cost to cover such waste daily; (ix) refuse tariffs shall be levied monthly; <p>(4) Sewerage:</p> <ul style="list-style-type: none"> (a) Unit of measurement— <ul style="list-style-type: none"> (i) number of toilets; and (ii) formula based water flow tariff; (b) Method of calculation— <ul style="list-style-type: none"> (i) an availability charge may be levied at a tariff equal to the unit tariff applicable to domestic households where a property is not connected to the sewerage reticulation system but can reasonably be so connected; (ii) a unit charge per consumer may be charged; the tariff will be calculated by dividing the total cost by the total number of premises connected to the sewerage reticulation system; (iii) where more than one dwelling unit, as defined in the municipality's zoning scheme regulations, is situated on premises (such as a semi-detached dwelling or a block of flats etc.), each such a dwelling unit shall for the purpose of this paragraph, be considered to be separate premises; (iv) a surcharge of 15% shall be levied for each additional toilet in respect of consumers mentioned in paragraphs 3(1)(b) to 3(1)(k); (v) the tariff payable for the removal of the contents of a conservancy tank shall be equal to the unit tariff levied in terms of sub paragraph 4(b)(ii) in respect of conservancy tanks in use on premises situated within the urban fringe areas of the towns of Malmesbury, Moorreesburg, Riebeek-Wes, Riebeek-Kasteel, Darling, Yzerfontein, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands and Koringberg and Ongegund, which shall be applicable to the first two suction done within the same month while a third suction in the same month shall be levied according to the published tariff which shall be based on actual cost per suction; (vi) a tariff, based on a charge per load to be removed, may be levied for the emptying of conservancy tanks on premises situated outside the aforesaid urban fringe areas or for the occasional removal of the contents of a septic tank on such premises; (vii) charges payable in terms of sub paragraph (vi) must be levied by the Insident program monthly; | <ul style="list-style-type: none"> (iv) vir elke besigheid op 'n perseel sal 'n verpligte basiese vullisverwyderingstarief gehef word wat aangepas sal word volgens die hoeveelheid vullis verwyder. Die vullis eenheid vir besighede is twee plastiek sakke of twee 85 liter vullisdromme of 'n 240 liter wheely bin per week. Vir huishoudings is dit onbeperk; (v) 'n vullistarief gelykstaande aan die eenheidstarief wat ooreenkomsdig die bepalings van sub paragraaf (b)(ii) en (iv) vasgestel is met betrekking tot vullisverwydering vanaf persele geleë binne die stedelike randgebiede van die dorpsgebiede van Malmesbury, Moorreesburg, Riebeek-Wes, Riebeek Kasteel, Darling, Yzerfontein, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands, Koringberg en Ongegund sal van toepassing wees op een keer per week se vullisverwydering per perseel. (vi) met betrekking tot die verwydering van vullis op persele wat buite die voormalde stedelike randgebiede geleë is, of die verwydering by geleentheid van vullis sal 'n tarief gebaseer op 'n vordering per vrag wat verwyder moet word, gehef word; (vii) die tarief vir spesiale afval word bereken deur die koste van die lugspasie wat in beslag geneem word gemeet in tonnemaat, by die werklike koste om dit dadelik te behandel en te bedek te tel; (viii) die koepon pryse vir vullis self gelewer by vullisterreine word bepaal volgens voertuig kapasiteit, die lugspasie asook die koste om dit daagliks te bedek; (ix) vullistariewe sal maandeliks gehef word. <p>(4) Riolering:</p> <ul style="list-style-type: none"> (a) Tariefstruktuur— <ul style="list-style-type: none"> (i) aantal toilette; en (ii) formule gebaseerde watervloeitarief; (b) Metode van berekening— <ul style="list-style-type: none"> (i) waar 'n eiendom nie by die riolinetwerk aangesluit is nie en redelickerwys daarby aangesluit kan word sal beskikbaarheidsgelde betaalbaar wees. Die tarief sal gelykstaande wees aan die eenheidstarief wat op huishoudelike verbruikers van toepassing is; (ii) 'n eenheidstarief per verbruiker sal gehef word; die tarief sal bereken word deur die totale koste deur die totale aantal persele wat by die riolinetwerk aangesluit is, te deel; (iii) waar meer as een wooneenheid, soos gedefinieer in die munisipaliteit se soneringskema regulasies, op 'n perseel geleë is (soos 'n skakelhuis of 'n blok woonstelle), sal elke sodanige wooneenheid vir doeleindes van hierdie paragraaf, geag word 'n afsonderlike perseel te wees; (iv) 'n toeslag van 15% sal gehef word vir elke addisionele toilet ten opsigte van verbruikers in die kategorie waarna in paragraawe 3(1)(b) tot 3(1)(k) verwys word; (v) die tarief betaalbaar vir die verwydering van die inhoud van 'n riolettenk is gelyk aan die eenheidstarief wat ooreenkomsdig die bepalings van sub paragraaf 4 (b)(ii) vasgestel is met betrekking tot riolettenk in gebruik op persele geleë binne die stedelike randgebiede van die dorpsgebiede van Malmesbury, Moorreesburg, Riebeek-Wes, Riebeek Kasteel, Darling, Yzerfontein, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands, Koringberg en Ongegund wat van toepassing sal wees vir die eerste twee pomplings wat in dieselfde maand gedoen word terwyl 'n derde pomping in dieselfde maand volgens die afgekondigde tarief gehef sal word wat gebaseer is op die werklike koste per vrag; (vi) met betrekking tot die verwydering van die inhoud van riolettenks in gebruik op persele wat buite die voormalde stedelike randgebiede geleë is, of die verwydering by geleentheid van die inhoud van 'n septiese tenk sal 'n tarief gebaseer op 'n vordering per vrag wat verwyder moet word, gehef word; (vii) gelde betaalbaar in terme van subparagraaf (vi) moet maandeliks deur die Insident program gehef word; |
|---|---|

| | |
|--|---|
| <p>(viii) for removals after ordinary office hours, a surcharge shall be levied by the Insident program in addition to the ordinary tariff applicable;</p> <p>(ix) industries classified as wet industries (water intensive industries) shall pay a treatment cost based on the following formula in addition to a tariff per cistern:</p> $B = 0,85 V[R \times COD]/1000$ <p>B = Treatment cost V = Volume of water used in kiloliter R = Cost of treating of 1 Kilogram COD in R/kilogram COD COD = Chemical oxygen demand in milligram per litre</p> <p>(x) industries classified as wet industries and equipped with a flow measurement device to record the effluent volume, the following shall apply:</p> $B = V[R \times COD]/1000$ <p>B = Treatment cost V = Volume of effluent in kiloliter R = Cost of treating of 1 Kilogram COD in R/kilogram COD COD = Chemical oxygen demand in milligram per litre</p> <p>(xi) sewerage tariffs shall be levied monthly.</p> | <p>(viii) waarversoek en ontvang word vir verwyderingsnagewone kantoor ure, sal 'n toeslag deur die Insident program op die gewone toepaslike tarief gehef word;</p> <p>(ix) industrieë wat as nat nywerhede (water intensieve nywerhede) geklassifiseer is, sal bo en behalwe 'n tarief per toilet 'n behandelingskoste betaal wat op die volgende formule gebaseer is:</p> $B = 0,85 V[R \times CSB]/1000$ <p>B = Behandelingskoste V = Volume waterverbruik in kiloliter R = Koste van behandeling van 1kg CSB in R/kilogram CSB CSB = Chemiese suurstofbehoefte in milligram per liter</p> <p>(x) die volgende sal geld vir industrieë wat as nat nywerhede geklassifiseer is en wat met 'n vloeimetingsapparaat toegerus is om die volume van riool te meet:</p> $B = V[R \times CSB]/1000$ <p>B = Behandelingskoste V = Volume riool in kiloliter R = Koste van behandeling van 1kg CSB in R/kilogram CSB CSB = Chemiese suurstofbehoefte in milligram per liter</p> <p>(xi) riooltariewe sal maandeliks gehef word en betaalbaar wees deur die verbruiker.</p> |
| (5) Community services | (5) Gemeenskaps- en gesubsidieerde dienste |
| (a) Tariff structure— | (a) Tariefstruktuur— |
| (i) the tariff structure as reflected in table 1 below shall be used to determine regulatory community and subsidised services. | (i) Die tariefstrukture soos uiteengesit in tabel 1 hieronder sal gebruik word vir die vasstelling van regulerende gemeenskap en gesubsidieerde dienste. |
| (b) Method of calculation— | (b) Metode van berekening— |
| (i) these tariffs may be adjusted annually by a percentage as determined by the council during its budget process, or by a recalculation of the estimated actual cost. | (i) hierdie tariewe sal jaarliks tydens die begrotingsvergadering aangepas word met 'n aantal persentasiepunte of deur die beraamde werklike koste te herbereken. |

TABLE 1

| FUNCTION | UNIT OF RETURN |
|--|---|
| 1. SUNDRY SERVICE CHARGES | |
| 1.1 Information regarding valuation of properties. | Fixed amount per enquiry per property. |
| 1.2 Issuing of valuation certificate of a property. | Fixed amount per certificate. |
| 1.3 Issuing of valuation certificate of a property. | Fixed amount per certificate. |
| 1.4 Issuing of second duplicate account. | Fixed amount per duplicate account. |
| 1.5 Photocopying: A4 size } A3 size } | Fixed amount per photocopy. |
| 1.6 Copies of building plans and area maps. | Fixed amount per copy. |
| 1.7 Computerised area maps. | Fixed amount per map for A0, A1, A2, A3 and smaller sizes respectively. |
| 1.8 Dishonouring charges payable when bank dishonours a cheque and debit order —ACB system | Amount equal to the costs levied by the bank plus 15% admin cost. |
| 1.9 Fax: Received and/or sent. | Fixed amount per fax. |
| 2. LETTING OF TOWN HALLS AND COMMUNITY HALLS | |
| 2.1 Hall reservations taking into account various uses thereof. | Fixed amount per reservation. |
| 2.2 Hall reservations, including kitchen by standing users. | Fixed amount per annum. |
| 2.3 Use of side wards additional to main hall. | Fixed amount per reservation. |
| 2.4 Use of kitchen additional to main hall or side ward. | Fixed amount per reservation. |
| 2.5 Use of refreshment room additional to main hall or side ward. | Fixed amount per reservation. |
| 2.6 Use of facilities one day prior to date of reservation. | Fixed amount per reservation. |
| 2.7 Deposit payable in respect of the use of the hall and the facilities. | Fixed amount per reservation. |
| 2.8 Cancellation of reservation. | 10% of the rental payable to cover administration costs shall be recovered from the deposit paid. |
| 3. LIBRARY FEES | |
| 3.1 Fine for the late return of books or CDs. | Fixed amount per week or portion of a week per item. |
| 3.2 Fine for late return of a video or DVD | Fixed amount per day or portion of a day per video. |
| 3.3 Lost lender tickets. | Fixed amount per ticket. |
| 3.4 Booking of library material— • material in stock • material not in stock | Fixed amount per booking. Fixed amount per booking. |

TABEL 1

| FUNKSIE | EENHEID VAN OPBRENGS |
|--|---|
| 1. DIVERSE DIENSGELDE | |
| 1.1 Inligting insake waardasies van eiendomme. | Vaste bedrag per navraag per eiendom. |
| 1.2 Uitreiking van waardasiesertifikaat van 'n eiendom. | Vaste bedrag per sertifikaat. |
| 1.3 Uitreiking van waardasiesertifikaat van 'n eiendom. | Vaste bedrag per sertifikaat. |
| 1.4 Uitreiking van tweede duplikaat-rekening. | Vaste bedrag per duplikaat rekening. |
| 1.5 Maak van fotostate. A4 grootte } A3 grootte } | Vaste bedrag per fotostaat Vaste bedrag per fotostaat |
| 1.6 Afdruke van bouplanne en dorpskaarte. | Vaste bedrag per afdruk |
| 1.7 Gerekarneerde dorpsplanne. | Vaste bedrag per plan onderskeidelik A0, A1, A2, A3 en kleiner groottes. |
| 1.8 Dishonoreringsgelde betaalbaar wanneer tjek s deur bank gedishonoreer word. | Bedrag gelyk aan die koste gehef deur die bank. |
| 1.9 Faksimilees: Ontvang en/of afstuur. | Vaste bedrag per faksimilee. |
| 2. VERHUIUR VAN STADSAAL EN GEMEENSKAPSAL | |
| 2.1 Saalbesprekings met onderskeid t.o.v. die verskeie gebruikte daarvan. | Vaste bedrag per besprekking. |
| 2.2 Saalbesprekings deur staande verbruikers, kombuis ingesluit. | Vaste bedrag per jaar. |
| 2.3 Gebruik van sysale addisioneel tot hoofsaal. | Vaste bedrag per besprekking. |
| 2.4 Gebruik van kombuis addisioneel tot hoofsaal of sysale. | Vaste bedrag per besprekking. |
| 2.5 Gebruik van verversingskamer addisioneel tot hoofsaal of sysale. | Vaste bedrag per besprekking. |
| 2.6 Gebruik van geriewe een dag voor besprekingsdatum. | Vaste bedrag per besprekking. |
| 2.7 Deposito betaalbaar t.o.v. gebruik van saal en bykomstige geriewe. | Vaste bedrag per besprekking. |
| 2.8 Kansellasie van besprekking. | 10% van huurgeld betaalbaar vir administrasiekoste word van deposito verhaal. |
| 3. BIBLIOTEKGELDE | |
| 3.1 Boetes vir die laat terugbesorg van boek, plaat, CD, kasset of kunsafdruk. | Vaste bedrag per week of gedeelte van week per item. |
| 3.2 Boete vir die laat terugbesorg van video of DVD | Vaste bedrag per dag of gedeelte van 'n dag per video. |
| 3.3 Verlore lener kaartjies | Vaste bedrag per kaartjie |
| 3.4 Besprekking van biblioteekmateriaal— • Materiale in voorraad • Materiale nie in voorraad nie | Vaste bedrag per besprekking Vaste bedrag per besprekking |

| | | |
|---|---|---|
| 4. ELECTRICAL SERVICE CONNECTION | | |
| 4.1 Service connections up to 30 metres $10\text{mm}^2 \times 2$ core with standard credit meter. | Fixed amount per 30 metre Estimated cost based on a 30 metre connection plus a % levy for administrative costs. Fixed amount per metre | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. Vaste bedrag per meter |
| 4.2 Additional cable per meter—maximum 50 ampère (household). | Fixed amount per 30metre Estimated cost based on a 30 metre connection plus a % levy for administrative costs. Fixed amount per metre | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. Vaste bedrag per meter |
| 4.3 Service connections more than 30 metres $16\text{mm}^2 \times 2$ core with standard credit meter. | Fixed amount per 30metre Estimated cost based on a 30 metre connection plus a % levy for administrative costs. Fixed amount per metre | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. Vaste bedrag per meter |
| 4.4 Additional cable per metre—maximum 60 ampère (household) and 80 ampère (business). | Fixed amount per metre Estimated actual cost based on a 30 metre connection plus a % levy for administrative costs. Fixed amount per metre | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. Vaste bedrag per meter |
| 4.5 Service connections up to 30 metres $16\text{mm}^2 \times 4$ core with standard credit meter. | Fixed amount per metre Estimated actual cost based on a 30 metre connection plus a % levy for administrative costs. Fixed amount per metre | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. Vaste bedrag per meter |
| 4.6 Additional cable per meter—maximum 3 x 40 ampère household and 3 x 80 ampère business | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 4.7 Service connections more than 30 metres $16\text{mm}^2 \times$ with standard meter | Estimated actual cost based on a 30 metre connection plus a % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 4.8 Service connections up to 30 meters $16\text{mm}^2 \times 4$ core with standard meter | Estimated actual cost plus % levy for administrative costs. | Vaste bedrag per meter |
| 4.9 Service connection more than 30 metres $16\text{mm}^2 \times 4$ core with standard meter | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 4.10 Erwen with installed service connections. | Fixed amount per connection. | Vaste bedrag per aansluiting. |
| 4.11 Single Relay—in areas where the geyser load management system is implemented, the applicant is responsible to install a load management relay for the control of the geyser | Fixed amount per single relay | Vaste bedrag per enkel oordraer |
| 4.12 Double Relay—in areas where the geyser load management system is implemented, the applicant is responsible to install a load management relay for the control of the geyser | Fixed amount per double relay | Vaste bedrag per dubbel oordraer |
| 4.13 Repair of cable and additional joint | Fixed amount per cable joint | Vaste bedrag per kabelas |
| 4.14 Additional levy i.r.o tampering—In the case where tampering to electrical equipment caused an incorrect electricity usage registered through the meter, an additional levy for the upgrading of a connection will be payable by the registered consumer before reconnection. I.r.o. indigenous households, the consumers will pay this additional levy before the service will be restored. | Fixed amount | Vaste bedrag |
| 4.15 Tampering Fees: In the case of tampering with electricity meters or where a consumer restored his or her own meter by breaking a seal, a tampering fee per meter is payable by the registered consumer before reconnection. | | |
| 5. SALE OF PREPAID ELECTRICAL METERS | | |
| 5.1 Pre-paid Single phase meter (programming included)—to service connection kWh maximum 100amp. | Fixed amount per application Actual purchase price plus % levy of administrative costs | Vaste bedrag per aansoek Werklike aankooprys per aansoek plus % heffing van administratiewe koste |
| 5.2 Pre-paid Three phase meter (programming included) to service connection kWh maximum 100amp. | Fixed amount per application Actual purchase price plus % levy of administrative costs Amount based on quotation | Vaste bedrag per aansoek Werklike aankooprys per aansoek plus % heffing van administratiewe koste |
| 5.3 Pre-paid 1-phase split meter (programming included) | Amount based on quotation | Bedrag gebaseer op kwotasie |
| 5.4 Pre-paid 3-phase split meter (programming included) | | |
| 6. SUNDRY SERVICES: ELECTRICITY DEPARTMENT | | |
| 6.1 Call-out fee payable for private queries and problems (municipal electrical supply or connections not included) • Office hours • After hours and Saturdays • Public holidays and Sundays | Fixed amount per call | Vaste bedrag per uitroep |
| 6.2 Application by consumers for circuit breakers with a higher or lower rating per phase | Fixed amount per call | Vaste bedrag per uitroep |
| 6.3 Services connections- connection for residential and business | Fixed amount per connection | Vaste bedrag per aansluiting |
| 6.4 Testing of credit meter on request of consumer for accuracy: Single phase, three phase and maximum demand | Fixed amount per application | Vaste bedrag per aansoek |
| 6.5 Additions to service connections kWh maximum 100amp to— • Single phase credit meter with circuit breaker • Three phase credit meter with circuit breaker | Fixed amount per application | Vaste bedrag per aansoek |
| 7. ELECTRICITY DEPOSIT | | |
| 7.1 Electricity deposit included in consumer services deposit (water, electricity, refuse removal and sewage). | Fixed amount per consumer | Vaste bedrag per verbruiker |
| 7.2 Business—new consumers | Double the amount of the average of the municipal account for three consecutive months i.r.o. electricity, water, sewerage and refuse removal. The deposit for newly erected buildings will be based on an estimate of the expected charges i.r.o. the mentioned services. | Dubbel die bedrag van die gemiddelde munisipale rekening vir drie opeenvolgende maande t.o.v. elektrisiteit, water, riol en vullisverwydering. Die deposit vir nuut opgerigte geboue word gebaseer op 'n skattiging van die verwagte koste t.o.v. genoemde dienste. |
| 8. WATER SERVICES CONNECTIONS | | |
| 8.1 15mm connection—low cost housing | Cost will be determined as per contract | Koste sal bepaal word volgens kontrak |
| 8.2 15mm connection—other connections | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % heffing vir administratiewe koste |
| 8.3 22mm connection | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % heffing vir administratiewe koste |
| 8.4 Connections 22mm private development | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.5 Testing of water meters | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.6 Damages to service connections and reticulation—costs to be recovered | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.7 Tampering fee: In the case of tampering with water meter installations or where a consumer restored his or her own meter by breaking a seal, a tampering fee per meter is payable by the registered consumer before re-connection. | Estimated actual cost plus % levy for administrative costs. Fixed Amount | Vaste bedrag |
| 4. ELEKTRIESE DIENSAANSLUITINGS | | |
| 4.1 Dienaansluitings tot 30 meter $10\text{mm}^2 \times 2$ aar met standaard kredietmeter. | | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. |
| 4.2 Addisionele kabel per meter —maksimum 50 ampère (huishoudelik). | | Vaste bedrag per meter |
| 4.3 Dienaansluiting meer as 30 meter $16\text{mm}^2 \times 2$ aar met standaard kredietmeter. | | Vaste bedrag per 30 meter Beraamde koste gebaseer op 'n 30 meter aansluiting plus % toeslag vir administrasiekoste. |
| 4.4 Addisionele kabel per meter —maksimum 60 ampère (huishoudelik) en 80 ampère,(besigheid). | | Vaste bedrag per meter |
| 4.5 Dienaansluiting tot 30 meter $16\text{mm}^2 \times 4$ aar met standaard kredietmeter. | | Vaste bedrag per meter |
| 4.6 Addisionele kabel per meter —maksimum 3 x 40 ampère (huishoudelik) en 3 x 80 ampère (besigheid). | | Vaste bedrag per meter |
| 4.7 Dienaansluiting meer as 30 meter 16mm^2 met standaard meter. | | Vaste bedrag per meter |
| 4.8 Dienaansluiting tot 30 meter $16\text{mm}^2 \times 4$ aar met standaard meter. | | Vaste bedrag per meter |
| 4.9 Dienaansluiting meer as 30 meter $16\text{mm}^2 \times 4$ aar met standaard meter. | | Vaste bedrag per meter |
| 4.10 Erwe met geïnstalleerde diensaan-sluiting | | Vaste bedrag per aansluiting. |
| 4.11 Enkel oordraer—in areas waar die warmwatersilinder lasbesturtsels geïmplementeerd is, is die aansoeker verantwoordelik om 'n lasbesturtsels te installeer vir beheer van die warmwatersilinder. | | Vaste bedrag per enkel oordraer |
| 4.12 Dubbel oordraer—in areas waar die warmwatersilinder lasbesturtsels geïmplementeerd is, is die aansoeker verantwoordelik om 'n lasbesturtsels te installeer vir beheer van die warmwatersilinder. | | Vaste bedrag per dubbel oordraer |
| 4.13 Herstel van kabel en addisionele las | | Vaste bedrag per kabellas |
| 4.14 Addisionele helling t.o.v. peuterfooi—In gevval waar gepeuter met elektrisiteitsverbruik fortuinele elektrisiteitsgebruik veroorsaak het wat deur die meter geregistreer is, sal 'n addisionele heffing vir die opgradering van 'n aansluiting betaalbaar wees deur die geregistreerde verbruiker voor heraansluiting. T.o.v. behoeftige huishoudings sal verbruikers die addisionele heffing betaal voordat die diens herstel sal word. | | Vaste bedrag |
| 4.15 Peuterfooi: In gevval waar gepeuter met elektrisiteitsmeters of waar 'n verbruiker sy of haar eie meter herstel het deur 'n seël te breek, is 'n peuterfooi per meter betaalbaar deur die geregistreerde verbruiker voor heraansluiting. | | Vaste bedrag |
| 5. VERKOPE VAN VOORAFBE-TAALDE ELEKTRIESE METERS | | |
| 5.1 Voorafbetaalde Enkelfase meter (programmering ingesluit) aan diensaansluiting kWh maksimum 100amp. | | Vaste bedrag per aansoek Werklike aankooprys per aansoek plus % heffing van administratiewe koste |
| 5.2 Voorafbetaalde Driefase meter (programmering ingesluit) aan diensaansluiting kWh maksimum 100amp. | | Vaste bedrag per aansoek Werklike aankooprys per aansoek plus % heffing van administratiewe koste |
| 5.3 Voorafbetaalde 1-fase splitmeter (programmering ingesluit) | | Bedrag gebaseer op kwotasie |
| 5.4 Voorafbetaalde 3-fase splitmeter (programmering ingesluit) | | Bedrag gebaseer op kwotasie |
| 6. DIVERSE DIENSTE: ELEKTRISITEITSDEPARTAMENT | | |
| 6.1 Uitroepfooi betaalbaar vir privaat navrae en probleme (munisipale elektrisiteitsvoorsiening of aansluitings uitgesluit) • Kantoor • Na-ure en Saterdae • Openbare vakansiedae en Sondae | | Vaste bedrag per uitroep |
| 6.2 Aansoek deur verbruikers vir stroom-brakers met 'n hoër of laer vermoe per fase | | Vaste bedrag per uitroep |
| 6.3 Dienaansluitings- aansluiting vir residensieel en besigheid | | Vaste bedrag per aansluiting |
| 6.4 Toets van diensmeter op versoek van verbruiker vir akkuraathed—Enkelfase, driefase, maksimum aanvraag | | Vaste bedrag per aansoek |
| 6.5 Toevoegings tot diensaansluitings kWh maksimum 100 amp na • Enkelfase kredietmeter met stroombreker • Driefase kredietmeter met stroombreker | | Vaste bedrag per aansoek |
| 7. ELEKTRISITEITSDEPOSITO | | |
| 7.1 Elektrisiteitsdeposito ingesluit in verbruikersdienste deposito (water, elektrisiteit, vullisverwydering en riool) | | Vaste bedrag per verbruiker |
| 7.2 Besigheid—nuwe verbruikers | | Dubbel die bedrag van die gemiddelde munisipale rekening vir drie opeenvolgende maande t.o.v. elektrisiteit, water, riol en vullisverwydering. Die deposit vir nuut opgerigte geboue word gebaseer op 'n skattiging van die verwagte koste t.o.v. genoemde dienste. |
| 8. WATER DIENSAANSLUITINGS | | |
| 8.1 15mm aansluitings—lae koste behuisig | | Koste sal bepaal word volgens kontrak |
| 8.2 15mm aansluiting—allé ander aansluitings | | Beraamde werklike koste plus % heffing vir administratiewe koste |
| 8.3 22mm aansluiting | | Beraamde werklike koste plus % heffing vir administratiewe koste |
| 8.4 Aansluitings 22mm privaat ontwikkeling | | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.5 Toets van watermeters | | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.6 Beskadiging van diensaansluitings en netwerk | | Beraamde werklike koste plus %heffing vir administratiewe koste |
| 8.7 Peuterfooi: In gevval van peuterig met die watermeterinstallasie of waar 'n verbruiker sy of haar eie meter herstel het deur 'n seël te breek, is 'n peuterfooi per meter betaalbaar deur die geregistreerde verbruiker voor heraansluiting. | | Vaste bedrag |

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| 9. SERVICES DEPOSIT | | |
| 9.1 Water deposit included in consumer services deposit (water, electricity, refuse removal, sewage). | Fixed amount per consumer | Vaste bedrag per verbruiker |
| 9.2 Letting of a municipal stand pipe | Fixed amount per letting | Vaste bedrag per verhuring |
| 10. SEWERAGE SERVICES CONNECTION | | |
| 10.1 100mm connections | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 10.2 150mm connections | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 10.3 Damages to service connections and reticulation—costs to be recovered. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 11. SUNDY SERVICES SEWERAGE NETWORKS | | |
| 11.1 Emptying of sewerage tanks | Fixed amount for 2 pumpings per month levied by the Incident program. | Vaste bedrag vir 2 uitsuigings per maand gehef deur die Incident program. Vir elke uitsuig daarna 'n vaste bedrag per uitsuig gehef deur die Incident program per maand. |
| 11.2 Emptying of sewerage tanks (farms) | For each pumping thereafter a fixed amount per pumping levied by the Incident program per month | Vaste bedrag per vrag gehef deur die Incident program per maand. |
| 11.3 Emptying of sewerage tanks after ordinary office hours: Monday—Thursday from 17h00 Friday from 15h45—Monday morning at 08h00. | Fixed amount per load levied by the Incident program per month | Vaste bedrag per uitsuig gehef deur die Incident program per maand. |
| 11.4 Partial connections (pumping). | Fixed amount per pumping and levied by the Incident program per month. | Vaste bedrag per uitsuig gedeel deur twee gehef deur die Incident program per maand. |
| 11.5 Industrial effluent per kg (COD) | Fixed amount per pumping divided by two levied by the Incident program per month | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 11.6 Selling of treated waste water—all consumers, excluding Roodheuwel JV treated waste water per kl. | Estimated actual cost plus % levy for administrative costs | Per ooreenkoms volgens die volgende komponente—bedryfskoste en energiekoste soos jaarliks deur die munisipaliteit bepaal. |
| 11.7 Selling of treated waste water—Only for Roodheuwel JV—they are responsible for the maintenance, repair and replacement of assets as well as for the operating cost—contract conditions. | As per agreement according the following components—operating cost and energy cost as determined by the municipality annually | Vaste bedrag soos jaarliks deur die munisipaliteit bepaal. |
| 11.8 Sewerage blockages. | Fixed amount as determined by the municipality annually | |
| 11.9 Sewerage blockages (after hours) Monday—Thursday from 17:00 Friday from 15:45 to Monday morning at 08:00. | Estimated actual cost plus % levy for administrative costs—levied per Incident program monthly | Beraamde werklike koste plus % toeslag vir administrasiekoste gehef deur Incident program per maand. |
| 11.10 Estimated actual cost plus % levy for administrative costs levied per Incident program monthly. | Beraamde werklike koste plus % toeslag vir administrasiekoste gehef deur Incident program per maand. | |
| 12. SEWERAGE DEPOSIT | | |
| 12.1 Sewerage deposit included in consumer services deposit (water, electricity, refuse removal, sewage). | Fixed amount per consumer. | Vaste bedrag per verbruiker |
| 13. SUNDY ENGINEERING SERVICES | | |
| 13.1 Construction of single motor vehicle entrance. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 13.2 Construction of double motor vehicle entrance. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 13.3 Construction of motor vehicle entrance with storm water grid. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 13.4 Tarring and patch work. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14. CEMETERY FEES | | |
| 14.1 Single grave site—purchase price. | Fixed amount per site. | Vaste bedrag per perseel. |
| 14.2 Single grave—children under 12 years. | Fixed amount per site. | Vaste bedrag per perseel. |
| 14.3 Reservation of site. | Estimated actual cost plus % levy for administrative costs. | Vaste bedrag per perseel |
| 14.4 Digging of grave—1.8m | Fixed amount per grave. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14.5 Covering of grave. | Estimated actual cost plus % levy for administrative costs. | Vaste bedrag per perseel. |
| 14.6 Pointing out of grave site. | Fixed amount per site. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14.7 Digging of double depth grave—2.7m | Estimated actual cost plus % levy for administrative costs. | Vaste bedrag per perseel. |
| 14.8 Opening of double depth grave. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14.9 Construction of brick lining: • single grave • extra deep grave | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14.10 Wall of remembrance—purchases of storage space. | Estimated actual cost plus % levy for administrative costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 14.11 Fixed amount per urn. | | Vaste bedrag per ashouer. |
| 15. SWIMMING POOL FEES | | |
| 15.1 Per ticket and per Class I or Class II swimming pool | Fixed amount per ticket. | Vaste bedrag per kaartjie. |
| 15.2 Per seasonal ticket per Class I or Class II swimming pool | Fixed amount per ticket. | Vaste bedrag per kaartjie. |
| 15.3 For galas—during the week per Class I or per Class II swimming pool | Fixed amount per gala per Class I and II swimming pool | Vaste bedrag per kaartjie per Klas I en II swembad. |
| 15.4 For 2/3 camp gatherings (max 3 hours) per Class I or Class II swimming pool. | Fixed amount per 2/3 camp gatherings per Class I and II swimming pool. | Vaste bedrag vir 2/3-kamp byeenkomste per Klas I en II swembad. |
| 15.5 Season fee for clubs and schools 1—6 days per week per Class I or Class II swimming pool | Fixed amount per club or school per Class I or Class II swimming pool | Vaste bedrag per klub of skool per Klas I en II swembad. |
| 15.6 Uplifting projects (non-exclusive usage max of 30 persons per day) per Class I or Class II swimming pool | Fixed amount per event per Class I or Class II swimming pool | Vaste bedrag per byeenkoms per Klas I en II swembad. |
| 15.7 Churches, Youth, Crèches, Sport Clubs —per person per Class I or Class II swimming pool | Fixed amount per ticket. | Vaste bedrag per kaartjie. |
| 16. BUILDING PLAN FEES | | |
| 16.1 Approval of building plan fees. | Fixed amount per m ² . | Vaste bedrag per bouplan |
| 16.2 Approval of building plan fees: rural areas. | Fixed amount per m ² . | Vaste bedrag per m ² |
| 16.3 Approval:Minimum building plan fees. | Fixed amount per building plan. | Vaste bedrag per bouplan |
| 16.4 Building plan fees: low cost housing. | Fixed amount per building plan. | Vaste bedrag per bouplan |
| 16.5 List of approved building plans (annual fees). | Fixed amount per building plan. | Vaste bedrag per bouplan |
| 16.6 Approval: building plan fees (architectural design manual) per R/m ² . | Fixed amount per m ² . | Vaste bedrag per bouplan |
| 16.7 Minor building work/boundary walls. | Fixed amount per building plan. | Vaste bedrag per meter |
| 16.8 Boundary walls—per running metre | Fixed amount per running metre. | Vaste bedrag per aansoek |
| 16.9 Extension of validity period | Fixed amount per application. | Vaste bedrag per aansoek |
| 16.10 Extension of validity period after 12 months per m ² | Fixed amount per m ² . | Vaste bedrag per m ² |
| 16.11 Additional building fees—building without approval | Tariff determined by council based on actual cost | Tarieel soos deur raad bepaal, gebasseer op werklike koste |
| 16.12 Issue of certificate of occupation | Fixed amount per application | Vaste bedrag per aansoek |

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| 17. LAND USE APPLICATIONS AND SUB-DIVISIONS: TARIFFS | | |
| 17.1 Advertising signs | Fixed amount per sign. | Vaste bedrag per bord |
| 17.2 Application fees—advertising signs erected without approval | Fixed amount per sign. | Vaste bedrag per aansoek. |
| 17.3 Penalty—advertising signs erected without approval | Fixed amount per penalty. | Vaste bedrag per aansoek. |
| 17.4 Show house signs (payable per annum) | Fixed amount per sign. | Vaste bedrag per aansoek. |
| 17.5 Show house deposit | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.6 Application for re-zoning (not applicable to sub divisional area) | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.7 Application for re-zoning (applicable to sub divisional area) additional amount per land use (open spaces and roads excluded) | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.8 Application for consent uses. | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.9 Applications for extension of the validity period of approvals for re-zoning and consent uses. | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.10 Applications for sub-division: | Fixed amount per sub division up to 10 erven. • up to 10 erven • above 10 erven | Vaste bedrag per onderverdeling tot 10 erven. Vaste bedrag per erf bo 10 erven. |
| 17.11 Sub divisions above 10 erven. | Fixed amount per sub division above 10 erven. | Vaste bedrag per aansoek. |
| 17.12 Application for extension of period of sub division | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.13 Applications for departures: • erven < 500m ² • erven 501m ² – 750m ² • erven >750m ² | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.14 Application for departure in terms of section 15(1)(a)(i) of Ord 15/1985. | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.15 Applications for removal of restricting provisions. | Estimated actual costs plus % levy for administration costs. | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 17.16 Cost of advertisements and postage in regard to the advertising of applications for rezoning, subdivision, consent uses and departures. | Fixed amount per certificate. | Vaste bedrag per sertifikaat. |
| 17.17 Issue of section 31 certificate (ord. 15/85). | Fixed amount per amendment. | Vaste bedrag per aansoek. |
| 17.18 Amendment of approved conditions (application fee will only be applicable if application requires a public participation process). | Fixed amount per approval. | Vaste bedrag per goedkeuring. |
| 17.19 Approval of a constitution. | Fixed amount per amendment. | Vaste bedrag per goedkeuring. |
| 17.20 Approval of an architectural design manual. | Fixed amount per approval. | Vaste bedrag per goedkeuring. |
| 17.21 Amendment of a constitution or an architectural design. | Fixed amount per amendment. | Vaste bedrag per goedkeuring. |
| 17.22 Fine for unauthorised land use | Fixed amount per fine. | Vaste bedrag per boete. |
| 17.23 Issuing of zoning certificate. | Fixed amount per certificate. | Vaste bedrag per sertifikaat. |
| 17.24 CD for SDF. | Fixed amount per CD. | Vaste bedrag per CD. |
| 17.25 CD for Zoning Scheme Regulations. | Fixed amount per CD. | Vaste bedrag per CD. |
| 17.26 Application providing the reasons for the decision to the applicant taken by the Valuation Appeal Board—regarding the Property Rates Act (6 of 2004) section 53(2) | Fixed amount per application. | Vaste bedrag per aansoek. |
| 17.27 Amendment of SDF | Fixed amount per amendment. | Vaste bedrag per aansoek. |
| 18. CARAVAN PARK AND CHALETS: TARIFFS | | |
| 18.1 Camping sites for caravans and/or tents (out of season): | Fixed amount for 4 persons per night. | Vaste bedrag vir 4 persone per nag. |
| • limited to 4 persons per site. • more than 4 persons per site. | Fixed amount for each additional person per night. | Vaste bedrag vir elke addisionele persoon per nag. |
| 18.2 Camping sites for caravans and/or tents (in season): | Fixed amount for 4 persons per night. | Vaste bedrag vir 4 persone per nag. |
| • limited to 4 persons per site. • more than 4 persons per site. | Fixed amount for each additional person per night. | Vaste bedrag vir elke addisionele persoon per nag. |
| 18.3 Chalets (out of season)— | Fixed amount for 6 persons per night. | Vaste bedrag vir 6 persone per nag. |
| • limited to 6 persons per chalet | Fixed amount for 6 persons per night. | Vaste bedrag vir 6 persone per nag. |
| 18.4 Chalets (in season)— | Fixed amount for 6 persons per night. | Vaste bedrag vir 6 persone per nag. |
| • limited to 6 persons per chalet | Fixed amount for 6 persons per night. | Vaste bedrag vir 6 persone per nag. |
| 18.5 Entrance fees for visitors | Fixed amount per person. | Vaste bedrag per motorvoertuig |
| • entrance fees for motor vehicles plus entrance fees per person. | Fixed amount per application per night. | Vaste bedrag per persoon. |
| 18.6 Camping site without any facilities for cyclists with one-person tents. | Fixed amount per storage place. | Vaste bedrag per persoon per nag. |
| 18.7 Storage place for caravans. | Fixed amount per occasion. | Vaste bedrag per geleenheid. |
| 18.8 Rental for lapa. | Fixed amount per wash. | Vaste bedrag per was. |
| 18.9 Fees washing machines. | 100% of amount payable for reserved period | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.10 Fees payable at reservation | 100% of amount payable for reserved period | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Chalets—December/January Easter week-end Other periods | 100% of amount payable for reserved period | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Camping sites—December/January Easter week-end | The amount payable for the reserved period less 10% forfeit fee. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.11 Cancellation of reservations of chalets/camping sites. | 40% for persons 60 years and older during "out of season" period. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.12 Rebate for pensioners and groups: | 10% rebate. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Pensioners— | 15% rebate. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Groups: | 20% rebate. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 10–15 caravans | 25% rebate. | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 16–25 caravans | | Bedrag betaalbaar minus 10% kanselleringsfooi. |
| 26–50 caravans | | 10% afslag |
| More than 50 caravans | | |
| 19. AD HOC LETTING OF SITES | | |
| 19.1 Letting of circus sites. | Fixed amount per reservation per day. | Vaste bedrag per besprekking per dag. |
| 19.2 Letting of open spaces for church services. | Fixed amount per reservation per day or part of a day. | Vaste bedrag per besprekking per dag of deel van dag. |
| 19.3 Letting of site for merry-go-round. | Fixed amount per reservation per day. | Vaste bedrag per besprekking per dag. |
| 19.4 Letting of hawkers' sites. | Fixed amount per site. | Vaste bedrag per staanplek. |
| 20. TRAFFIC DEPARTMENT: TARIFFS FOR TRAFFIC SERVICES | | |
| 20.1 Escorting of vehicles through town. | Fixed amount per hour per officer. | Vaste bedrag per geleenthed. |
| 20.2 Rendering of services to bodies such as sporting clubs, funeral escorts, festivals and similar services, etc. | Fixed amount per hour per officer per occasion. | Vaste bedrag per uur per geleenthed. |
| 21. HARBOUR AND FISH MARKET, YZERFONTEIN: TARIFES | | |
| 21.1 Use of harbour facilities—all boats. | Fixed amount per service. | Vaste bedrag per diens. |
| 21.2 Entrance fees for motor vehicles. | Fixed amount per motor vehicle. | Vaste bedrag per motorvoertuig. |
| 21.3 Entrance fees payable in regard to the use of the fish market facilities. | Fixed amount per service. | Vaste bedrag per diens. |
| 17. GRONDGEBRUIKAANSOEKE EN ONDERVERDELINGS: TARIEWE | | |
| 17.1 Advertensieborde | | Vaste bedrag per bord |
| 17.2 Aansoekfooie—advertensieborde opgerig sonder goedkeuring | | Vaste bedrag per aansoek. |
| 17.3 Boete—advertensieborde opgerig sonder goedkeuring | | Vaste bedrag per aansoek. |
| 17.4 Skouhuise borde (jaarliks betaalbaar) | | Vaste bedrag per aansoek. |
| 17.5 Skouhuus deposito | | Vaste bedrag per aansoek. |
| 17.6 Aansoek om hersonering (nie van toepassing op onderverdeelde areas nie) | | Vaste bedrag per aansoek. |
| 17.7 Aansoek om hersonering (van toepassing op onderverdeelde areas) addisionele bedrag per landgebruik (oop ruimtes soe paai uitgesluit) | | Vaste bedrag per aansoek. |
| 17.8 Aansoek om vergunningsgebruik | | Vaste bedrag per aansoek. |
| 17.9 Aansoek om verlenging van geldigheidsduur van goedkeurings vir hersonering en vergunningsgebruik | | Vaste bedrag per aansoek. |
| 17.10 Aansoek om onderverdeling— | | Vaste bedrag per onderverdeling tot 10 erwे |
| • tot 10 erwé | | Vaste bedrag per onderverdeling bo 10 erwé. |
| • bo 10 erwé | | Vaste bedrag per erf bo 10 erwé. |
| 17.11 Onderverdeling van meer as 10 erwé | | Vaste bedrag per aansoek. |
| 17.12 Aansoek om verlenging van geldigheidsduur van goedkeurings vir onderverdeling. | | Vaste bedrag per aansoek. |
| 17.13 Aansoek om afwykings: | | Vaste bedrag per aansoek. |
| • erwé < 500m ² | | Vaste bedrag per aansoek. |
| • erwé 501m ² – 750m ² | | Vaste bedrag per aansoek. |
| • erwé > 750m ² | | Vaste bedrag per aansoek. |
| 17.14 Aansoek om afwykings ingevolge artikel 15(1)(a)(i) van Ord 15/1985. | | Vaste bedrag per aansoek. |
| 17.15 Aansoek om opheffing van beperkende voorwaarde. | | Vaste bedrag per aansoek. |
| 17.16 Advertensiekoste en posgeld t.o.v. adverteer van hersonering, onder-verdeling, vergunningsgebruik en afwykende gebruiksaansoek. | | Beraamde werklike koste plus % toeslag vir administrasiekoste. |
| 17.17 Uitreik van afdeling 31 sertifikaat (ord. 15/85) | | Vaste bedrag per sertifikaat. |
| 17.18 Wysiging van goedkeurde voorwaarde (aansoekfooi sal slegs toepaslik wees as aansoek 'n openbare deelnameproses vereis) | | Vaste bedrag per aansoek. |
| 17.19 Goedkeuring van 'n grondwet | | Vaste bedrag per goedkeuring. |
| 17.20 Goedkeuring van 'n argitektoniese ontwerphandleiding | | Vaste bedrag per goedkeuring. |
| 17.21 Wysiging van 'n grondwet van argitektoniese ontwerp | | Vaste bedrag per wysiging. |
| 17.22 Boete vir ongemagtige gronde gebruik | | Vaste bedrag per boete. |
| 17.23 Uitreiking van soneringssertifikaat | | Vaste bedrag per sertifikaat. |
| 17.24 CD vir ROR | | Vaste bedrag per CD. |
| 17.25 CD vir Sonerig Skemaregulasies | | Vaste bedrag per CD. |
| 17.26 Aansoek met redes vir besluit aan die aansoeker geneem deur die Waardas Appèraad rakende Wet op Eindomstarwe (6 van 2004) afdeling 53(2) | | Vaste bedrag per aansoek. |
| 17.27 Wysiging van ROR | | Vaste bedrag per wysiging. |
| 18. WOONWAPAK EN CHALETS: TARIEWE | | |
| 18.1 Kampeerterreinpersele vir woonwaens en/of tente (buite seisoen): | | Vaste bedrag vir 4 persone per nag. |
| • beperk tot 4 persone per perseel | | Vaste bedrag vir elke addisionele persoon per nag. |
| • meer as 4 persone per perseel | | |
| 18.2 Kampeerterreinpersele vir woonwaens en/of tente (binne seisoen): | | Vaste bedrag vir 4 persone per nag. |
| • beperk tot 4 persone per perseel | | Vaste bedrag vir elke addisionele persoon per nag. |
| • eer as 4 persone per perseel | | |
| 18.3 Chalets (buite seisoen)— | | Vaste bedrag vir 6 persone per nag. |
| • Beperk tot 6 persone per chalet. | | Vaste bedrag vir 6 persone per nag. |
| 18.4 Chalets (binne seisoen)— | | Vaste bedrag per motorvoertuig. |
| • Beperk tot 6 persone per chalet | | Vaste bedrag per persoon. |
| 18.5 Toegangsgeldie vir besoekers— | | Vaste bedrag per persoon per nag. |
| • toegangsgeldie vir motorvoertuig | | Vaste bedrag per persoon. |
| • plus toegangsgeldie vir persone | | Vaste bedrag per persoon per nag. |
| 18.6 Staanplek sonder enige geriewe vir fietsryers met eenman tente. | | Vaste bedrag per stoorplek. |
| 18.7 Woonwastoorplek | | Vaste bedrag per geleenheid. |
| 18.8 Huur van lapa | | Vaste bedrag per was. |
| 18.9 Huur wasmasjiene | | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.10 Gelde betaalbaar by besprekking— | | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Chalets—Desember/Januarie Paasnaweek Ander tydperke | | 100% van gelde betaalbaar vir bespreekte tydperk. |
| Kampeerterreinpersele— Desember/Januarie Paasnaweek | | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.11 Kansellasierie van besprekking van chalets/ kampeerterreinpersele | | 100% van gelde betaalbaar vir bespreekte tydperk. |
| 18.12 Afslag vir pensioenaris en groepe: | | Bedrag betaalbaar minus 10% kanselleringsfooi. |
| Pensioenaris— | | 10% afslag |
| Groepe: | | 15% afslag |
| 10–15 karavane | | 20% afslag |
| 16–25 karavane | | 25% afslag |
| 26–50 karavane | | |
| Meer as 50 karavane | | |
| 19. AD HOC VERHURING VAN TERREINE | | |
| 19.1 Verhuur van sirkusterreine. | | Vaste bedrag per besprekking per dag. |
| 19.2 Verhuur van oop terreine vir kerkdienste. | | Vaste bedrag per besprekking per dag of deel van dag. |
| 19.3 Verhuur van terrein vir mallemeule. | | Vaste bedrag per besprekking per dag. |
| 19.4 Verhuur van smousstaanplekke | | Vaste bedrag per staanplek. |
| 20. VERKEERSDEPARTEMENT: TARIEWE VIR VERKEERSDIENSTE | | |
| 20.1 Begeleiding van voertuie deur die dorp. | | Vaste bedrag per geleenthed. |
| 20.2 Voorsiening van dienste aan instansies bv. sportliggame; begrafnisbegeleidings, feeste, ens. | | Vaste bedrag per uur per geleenthed. |
| 21. HAWE EN VISMARKTARIEWE: YZERFONTEIN | | |
| 21.1 Gebruik van hawefasiliteit— Alle bote | | Vaste bedrag per diens. |
| 21.2 Toegangsgeldie vir motorvoertuig | | Vaste bedrag per motorvoertuig. |
| 21.3 Toegangsgeldie betaalbaar t.o.v. gebruik van vismarktfasiliteit. | | Vaste bedrag per diens. |

9. Notification of tariffs, fees and service charges

(1) The municipality must give notice of all tariffs approved at the annual budget meeting at least 30 days prior to the date that the tariffs become effective.

(2) A notice stating the purport of the council resolution and the date on which the new tariffs shall become operational, must be displayed by the municipality at a place designated for that purpose.

51342

11 July 2014

9. Kennisgewing van tariewe, fooie en diensteheffings

(1) Die munisipaliteit moet ten minste 30 dae voor die inwerkingtreding van alle fooie en diensgelde tariewe wat tydens die begrotingsvergaderings goedgekeur is, kennis gee.

(2) Die munisipaliteit moet op 'n aangewese plek 'n kennisgewing vertoon wat die inhoud van die raadsbesluit en die datum waarop die tariewe in werking tree, bevat.

51342

11 Julie 2014

SWARTLAND MUNICIPALITY**BY-LAW RELATING TO WATER SUPPLY, SANITATION SERVICES AND INDUSTRIAL EFFLUENT**

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Swartland municipality, enacts as follows:—

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MUNISIPALITEIT SWARTLAND**VERORDENINGE RAKENDE WATERVOORSIENING, SANITASIEDIENSTE EN NYWERHEIDSUITVLOEISEL**

Kragtens die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, verorden die Swartland munisipaliteit soos volg:—

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| <i>Part 8: Connection to water supply system</i> | |
| 42. Provision of connection pipe | 41. Waterdienste-tussengangers en bewoners van plase |
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CHAPTER 5: OFFENCES

140. Offences

SCHEDULE A: LIMITS OF CONCENTRATIONS OF SUBSTANCES THAT MAY BE DISCHARGED INTO THE SWARTLAND MUNICIPALITY'S SANITATION SYSTEM

SCHEDULE B: APPLICATION FORM FOR THE DISCHARGE OF INDUSTRIAL EFFLUENT TO THE SWARTLAND MUNICIPALITY'S SANITATION SYSTEM

SCHEDULE C: PERMIT ISSUED TO ALLOW THE DISCHARGE OF TRADE OR INDUSTRIAL EFFLUENT INTO THE SEWERAGE

CHAPTER I: GENERAL PROVISIONS

*Part 1: Definitions***Definitions**

(1) For the purpose of this by-law, any word or expressions to which a meaning has been assigned in the Water Services Act, 1997 (Act No 108 of 1997), the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) or the National Building Regulations made in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977) shall bear the same meaning in this by-law and unless the context indicates otherwise a word in any one gender shall be read as referring also to the other gender, the singular includes the plural and vice versa, the English text prevails in the event of an inconsistency between the different text:—

“accommodation unit” in relation to any premises, means a building or section of a building occupied or used or intended for occupation or use for any purpose;

“account” means an account rendered for municipal services provided;

“Act” means the Water Services Act, 1997 (Act No 108 of 1997), as amended from time to time;

“agreement” means the contractual relationship between the municipality and a consumer;

“approved” means approved by the municipality in writing;

“area of supply” means any area within or partly within the area of jurisdiction of the municipality to which a water service is provided;

“authorised agent” means—

- any person authorised by the municipality to perform any act, function or duty in terms of, or to exercise any power under, this by-law;
- any person to whom the municipality has delegated the performance of certain rights, duties and obligations in respect of providing water supply services; or
- any person appointed by the municipality in a written contract as a service provider for the provision of water services to consumers on its behalf, to the extent authorised in such contract.

“average consumption” means the average consumption of a consumer of a municipal service during a specific period, and is calculated by dividing the total measured consumption of that municipal service by that consumer over the preceding three months by three;

“best practicable environmental option” means the option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term;

“borehole” means a hole sunk into the earth for the purpose of locating, abstracting or using subterranean water and includes a spring;

“Building Regulations” means the National Building Regulations made in terms of the National Building Regulations and Building Standards, 1977 (Act No 103 of 1977) as amended;

“business unit” means any premises or building or section thereof occupied or used for commercial or business purposes;

HOOFSTUK 5: MISDRYWE

140. Misdrywe

BYLAE A: BEPERKINGS VIR KONSENTRASIES VAN STOWWE WAT IN DIE SANITASIE- STELSEL VAN SWARTLAND MUNISIPALITEIT AFGEELAAT MAG WORD

BYLAE B: AANSOEKVORM VIR DIE STORTING VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTELSEL VAN SWARTLAND MUNISIPALITEIT

BYLAE C: PERMIT UITGEREIK OM DIE STORTING VAN NYWERHEIDS- UITVLOEISEL IN DIE RIOOLSTELSEL TOE TE LAAT

HOOFSTUK 1: ALGEMENE BEPALINGS

*Deel 1: Woordomskrywing***1. Woordomskrywing**

(1) Vir die doel van hierdie verordening het enige woord of uitdrukking waaraan daar in die Wet op Waterdienste, 1997 (Wet Nr. 108 van 1997), die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet Nr. 32 van 2000), of die Nasionale Bouregulasies uitgevaardig ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet Nr. 103 van 1977), 'n betekenis toegeken is, dieselfde betekenis in hierdie verordening, en tensy die samehang die teendeel aandui, moet 'n woord wat een geslag aandui, gelees word asof dit ook na die ander geslag verwys, sluit die meervoud ook die enkelvoud in en in die geval van 'n teenstrydigheid tussen die Afrikaanse en Engelse bewoording sal die Engelse bewoording geld;

“aansluiting” beteken die punt waar 'n verbruiker toegang tot waterdienste kry;

“aansluitpunt” beteken die punt waar die perseelrioolinstallasie by die aansluitriool aansluit;

“aansluitriool” beteken 'n pyp wat aan die munisipaliteit behoort en deur hom geïnstalleer is met die doel om rioolvuil van 'n perseelrioolinstallasie na 'n riolet buite die grens van daardie perseel of binne 'n serwituutgebied of binne 'n gebied wat deur gebuiksreg of volgens ooreenkoms gedeel word, te vervoer;

“afsluitklep” beteken 'n klep vir die aan- of afsluiting van water;

“akkommadasie-eenheid” met betrekking tot 'n perseel, beteken 'n gebou of deel van 'n gebou wat vir enige doel geokkuper of gebruik word of vir okkupasie of gebruik bedoel is;

“beheerde volume-waterbeheerstelsel” beteken 'n waterinstallasie wat 'n vaste hoeveelheid water in 'n enkele dag aan 'n verbruiker voorsien;

“besigheidseenheid” beteken enige gebou of perseel of gedeelte daarvan wat vir kommersiële of besigheidsdoeleindes gebruik word.

“besoedeling” die direkte of indirekte verandering van die fisiese, chemiese of biologiese eienskappe van 'n waterhulpbron ten einde dit—

(a) minder geskik te maak vir enige doel waarvoor dit redelikerwys verwag kan word om gebruik te word; of

(b) skadelik of potensieel skadelik te maak—

(i) vir die welsyn, gesondheid of veiligheid van mense;

(ii) vir enige water-of nie-waterorganismes;

(iii) vir die hulpbrongehalte; of

(iv) vir eiendom;

“beste praktiese omgewingsopslie” beteken die opsie wat die grootste voordeel inhoud vir of die minste skade berokken aan die omgewing as 'n geheel, teen 'n koste wat vir die samelewing aanvaarbaar is, oor die lang termyn sowel as oor die kort termyn;

“boorgat” beteken 'n gat wat in die aarde gesink is met die doel om ondergrondse water op te spoor, te onttrek of te gebruik, en sluit 'n fontein in;

“Bouregulasies” beteken die Nasionale Bouregulasies uitgevaardig ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet Nr. 103 van 1977), soos gewysig;

"communal water connection" means a consumer connection through which water services are supplied to more than one person; the service is operated and maintained jointly by the users thereof, and "communal water services work" has a corresponding meaning;

"charges" means the rate, charge, tariff, flat rate or subsidy determined by the municipal council;

"cleaning eye" means any access opening to the interior of a discharge pipe or trap provided for the purposes of internal cleaning;

"communal water services" means a consumer connection through which water services are supplied to more than one person;

"combined installation" means a water installation used for fire-fighting and domestic, commercial or industrial purposes;

"connecting point" means the point at which the drainage installation joins the connecting sewer;

"connecting sewer" means a pipe owned by the municipality and installed by it for the purpose of conveying sewage from a drainage installation on a premises to a sewer beyond the boundary of those premises or within a servitude area or within an area covered by a way-leave or by agreement;

"connection" means the point at which a consumer gains access to water services;

"connection pipe" means a pipe, the ownership of which is vested in the municipality and installed by it for the purpose of conveying water from a main to a water installation, and includes a "communication pipe" referred to in SANS 0252 Part I;

"conservancy tank" means a covered tank used for the reception and temporary retention of sewage and which requires emptying at intervals;

"consumer" means—

- (a) any owner or occupier of premises to which or on which the municipality has agreed to provide water services or is actually providing water services, or if there be no occupier, then any person who has entered into an agreement with the municipality for the provision of water services to or on such premises, provided that where water services is provided through a single connection to a number of occupiers, it shall mean the occupier, or person, to whom the municipality has agreed to provide water services; or
- (b) a person that obtains access to water services provided through a communal water services work;

"domestic consumer" means a consumer using water for domestic purposes;

"domestic purposes" in relation to the supply of water means water supplied for drinking, ablution and culinary purposes to premises used predominantly for residential purposes;

"drainage installation" means a system situated on any premises and vested in the owner thereof and which is used for in connection with the reception, storage, treatment or conveyance of sewage on that premises to the connecting point and includes drains, fittings, appliances, septic tanks, conservancy tanks, pit latrines and private pumping installations forming part of or ancillary to such systems;

"drainage work" includes any drain, sanitary fitting, water supplying apparatus, waste or other pipe or any work connected with the discharge of liquid or solid matter into any drain or sewer or otherwise connected with the drainage of any premises;

"dwelling unit" means an interconnected suite of rooms, including a kitchen or scullery, designed for occupation by a single family, irrespective of whether the dwelling unit is a single building or forms part of a building containing two or more dwelling units;

"effluent" means any liquid whether or not containing matter in solution or suspension;

"municipality" means the Swartland municipality or any other person authorised to act on its behalf;

"emergency" means any situation that poses a risk or potential risk to life, health, the environment or property;

"brandinstallasie" beteken 'n verplaasbare waterinstallasie wat water uitsluitlik vir die doel van brandbestryding vervoer;

"dienspyp" beteken 'n pyp wat deel uitmaak van 'n waterinstallasie wat op 'n perseel deur die eienaar of okkuperdeer voorsien en geïnstalleer is en wat by 'n verbindingspyp aangesluit is of aangesluit gaan word om die waterinstallasie op die perseel te bedien;

"eienaar" beteken—

- (a) die persoon op wie se naam die eenaarskap van die perseel van tyd-tot-tyd geregistreer is, of sy agent;
- (b) waar die geregistreerde eienaar van die perseel insolvent of dood is of om enige ander rede nie handelingsbevoeg is nie of enige vorm van handelingsbevoegdheid het wat die uitwerking het dat dit hom verhoed om 'n regshandeling namens homself te verrig, die persoon by wie die administrasie en beheer van sodanige perseel as kurator, trustee, eksekuteur, administrateur, geregtelike bestuurder, likwidateur of ander regsterveneerwoerdiger berus;
- (c) waar die munisipaliteit nie die identiteit van die eienaar kan vasstel nie, 'n persoon wat 'n wettige reg in, of die voordeel van die gebruik van, 'n perseel, gebou of enige deel van 'n gebou het wat daarop geleë is;
- (d) waar 'n huurkontrak vir 'n tydperk van dertig (30) jaar of langer of vir die natuurlike lewe van die huurder of enige ander persoon wat in die huurkontrak genoem word, aangegaan is, of wat van tyd tot tyd na die keuse van die huurder onbepaald of vir 'n tydperk of tydperke wat, saam met die eerste tydperk van die huurkontrak, op dertig (30) jaar te staan kom, hernoed kan word, die huurder of enige ander persoon aan wie hy sy reg, titel en belang kragtens die huurkontrak sedeer het, of enige opvolger sonder teenwaarde van die huurder;
- (e) met betrekking tot—
 - (i) 'n stuk grond wat op 'n deeltitelplan ingevolge die Wet op Deeltitels, 1986 (Wet Nr. 95 van 1986), geskets is, die ontwikkelaar of die regspersoon ten opsigte van die gemeenskaplike eiendom, of
 - (ii) 'n deel soos omskryf in die Wet op Deeltitels, 1986 (Wet Nr. 95 van 1986), die persoon op wie se naam sodanige deel kragtens 'n deeltitelakte geregistreer is en sluit in die wettig aangestelde agent van sodanige persoon; of
 - (iii) 'n persoon wat grond okkuper kragtens 'n register wat deur 'n stamowerheid gehou word of ooreenkomsdig 'n beëdigde verklaring wat deur 'n stamowerheid gemaak is;

"eind-watertoebohorrel" beteken 'n toebehoersel by die uitlaat van 'n waterinstallasie waardeur die uitlaat van water beheer word;

"gedeelde verbruik" beteken die verbruik gedurende 'n spesifieke tydperk, wat bereken word deur die totale gemeterde verbruik van daardie diens in die voorsieningsone waar die verbruiker se perseel geleë is vir dieselfde tydperk deur die aantal verbruikers binne daardie voorsieningsone gedurende daardie tydperk te deel;

"gekombineerde installasie" beteken 'n waterinstallasie wat vir brandbestryding en huishoudelike, kommersiële- of nywerheidsdoeleindes gebruik word;

"gelde" beteken die belasting, geld, tarief, eenvormige koers of subsidie deur die munisipale raad vasgestel;

"gemagtigde agent" beteken—

- (a) 'n persoon wat deur die munisipaliteit gemagtig is om 'n handeling, funksie of plig ingevolge hierdie verordening te verrig of 'n bevoegdheid daarkragtens uit te oefen;
- (b) 'n persoon aan wie die munisipaliteit die verrigting van sekere regte, pligte of verpligte ten opsigte van die verskaffing van waterdienste gedelegeer het; of
- (c) 'n persoon wat in 'n skriftelike kontrak deur die munisipaliteit aangestel is as 'n diensverskaffer om namens hom waterdienste aan verbruikers te verskaf, in die mate wat deur daardie kontrak gemagtig word;

"gemeenskapswaterdienstewerk" 'n verbruikersverbinding waardeur waterdienste aan meer as een persoon verskaf word;

"gemiddelde verbruik" beteken die gemiddelde verbruik deur 'n verbruiker van 'n munisipale diens gedurende 'n gespesifiseerde tydperk, en dit word bereken deur die totale gemete verbruik van

"environmental cost" means the cost of all measures necessary to restore the environment to its condition prior to an incident resulting in damage;

"estimated consumption" means the deemed consumption where consumption has not been measured during a specific period, which is estimated by taking into account relevant factors which may include water consumption by the total number of consumers within the area where the service is rendered, at the appropriate level of service, for a specific period;

"fire hydrant" means a potable water installation that conveys water for fire-fighting purposes only;

"fixed quantity water delivery system" means a water installation, which delivers a fixed quantity of water to a consumer in any single day;

"flood level (1 in 50 years)" means that level reached by flood water resulting from a storm of a frequency of 1 in 50 years;

"flood plain (1 in 50 years)" means the area subject to inundation by flood waters from a storm of a frequency of 1 in 50 years;

"french drain" means a soil soak pit for the disposal of sewage and effluent from a septic tank;

"grey water" means waste water resulting from the use of water for domestic purposes but does not include human excreta;

"high strength sewage" means industrial sewage with a strength or quality greater than standard domestic effluent in respect of which a specific charge as calculated in accordance with the municipality's Tariff Policy may be charged;

"household" means a family unit, as determined by the municipality by taking into account the number of persons comprising a household, the relationship between the members of a household, the age of the persons who are members of it and any other factor that the municipality considers to be relevant;

"illegal connection" means a connection to any system, by means of which water services are provided that is not authorised or approved by the municipality;

"industrial effluent" means any effluent produced from the use of water for industrial purposes, and for the purposes of this by-law includes any effluent except standard domestic effluent or storm water;

"industrial purposes" in relation to the supply of water means premises used for manufacturing, retailing and service industries, generating electricity, land-based transport, construction or any related purpose;

"installation work" means any work done in respect of a water installation, including construction, rehabilitation, improvement and maintenance;

"interest" means a levy with the same legal property as service fees and calculated in terms of this by-law or on all amounts in arrears in respect of prescribed fees for water services at a standard rate equal to an interest rate as determined by the Credit Control and Debt Collection Policy;

"manhole" means a chamber of a depth greater than 750mm and of such dimension that allows an entry of a person into such a chamber for the purposes of providing access to a drain;

"main" means a pipe, other than a connection pipe, of which the ownership vests in the municipality and which is used by it for the purpose of conveying water to a consumer;

"measuring device" means any method, procedure, process, device, apparatus or installation that enables the quantity of water services provided to be quantified and includes any method, procedure or process whereby the quantity is estimated or assumed;

"meter" means a water meter as defined by the regulations published in terms of the Trade Metrology Act, 1973 (Act No 77 of 1973) or, in the case of water meters of a size greater than 100mm, a device that measures the quantity of water passing through it, including a pre-paid water meter;

"municipality" means the Swartland municipality established in terms of section 12 of the Municipal Structures Act, 1998. (Act 117 of 1998);

daardie munisipale diens deur daardie verbruiker oor die voorafgaande drie maande deur drie te deel;

"geraadde verbruik" beteken die geagte verbruik waar verbruik oor 'n tydperk nie gemeet is nie, en wat geraam word deur tersaaklike faktore in ag te neem, wat insluit die waterverbruik deur die totale aantal gebruikers binne die gebied waar die diens gelewer word teen die toepaslike diensvlak oor 'n bepaalde tydperk;

"goedgekeur" beteken skriftelik deur die munisipaliteit goedgekeur;

"grys water" afvalwater afkomstig van die gebruik van huishoudelike water, maar sluit nie menslike ekskreta in nie;

"handelasperseel" beteken 'n perseel waarop nywerheidsuitvloeisel ontstaan;

"hoësterkerterioolvuil" beteken nywerheidsrioolvuil met 'n sterkte of gehalte groter as standaard huishoudelike uitvloeisel ten opsigte waarvan 'n spesifieke geld gevorder kan word, soos gespesifiseer in die munisipaliteit se Tarief Beleid;

"hoofleiding" beteken 'n pyp behalwe 'n verbindingspyp, waarvan die eienaarskap by die munisipaliteit beras en wat deur hom gebruik word vir die doel om water na 'n verbruiker te vervoer;

"huishoudelike doeleinades" met betrekking tot die verskaffing van water, beteken water wat vir drink-, was- en kookdoeleinades verskaf word wat hoofsaaklik vir residensiële doeleinades gebruik word;

"huishoudelike verbruiker" beteken 'n verbruiker wat water vir huishoudelike doeleinades gebruik;

"huishouding" beteken 'n familie-eenheid wat deur die munisipaliteit bepaal word met inagneming van die aantal mense in die eenheid, die verhouding tussen die lede van 'n huishouding, hulle ouderdomme en enige ander faktor wat die munisipaliteit as tersaaklik beskou;

"installeringswerk" beteken enige werk wat ten opsigte van 'n waterinstallasie gedoen word, insluitende konstruksie, rehabilitasie, verbetering en instandhouding;

"kommersiële verbruiker" beteken 'n verbruiker ander dan huishoudelike verbruiker en 'n hulpbehoewende verbruiker, insluitende, maar nie beperk nie tot, besigheids-, nywerheids-, regerings- en institusionele verbruikers;

"loodgieter" beteken 'n persoon wat in die loodgietersambag kragtens die Wet op Mannekragopleiding, 1981 (Wet Nr 56 van 1981), in 'n kwalifiserende ambagstoets geslaag het of aan wie 'n sertifikaat van bedrewenheid of sodanige ander kwalifikasie wat kragtens nasionale wetgewing vereis word, uitgereik is;

"mangat" beteken 'n toegangskamer na die binnekant van die riool wat vir die doel van instandhouding en inwendige skoonmaak voorsien is;

"meettoestel" beteken enige metode, prosedure, proses, toestel, apparaat of installasie waarmee die hoeveelheid waterdienste wat verskaf word, gekwantifiseer kan word, en sluit enige metode, prosedure of proses in waarvolgens die hoeveelheid geraam of veronderstel word;

"meter" beteken 'n watermeter soos omskryf deur die regulasies wat ingevolge die Wet op Handelsmetrologie, 1973 (Wet Nr 77 van 1973), gepubliseer is of, in die geval van 'n watermeter van 'n groter grootte as 100mm, 'n toestel wat die hoeveelheid water meet wat daardeer vloei, insluitende 'n voorafbetaalwatermeter;

"munisipale bestuurder" beteken die persoon wat ingevolge artikel 54A van die Munisipale Stelselwet, 2000 (Wet 32 van 2000), deur die munisipale raad as die munisipale bestuurder van die munisipaliteit aangestel is, en sluit 'n persoon in aan wie die munisipale bestuurder sy of haar bevoegdhedegeleer het; **"munisipale dienste"** beteken, vir die doeleinades van hierdie verordening, dienste wat deur 'n munisipaliteit verskaf word, insluitende afvalverwydering, watervoorsiening, sanitasie, elektrisiteitsdienste of enige van die bestaande;

"munisipale raad" beteken die munisipale raad van Swartland munisipaliteit;

"munisipaliteit" beteken die munisipaliteit van Swartland, of enige ander persoon wat gemagtig is om namens hom op te tree;

"natbedryf" 'n bedryf wat bedryfsuitvloeisel loslaat;

"noodsituasie" beteken 'n situasie wat 'n risiko of potensiële risiko vir lewe, gesondheid, die omgewing of eiendom inhou;

"municipal council" means a municipal council of Swartland municipality;

"municipal manager" means the person appointed by the municipal council in terms of section 54A of the Municipal Systems Act, 2000 (Act 32 of 2000) and includes any person to whom the municipal manager has delegated his or her powers;

"municipal services" means, for purposes of this by-law, services provided by the municipality, including refuse removal, water supply, sanitation, electricity services and rates or any one of the above;

"nuisance" means any condition, act or omission which is offensive or injurious or which tends to prejudice the safety, good order, peace or health of one or more of the residents in any particular locality within the area of the municipality;

"occupier" means a person who occupies any (or part of any) land, building, structure or premises and includes a person who, for someone else's reward or remuneration allows another person to use or occupy any (or any part of any) land, building structure or premises;

"on-site sanitation services" means any sanitation services other than water borne sewerage disposal through a sewerage disposal system;

"owner" means—

- (a) the person in whose name the ownership of the premises is registered from time to time or his agent;
- (b) where the registered owner of the premises is insolvent or dead, or for any reason lacks legal capacity, or is under any form of legal disability, that has the effect of preventing him from being able to perform a legal act on his own behalf, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) where the municipality is unable to determine the identity of the owner, a person who has a legal right in, or the benefit of the use of, any premises, building, or any part of a building, situated on them;
- (d) where a lease has been entered into for a period of 30 (thirty) years or longer, or for the natural life of the lessee or any other person mentioned in the lease, or is renewable from time to time at the will of the lessee indefinitely or for a period or periods which, together with the first period of the lease, amounts to 30 years, the lessee or any other person to whom he has ceded his right title and interest under the lease, or any gratuitous successor to the lessee;
- (e) in relation to—

- (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No 95 of 1986), the developer or the body corporate in respect of the common property, or

- (ii) a section as defined in the Sectional Titles Act, 1986 (Act No 95 of 1986), the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person; or

- (iii) a person occupying land under a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority;

"person" means any person, whether natural or juristic and includes, but is not limited to, any local government body or like authority, a company or close corporation incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

"plumber" means a person who has passed a qualifying Trade Test in Plumbing or has been issued with a certificate of proficiency in terms of the Manpower Training Act, 1981 (Act No 56 of 1981) or such other qualification as may be required under national legislation;

'pollution' means the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it—

- (a) less fit for any beneficial purpose for which it may reasonably be expected to be used;

"nywerheidsdoeleindes" met betrekking tot die verskaffing van water beteken 'n perseel wat gebruik word vir vervaardiging, handel- en diensbedrywe, elektrisiteitsopwekking, land-gebasseerde vervoer, konstruksie of enige ander verwante bedryf;

"nywerheidsuitvloeisel" beteken uitvloeisel wat uit die gebruik van water vir nywerheidsdoeleindes voortgebring word en sluit, vir die doeleindest van hierdie verordening, enige uitvloeisel in, uitgesonderd standaard huishoudelike uitvloeisel of stormwater;

"okkupereder" beteken 'n persoon wat grond, 'n gebou, struktuur of perseel (of enige deel daarvan) okkuper, en sluit in 'n persoon wat vir iemand anders se vergoeding of beloning 'n loseerde of huuder of enige ander soortgelyke persoon toelaat om grond, 'n gebou, struktuur of perseel (of enige deel daarvan) te gebruik of te okkuper;

"omgewingskoste" beteken die koste van alle maatreëls wat nodig is om die omgewing te herstel in die toestand waarin dit was voor 'n voorval wat skade tot gevolg het;

"ongemagtigde aansluiting" beteken, maar is nie beperk tot—

- (a) 'n aansluiting wat nie goedgekeur is nie;
- (b) 'n aansluiting gemaak deur 'n ongemagtigde persoon;
- (c) 'n aansluiting wat gemaak is met toebehore wat nie goedgekeur is nie;
- (d) 'n aansluiting wat dienste verskaf vir 'n nie-goedgekeurde gebruik;

"ongemagtigde diens" beteken die opvang, gebruik of verbruik van 'n munisipale diens wat nie ingevolge 'n ooreenkoms is met of deur die munisipaliteit goedgekeur is nie;

"onwettige aansluiting" beteken 'n aansluiting aan 'n stelsel waardeur 'n munisipale diens verskaf word en wat nie deur die munisipaliteit gemagtig of goedgekeur is nie;

"ooreenkoms" beteken die kontraktuele verhouding tussen die munisipaliteit en 'n verbruiker,

"oorlas" beteken enige toestand, handeling of versuim wat aanstaalbaar of gevaarlik is en wat die veiligheid, orde of die gesondheid van een of meer inwoners van die enige gebied in die munisipaliteit bedreig;

"openbare kennisgewing" beteken publikasie in die media, insluitende een of meer van die volgende—

- (a) publikasie van 'n kennisgewing, in die amptelike tale wat deur die munisipale raad bepaal is—
 - (i) in 'n plaaslike koerant of koerante wat in die voorsieningsgebied van die munisipaliteit versprei word;
 - (ii) in die koerant of koerante wat in die voorsieningsgebied van die munisipaliteit versprei word en deur die munisipale raad as 'n koerant van rekord bepaal is; of
 - (iii) op die amptelike webwerf van die munisipaliteit;
 - (iv) deur middel van radio-uitsendings wat die voorsieningsgebied van die munisipaliteit dek;

- (b) wat 'n kennisgewing vertoon in of op 'n perseel, kantoor, biblioteek of betaalpunt van óf die munisipaliteit waartoe die publiek redelike toegang het; en

- (c) kommunikasie met verbruikers deur middel van openbare vergaderings en wykskomitee-vergaderings;

"openbare water" enige rivier, waterloop, baai, riviermonding, die see en enige ander water ten opsigte waarvan die publiek 'n gebruiksreg of 'n toegangsreg geniet, uitgesluit waterbronne waaruit die munisipaliteit water ontrek of gebruik vir die berging van water;

"perseel" beteken 'n stuk grond, met of sonder verbeteringe, wat binne die bestuursgebied van die munisipaliteit geleë is en waarvan die buitevlakgrense geskets is op—

- (a) 'n algemene plan of diagram wat ingevolge die Opmetingswet, 1927 (Wet Nr. 9 van 1927), of ingevolge die Registrasie van Aktes Wet, 1937 (Wet Nr. 47 van 1937), geregistreer is;
- (b) 'n deelplan wat ingevolge die Wet op Deeltitels, 1986 (Wet Nr. 95 van 1986), geregistreer is; of
- (c) 'n register gehou deur 'n stamowerheid of ooreenkomsdig 'n beëdigde verklaring wat deur 'n stamowerheid gemaak is;

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| <p>(b) harmful or potentially harmful—</p> <ul style="list-style-type: none"> (i) to the welfare, health or safety of human beings; (ii) to any aquatic or non-aquatic organisms; (iv) to the resource quality; or (v) to property; <p>“premises” means any piece of land, with or without improvements, which is situated within the area of jurisdiction of the municipality and where the external surface boundaries are delineated on—</p> <ul style="list-style-type: none"> (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act 9 of 1927), or in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937); or (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986); or (c) a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority; <p>“prescribed fee” means a fee including a tariff or charge determined by the municipality by resolution;</p> <p>“professional engineer” means a person registered in terms of the Engineering Profession Act, 2000 (Act No 46 of 2000) as a professional engineer or technologist;</p> <p>“public notice” means publication in the media including one or more of the following—</p> <ul style="list-style-type: none"> (a) publication of a notice, in the official languages determined by the municipality— <ul style="list-style-type: none"> (i) in any local newspaper or newspapers circulating in the area of supply of the municipality; (ii) in the newspaper or newspapers circulating in the area of supply of the municipality determined by the municipality as a newspaper of record; or (iii) on the official website of the municipality; (iv) by means of radio broadcasts covering the area of supply of the municipality; (b) displaying a notice in or at any premises, office, library or pay-point of either the municipality, or of its authorised agent, to which the public has reasonable access; and (c) communication with consumers through public meetings and ward committee meetings; <p>“public water” means any river, watercourse, bay, estuary, lagoon, the sea and any other water which the public has a right to use or to which the public has the right of access excluding any water sources which the municipality abstracts water from or use for the storage of water;</p> <p>“SANS 10241” means the standards prescribed for the quality of drinking water by the South African National Standards;</p> <p>“sanitation services” has the same meaning assigned to it in terms of the Act and includes for purposes of this by-law the disposal of industrial effluent;</p> <p>“sanitation system” means the structures, pipes, valves, pumps, meters or other appurtenances used in the conveyance through the sewer reticulation system and treatment at the sewage treatment plant under the control of the municipality and which may be used by it in connection with the disposal of sewage;</p> <p>“septic tank” means a water tight tank designed to receive sewage and to effect the adequate decomposition of organic matter in sewage by bacterial action;</p> <p>“service pipe” means a pipe which is part of a water installation provided and installed on any premises by the owner or occupier, and which is connected, or to be connected, to a connection pipe to serve the water installation on the premises;</p> <p>“shared consumption” means the consumption during a specific period, that is calculated by dividing the total metered consumption in the supply zone where the consumer’s premises are situated for the same period, by the number of consumers within the supply zone, during that period;</p> | <p>“perseelriool” beteken dié deel van die perseelrioolinstallasie wat rioolvuil binne ’n perseel vervoer;</p> <p>“perseelrioolinstallasie” beteken ’n stelsel wat op ’n perseel geleë is en by die eienaar daarvan berus en wat gebruik word vir of in verband met die opong, opgaar, behandeling of vervoer van rioolvuil op daardie perseel na die aansluitpunt en sluit in perseelriole, toebehoore, toestelle, septiese tenks, riooltenks, putlatrines en private pomplinstallasies wat deel uitmaak van of aanvullend is tot sulke stelsels;</p> <p>“perseelrioolwerk” sluit in enige perseelriool, sanitêre toebehoorsel, watervoorsieningsbybehoore, vuilwater- of ander pyp of enige werk wat met die afvoer van vloeibare of vaste stof in ’n perseelriool of riool of andersins met die dreinering van ’n perseel verband hou;</p> <p>“persoon” beteken ’n persoon hetsy ’n natuurlike of ’n regspersoon, en sluit in, maar is nie beperk nie tot, ’n plaaslike regeringsliggaam of soortgelyke owerheid, ’n maatskappy of beslote korporasie wat kragtens ’n wet geïnkorporeer is, ’n liggaam van persone hetsy geïnkorporeer of nie, ’n statutêre liggaam, openbare nutsliggaam, vrywillige organisasie of trust;</p> <p>“professionele ingenieur” beteken ’n persoon wat ingevolge die Wet op die Ingenieurswese Professie, 2000 (Wet Nr. 46 van 2000), as ’n professionele ingenieur of tegnoloog geregistreer is;</p> <p>“rekening” beteken ’n rekening of rekeninge gelewer vir munisipale dienste wat verskaf is;</p> <p>“riool” beteken ’n pyp of leippyp wat die eiendom is van of berus by die munisipaliteit en wat gebruik kan word vir die vervoer van rioolvuil vanaf die aansluitriool, en sluit nie ’n perseelriool in soos omskryf nie;</p> <p>“rioolvuil” beteken vuilwater, nywerheidsuitvloeisel, standaard huishoudelike uitvloeisel en ander vloeibare afval, hetsy afsonderlik of in kombinasie, maar sluit nie stormwater in nie;</p> <p>“rioolvuilewegdoenstelsel” die strukture, pype, kleppe, pompe, meters of ander toebehoorsels wat in die vervoer van riool deur die rioolnetstelsel gebruik word en behandeling by die verwerkingsaanleg onder beheer van die munisipaliteit; “riooltenk” beteken ’n bedekte tenk wat gebruik word om rioolvuil op te vang en tydelik te hou en wat met tussenposes leeggemaak moet word;</p> <p>“sanitasiedienste” het dieselfde betekenis as wat ingevolge die Wet daaraan toege wys is en sluit vir die doeleindes van hierdie verordening die wegdoening van nywerheidsuitvloeisel in;</p> <p>“sanitasiedienste ter plaatse” beteken sanitasiedienste behalwe spoelrioolewegdoening deur ’n rioolwegdoenstelsel;</p> <p>“sanitasiestelsel” beteken die strukture, pype, kleppe, pompe, meters of ander bybehore wat gebruik word vir die vervoer deur die rioolnetstelsel en behandeling by die rioolvuilewegdoenstelsel onder die beheer van die munisipaliteit en wat deur hom gebruik kan word in verband met die wegdoening van rioolvuil;</p> <p>“SANS 10241” beteken die standaard voorgeskryf vir drinkwater deur die Suid-Afrikaanse Nasionale Standaard;</p> <p>“septiese tenk” beteken ’n waterdigte tenk wat ontwerp is om rioolvuil op te vang en die toereikende ontbinding van organiese stof in rioolvuil deur bakteriese werking te bewerkstellig;</p> <p>“skoonmaakoog” beteken ’n toegangsopening na die binnekant van ’n afvoerpyp of sperder wat vir die doel van inwendige skoonmaak voorsien word;</p> <p>“sperder” beteken ’n stuk pyptoebehore of deel van ’n sanitêre toestel wat ontwerp is om ’n waterslot wat as ’n versperring teen die vloei van bedorwe lug of gas dien, in posisie tehou;</p> <p>“staanpyp” beteken ’n aansluiting waardeur watervoorsieningsdienste aan meer as een persoon verskaf word;</p> <p>“standaard huishoudelike uitvloeisel” beteken huishoudelike uitvloeisel binne voorgeskrewe sterke kenmerke ten opsigte van chemiese suurstofbehoefte en besinkbare vaste stowwe soos gepas te wees vir rioolvuilewegdoenstelsel uit huishoudelike persele;</p> <p>“stormwater” beteken water wat die gevolg van natuurlike neerslag of versameling is en sluit reënwater, ondergrondwater of fonteinwater in;</p> <p>“sypelriool” beteken ’n vuilweekput vir die wegdoening van rioolvuil en uitvloeisel uit ’n septiese tenk;</p> <p>“uitvloeisel” beteken enige vloeistof hetsy dit opgeloste stowwe of stowwe in suspensie bevat of nie;</p> |
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"sewage" means waste water, industrial effluent, standard domestic effluent and other liquid waste, either separately or in combination, but shall not include storm water;

"sewage disposal system" means the structures, pipes, valves, pumps, meters or other appurtenances used in the conveyance through the sewer reticulation system and treatment at the sewage treatment plant under the control of the municipality;

"sewer" means any pipe or conduit which is the property of or is vested in the municipality and which may be used for the conveyance of sewage from the connecting sewer and shall not include a drain as defined;

"standpipe" means a connection through which water supply services are supplied to more than one person;

"standard domestic effluent" means domestic effluent with prescribed strength characteristics in respect of chemical oxygen demand and settleable solids as being appropriate to sewage discharges from domestic premises within the jurisdiction of the municipality;

"stop-valve" means a valve for the connection or disconnection of water supply; **"stormwater"** means water resulting from natural precipitation or accumulation and includes rainwater, subsoil water or spring water;

"terminal water fitting" means water fitting at an outlet of a water installation that controls the discharge of water from a water installation;

"trade premises" means premises upon which industrial effluent is produced;

"trap" means a pipe fitting or portion of a sanitary appliance designed to retain water seal which serves as a barrier against the flow of foul air or gas, in position;

"unauthorised connection" means, but is not limited to—

- (a) a connection which has not been approved;
- (b) a connection which was made by an unauthorised person;
- (c) a connection which have been made with unapproved fittings; and
- (d) a connection which is providing services for an unapproved use;

"unauthorised service" means the receipt, use or consumption of any municipal service which is not in terms of an agreement with, or approved by, the municipality;

"water demand management mechanism" means any instrument or device which may be installed to control or manage the flow of water to a consumer and may be controlled mechanically or electronically;

"water fitting" means a component of a water installation, other than a pipe, through which water passes or in which it is stored;

"water installation" means the pipes and water fittings which are situated on any premises of which ownership vests in the owner and used in connection with the use of water on such premises, and includes a pipe and water fitting situated outside the boundary of the premises, which either connects to the connection pipe relating to such premises or is otherwise laid with the permission of the municipality;

"water services" means water supply services and sanitation services;

"water services intermediaries" has the same meaning as that assigned to it in terms of the Act;

"water supply services" has the same meaning assigned to it in terms of the Act and includes for purposes of this by-law water for industrial purposes and fire extinguishing services;

"water supply system" means the structures, aqueducts, pipes, valves, pumps, meters or other apparatus relating thereto of which the ownership vests in the municipality and which are used or intended to be used by it in connection with the supply of water;

"wet industry" means an industry which discharges industrial effluent; and

"working day" means a day other than a Saturday, Sunday or public holiday.

(2) Any reference in Chapter I of this by-law to water services or services must be interpreted as referring to water supply services or sanitation services depending on the services to which it is applicable.

"vasgestel" beteken vasgestel deur die munisipaliteit of deur enige persoon wat 'n vasstelling ingevolge hierdie verordening maak;

"verbindingspunt" die punt waar die perseelrioleringsinstallasie en die verbindingssrool by mekaar aansluit;

"verbindingspyp" 'n pyp waarvan die eiendom in die munisipaliteit setel en wat deur die munisipaliteit geïnstalleer is met die doel om water vanaf 'n hooftoevoer na 'n waterinstallasie te voer en sluit in 'n "kommunikasiepyp" waarna in SANS 10252 Deel 1 verwys word in;

"verbindingsriool" 'n pyp wat deur die munisipaliteit besit en geïnstalleer is met die doel om rioolvuil vanaf 'n perseel weg te voer na 'n perseel buite die grense van daardie perseel of binne 'n serwituutgebied of binne 'n gebied wat aan 'n toegangsverlof of 'n ooreenkoms onderhewig is;

"verbruiker" beteken—

- (a) 'n eienaar of okkuperde van 'n perseel waartoe of waarop die munisipaliteit onderneem het om waterdienste te verskaf, of reeds verskaf, of, waar daar geen okkuperde is nie, enige persoon met wie die munisipaliteit 'n ooreenkoms aangegaan het vir die voorsiening van waterdienste na of op sodanige perseel, met dien verstaande, waar waterdienste deur middel van 'n enkelverbinding aan 'n aantal okkuperders voorsien word, dan die okkuperde van persoon waarmee die munisipaliteit ooreengekom het om waterdienste te verskaf; of

- (b) 'n persoon wat toegang tot waterdienste verkry wat deur middel van 'n gemeenskaps waterdienstewerk voorsien word;

"vloedhoogterand" (1 in 50 jaar)" daardie hoogte wat deur vloedwater weens 'n storm met 'n frekwensie van 1 in 50 jaar bereik is;

"vloedvlakte" (1 in 50 jaar)" die area onderhewig aan oorstrooming deur vloedwater weens 'n storm met 'n frekwensie van 1 in 50 jaar;

"voorgeskrewe tarief of heffing" 'n heffing deur die munisipaliteit voorgeskryf;

"voorsieningsgebied" beteken 'n gebied binne of gedeeltelik binne die regsgebied van die munisipaliteit waaraan 'n waterdiens verskaf word;

"wateraanvraag bestuursmeganisme" beteken enige instrument of toebehore wat geïnstalleer kan word om watervloeい na enige verbruiker te beheer of te bestuur en kan elektronies of megansies beheer word.

"waterdienste" beteken watervoorsieningsdienste en sanitasdienste;

"waterdienste-tussengangers" het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is;

"waterinstallasie" beteken die pype en watertoehoere wat geleë is op 'n perseel en waarvan die eienaarskap by die eienaarberus en gebruik word in verband met die gebruik van water op so 'n perseel, en sluit enige pyp en watertoehoersel in wat buite die grens van die perseel geleë is wat óf by die verbindingspyp met betrekking tot sodanige perseel aansluit óf andersins met die toestemming van die munisipaliteit gelê is;

"watertoehoersel" beteken 'n komponent, behalwe 'n pyp, van 'n waterinstallasie waardeur water vloeи of waarin dit opgegaar word;

"watervoorsieningsdienste" het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is en sluit vir die doeleindes van hierdie verordening water vir nywerheidsdoeleindes en brandbestrydingsdoeleindes in;

"watervoorsieningstelsel" beteken die strukture, brugkanale, pype, kleppe, pompe, meters of ander bybehore wat daarmee in verband staan, waarvan die eienaarskap by die munisipaliteit berus en wat gebruik word in verband met die verskaffing van water;

"werkdag" beteken 'n ander dag as 'n Saterdag, Sondag of openbare vakansiedag;

"Wet" beteken die Wet op Waterdienste, 1997 (Wet nr. 108 van 1997), soos van tyd tot tyd gewysig; en

"wooneenheid" beteken 'n tussenverbinde stel kamers, insluitende 'n kombuis of opwaskamer, ontwerp vir okkupasie deur 'n enkelgesin, ongeag of die wooneenheid 'n enkelgebou is of deel uitmaak van 'n gebou wat twee of meer wooneenhede bevat.

(2) Enige verwysing na waterdienste of dienste in Hoofstuk I van hierdie verordening, moet uitgelê word as verwysend na watervoorsieningsdienste of sanitasdienste, afhangende van die dienste waarop dit van toepassing is.

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| <p><i>Part 2: Application for water services</i></p> <p>2. Application for water services</p> <p>No person may gain access to water services from the water supply system, sewage disposal system or through any other sanitation services without approval in terms of the municipality's Credit Control and Debt Collection Policy.</p> <p>3. Special agreements for water services</p> <p>The municipality may enter into a special agreement with a consumer for the provision of water services in terms of its Credit Control and Debt Collection Policy including the installation of water demand management systems</p> <p>4. Change in purpose for which water services are used</p> <p>Where the purpose for, or extent to which, any municipal service is changed, the consumer must promptly advise the municipality of the change.</p> <p><i>Part 3: Tariffs and charges</i></p> <p>5. Prescribed charges for water services</p> <p>All tariffs and or charges payable in respect of water services rendered by the municipality in terms of this by-law shall be determined in terms of its Tariff Policy as well as any regulations in terms of national or provincial legislation.</p> <p>6. Availability charges for water services</p> <p>The municipality may levy availability charges in terms of its Tariff Policy.</p> <p><i>Part 4: Payment</i></p> <p>7. Payment of deposit</p> <p>Every consumer must on application for the provision of water services and before such water services will be provided by the municipality, pay a deposit in terms of the municipality's Tariff Policy.</p> <p>8. Payment for water services provided</p> <p>Water services provided by the municipality to a consumer shall be paid for at the tariff determined in terms of the municipality's Tariff Policy.</p> <p><i>Part 5: Accounts</i></p> <p>9. Accounts</p> <p>(1) Monthly accounts for water consumption must be delivered to consumers in accordance with the municipality's Credit Control and Debt Collection Policy</p> <p>(2) If a meter is found to be defective, the municipality must adjust the account rendered in terms of section 55.</p> <p>(3) A consumer shall not be entitled to a reduction of the amount payable for water wasted in a water installation or water losses unless he or she can prove the reparation of a leakage on his or her premises during such period and comply with such further requirements as prescribed in the municipality's Credit Control and Debt Collection Policy.</p> <p><i>Part 6: Termination, limitation and discontinuation of water services</i></p> <p>10. Termination of agreement for the provision of water services</p> <p>(1) A consumer may terminate an agreement for the provision of water services in accordance with the municipality's policy relating to credit control and debt collection by giving to the municipality notice in</p> | <p><i>Deel 2: Aansoek om waterdienste</i></p> <p>2. Aansoek om waterdienste</p> <p>Geen persoon mag vanuit die watervoorsieningstelsel, rioolvulwegdoenstelsel of deur middel van enige ander sanitasiedienste toegang tot waterdienste bekom sonder goedkeuring ingevolge die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid nie.</p> <p>3. Spesiale ooreenkoms vir waterdienste</p> <p>Die munisipaliteit kan ingevolge sy Kredietbeheer- en Skuldinvorderingsbeleid 'n spesiale ooreenkoms vir die verskaffing van waterdienste met 'n verbruiker aangaan insluitende die installering van water aanvraag bestuursmeganismes.</p> <p>4. Verandering in doel waarvoor waterdienste gebruik word</p> <p>Waar die doel of omvang van 'n munisipale diens verander, moet die verbruiker die munisipaliteit onverwyld in kennis stel van die verandering.</p> <p><i>Deel 3: Tariewe en gelde</i></p> <p>5. Voorgeskrewe gelde vir waterdienste</p> <p>Alle tariewe en heffings betaalbaar ten opsigte van waterdienste deur die munisipaliteit ingevolge hierdie verordening gelewer, sal bepaal word in ooreenstemming met sy Tariefbeleid asook enige regulasies ingevolge nasionale of provinsiale wetgewing</p> <p>6. Beskikbaarheidsgelde vir waterdienste</p> <p>Die munisipaliteit mag beskikbaarheidsgelde hef ingevolge sy Tariefbeleid.</p> <p><i>Deel 4: Beting</i></p> <p>7. Beting van deposito</p> <p>Tydens aansoek om die voorsiening van waterdienste en voordat die munisipaliteit sodanige waterdienste voorsien, moet elke verbruiker 'n deposito betaal soos bepaal in die munisipaliteit se Tariefbeleid.</p> <p>8. Beting vir gelewerde waterdienste</p> <p>'n Verbruiker moet vir waterdienste die tarief betaal, soos bepaal in die munisipaliteit se Tariefbeleid.</p> <p><i>Deel 5: Rekening</i></p> <p>9. Rekening</p> <p>(1) Maandelikse rekeninge vir waterverbruik moet ingevolge die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid aan verbruikers gelewer word.</p> <p>(2) Indien 'n meter foutief bevind word moet die munisipaliteit die rekening in terme van artikel 55 aanpas.</p> <p>(3) 'n Verbruiker is nie geregtig op 'n vermindering van die verskuldigde bedrag vir water wat vermors is in 'n water installasie of vir waterverlies nie, tensy hy of sy bewys kan lewer van die herstel van 'n lekkasie op sy of haar perseel gedurende sodanige tydperk en voldoen aan sodanige verdere vereistes soos voorgeskryf in die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid;</p> <p><i>Deel 6: Beëindiging, inkorting en staking van waterdienste</i></p> <p>10. Beëindiging van ooreenkoms vir die verskaffing van waterdienste</p> <p>(1) 'n Verbruiker kan 'n ooreenkoms vir die voorsiening van waterdienste beëindig ingevolge die munisipaliteit se Kredietbeheer-</p> |
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writing of his or her intention to do so in which case the municipality shall be entitled to recover from the consumer the applicable tariff for removal of the measuring device.

(2) The municipality may, by notice in writing of not less than thirty working days, advise a consumer of the termination of his, her or its agreement for the provision of water services if—

- (a) he, she or it has not used the water services during the preceding six months and has not made arrangements for the continuation of the agreement;
- (b) he, she or it has failed to comply with the provisions of this by-law and has failed to rectify such failure to comply on notice in terms of section 19; or
- (c) an arrangement has been concluded with another water services institution to provide water services to the consumer.

(3) The municipality may, after having given reasonable notice, terminate an agreement for services if a consumer has vacated the premises to which such agreement relates.

11. Limitation or discontinuation of water services provided

The municipality may restrict or discontinue water services provided in terms of this by-law—

- (a) on failure to pay the prescribed tariffs or charges on the date specified, in accordance with and after the procedure set out in the municipality's by-laws relating to credit control and debt collection has been applied;
- (b) at the written request of a consumer;
- (c) if the agreement for the provision of services in accordance with the municipality's by-laws relating to credit control and debt collection has been terminated in terms of section 10 and it has not received an application for subsequent services to the premises within a period of 90 (ninety) days of such termination;
- (d) the building on the premises to which services were provided has been demolished; it is the responsibility of the owner to give notice of any building that is going to be demolished;
- (e) if the consumer has interfered with a restricted or discontinued service;
- (f) in an emergency; or emergency situation declared in terms of the municipality's by-laws relating to credit control and debt collection;
- (g) if the consumer has interfered, tampered or damaged or caused or permitted interference, tampering or damage to the water supply system of the municipality for the purposes of gaining access to water supply services after notice by the municipality; or
- (h) on failure to comply with any other provisions of this by-law, after notice in terms of section 19 was given.

Part 7: General provisions

12. Responsibility for compliance with this by-law

The owner of premises is responsible for ensuring compliance with this by-law in respect of all or any matters relating to any installation.

13. Exemption

(1) The municipality may, in writing exempt an owner, consumer, any other person or category of owners, consumers, or other persons from complying with a provision of this by-law, subject to any conditions it may impose, if he or she is of the opinion that the application or operation of that provision would be unreasonable, provided that exemption shall not be granted from any section of this by-law that may result in—

- (a) the wastage or excessive consumption of water;
- (b) the evasion or avoidance of water restrictions;
- (c) significant negative effects on public health, safety or the environment;

Skuldinvorderingsbeleid deur skriftelike kennis in welke geval die munisipaliteit geregtig sal wees om die toepaslike tarief vir die verwydering van die meetapparaat van die verbruiker te verhaal.

(2) Die munisipaliteit kan 'n verbruiker van die beëindiging van sy of haar ooreenkoms vir die voorsiening van waterdienste in kennis te stel deur middel van skriftelike kennisgewing van nie minder as dertig werksdae indien—

- (a) hy of sy nie die waterdienste tydens die voorafgaande ses maande gebruik het nie, en geen bevredigende reëlings met die munisipaliteit getref het vir die voortbestaan van die ooreenkoms nie;
- (b) hy of sy versuim het om 'n bepaling van hierdie verordening na te kom en in gebreke gebly het om sodanige versuim in ooreenstemming met 'n kennisgewing ingevolge artikel 19 te herstel; of
- (c) 'n reëling met 'n ander waterdiensteliggaam aangegaan is om waterdienste aan daardie verbruiker te lewer.

(3) Die munisipaliteit kan na redelike kennis 'n ooreenkoms vir die voorsiening van waterdienste beëindig indien die verbruiker die perseel ten aansien waarvan die ooreenkoms geld, ontruim het.

11. Inkorting of staking van waterdienste wat verskaf is

Die munisipaliteit kan watervoorsieningsdienste inkort of staak—

- (a) by versuim om die vasgestelde gelde op die gespesifiseerde datum te betaal, ooreenkomstig en nadat die prosedure wat in die munisipaliteit se verordeninge betreffende kredietbeheer en skuldinvordering uiteengesit word, toegepas is;
- (b) op skriftelike versoek van 'n verbruiker;
- (c) indien die ooreenkoms vir die verskaffing van dienste ingevolge die munisipaliteit se kredietbeheer en skuldinvordering verorderinge beëindig is interme van artikel 10 en die munisipaliteit nie 'n aansoek vir latere dienste na die perseel binne negentig (90) dae na sodanige beëindiging ontvang het nie;
- (d) indien die gebou op die perseel waaraan dienste verskaf word, gesloop is; dit is die verantwoordelikheid van die eienaar om kennis te gee van sloping van die gebou;
- (e) indien die verbruiker met 'n ingekorte of gestaakte diens gepeuter het;
- (f) in 'n noodgeval of nood situasie wat verstaanbaar is in terme van die munisipaliteit se verordeninge met betrekking tot kredietbeheer en skuldinvordering;
- (g) indien die verbruiker met die watervoorsieningstelsel van die munisipaliteit ingemeng of gepeuter het of dit beskadig het of inmenging, peunting of skade veroorsaak of toegelaat het met die doel om toegang tot watervoorsieningsdienste te verkry;
- (h) by versuim om aan enige ander bepalings van hierdie verordening te voldoen nadat kennis ingevolge Artikel 19 gegee is.

Deel 7: Algemene bepalings

12. Verantwoordelikheid vir nakoming van hierdie verordening

Die eienaar van 'n perseel is verantwoordelik vir nakoming van hierdie verordening ten opsigte van alle of enige aangeleentheid met betrekking tot enige installasie, te verseker.

13. Vrystelling

(1) Die munisipaliteit kan 'n eienaar, verbruiker, enige ander persoon of kategorie eienaars, verbruikers of ander persone skriftelik vrystel van nakoming van 'n bepaling van hierdie verordening, onderhewig aan sodanige voorwaarde as wat dit mag voorskryf, indien hy daarvan oortuig is dat die afdwinging van dié bepaling onredelik sou wees, met dien verstande dat vrystelling nie van enige artikel van hierdie verordening verleen sal word indien dit kan aanleiding gee tot—

- (a) die verkwisting of buitensporige verbruik van water;
- (b) die ontwyking of ontkuiting van water beperkings;
- (c) negatiewe uitwerkings op openbare gesondheid, veiligheid of die omgewing;

- (d) the non-payment for services;
 - (e) the installation of pipes and fittings which are not approved in terms of this by-law and
 - (f) the Act, or any regulations made in terms of it, not being complied with.
- (2) The municipality may at any time after giving written notice of at least thirty days, withdraw any exemption given in terms of subsection (1).

14. Unauthorised use of water services

- (1) No person may gain access to water services from the water supply system, sewage disposal system or any other sanitation services without approval of the municipality.
- (2) The municipality may, irrespective of any other action it may take in terms of this by-law, by written notice order a person who has gained access to water services from the water supply system, sewage disposal system or any other sanitation services without approval—
 - (a) to apply for such services in terms of sections 2 or 3; and
 - (b) to undertake such work as may be necessary to ensure that the consumer installation through which access was gained complies with the provisions of this by-law.
- (3) The provisions of sections 18 and 19 shall apply to a notice in terms of subsection (2) above.

15. Interference with water supply system or any sanitation services

- (1) No person shall manage, operate or maintain the water supply system or any sanitation system unless authorised by this by-law or an authorised agent.
- (2) No person may without approval effect a connection to the water supply system or sewage disposal system of the municipality.

16. Interference with infrastructure

- (1) No person may unlawfully interfere with infrastructure through which the municipality provides municipal services.
- (2) If a person contravenes subsection (1), the municipality may—
 - (a) by written notice require such person to stop or rectify the interference at his own expense within a specified period; or
 - (b) in an emergency, without prior notice, prevent or rectify the interference and recover the cost from such person.
- (3) The municipality may recover any costs associated with damage caused as a result of the contravention of subsections (1) and (2).

17. Obstruction of access to water supply system or any sanitation services

- (1) No person may prevent or restrict physical access of the municipality to infrastructure through which water, sanitation and sewage services are provided.
- (2) If a person contravenes subsection (1), the municipality may—
 - (a) by written notice require such person to restore access at his or her own expense within a specified period; or
 - (b) in an emergency, without prior notice restore access and recover the cost from such person.
- (3) The cost recoverable by the municipality is the full costs associated with restoring access and includes, but is not restricted to, any exploratory investigation, surveys, plans, specifications, schedules of quantities, supervision, administration charge, the use of tools, the expenditure of labour involved in disturbing or rehabilitation of any part of a street or ground affected by the repairs and the environmental cost.

- (d) die nie-betaling vir dienste;
 - (e) die installering van pype en toebehore wat nie ingevolge hierdie verordening goedgekeur is nie, en
 - (f) die nie-nakoming van die Wet of enige regulasies wat daarkragtens uitgevaardig is.
- (2) Die munisipaliteit kan te eniger tyd nadat skriftelike kennis van minstens dertig dae gegee is, enige vrystelling wat ingevolge subartikel (1) gegee is, terugtrek.

14. Ongemagtigde gebruik van waterdienste

- (1) Geen persoon mag toegang tot waterdienste vanuit die watervoorsieningstelsel, rioolvuil-wegdoenstelsel of enige ander sanitasdienste bekom 'n sonder goedkeuring van die munisipaliteit nie.
- (2) Afgesien van die instel van enige ander stappe ingevolge hierdie verordening teen 'n persoon wat sonder 'n goedkeuring van die munisipaliteit dienste vanuit die watervoorsieningstelsel, rioolvuilwegdoenstelsel of enige ander sanitasdienste bekom het, kan die munisipaliteit so 'n persoon by wyse van skriftelike kennisgewing aansé—
 - (a) om aansoek te doen vir sodanige dienste ingevolge artikels 2 en 3; en
 - (b) om die werk te onderneem wat nodig is om die verbruikersinstallasie waardeur toegang bekom is, aan die voorskrifte van hierdie verordening te laat voldoen.
- (3) Die bepalings van artikels 18 en 19 sal geld ten opsigte van 'n kennisgewing ingevolge subartikel (2) hierbo.

15. Inmenging met watervoorsieningstelsel of enige sanitasdienste

- (1) Niemand mag die watervoorsieningstelsel of enige sanitäre stelsel bestuur, bedien of onderhou sonder magtiging ingevolge hierdie verordening nie.
- (2) Niemand mag sonder goedkeuring 'n verbinding aan die watervoorsieningstelsel of rioolvuilwegdoenstelsel van die munisipaliteit aanbring nie.

16. Inmenging met infrastruktuur

- (1) Geen persoon mag onwettiglik inmeng met infrastruktuur waardeur die munisipaliteit munisipale dienste verskaf nie.
- (2) Indien 'n persoon subartikel (1) oortree, kan die munisipaliteit—
 - (a) by skriftelike kennisgewing so 'n persoon gelas om die inmenging op sy eie koste binne 'n gespesifieerde tydperk te staak of reg te stel; of
 - (b) 'n in 'n noodgeval, sonder vooraf kennisgewing die inmenging regstel en die koste van sodanige persoon verhaal.
- (3) Die munisipaliteit mag die kostes verbonde aan skade wat veroorsaak is as gevolg van oortreding van subartikels (1) en (2) verhaal.

17. Versperring van toegang tot watervoorsieningstelsel of enige sanitasdienste

- (1) Niemand mag toegang van die munisipaliteit tot die watervoorsieningstelsel of rioolvuilwegdoenstelsel voorkom of beperk nie.
- (2) By die nie-nakoming van subartikel (1), kan die munisipaliteit—
 - (a) sodanige persoon deur middel van skriftelike kennisgewing aansé om op sy of haar eie onkoste toegang binne 'n bepaalde tydperk te herstel; of
 - (b) 'n in 'n noodgeval, sonder vooraf kennisgewing die toegang herstel en die koste van sodanige persoon verhaal.
- (3) Die koste wat deur die munisipaliteit verhaal kan word is die volle koste verbonde aan die herstel van die skade en sluit in, maar is nie beperk tot enige ondersoek, opmetings, planne, spesifikasies, hoeveelheidslyste, toesig, administrasiekoste, die gebruik van gereedskap, die uitgawe aan arbeid verbonde aan die versteuring of rehabilitasie van enige deel van 'n straat of grond wat deur die herstelaksie beïnvloed word asook die omgewingskoste.

18. Signing of notices and documents

A notice or document issued by the municipality in terms of this by-law and signed by a staff member of the municipality is considered to have been duly issued and may on its mere production be accepted by a court as *prima facie* evidence of that fact.

19. Service of notices

(1) Any notice or other document that is served on a person in terms of this Act in terms of any other legislation is regarded as having been served—

- (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
 - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates.
- (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
- (3) Any legal process is effectively and sufficiently served on a municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

20. Authentication of documents

Every order, notice or other document requiring authentication by the municipality shall be sufficiently authenticated, if it is signed by the municipal manager or by a duly authorised person.

21. Prima facie evidence

In legal proceedings by or on behalf of the municipality, a certificate reflecting an amount of money as being due and payable to the municipality, shall, if it is made under the hand of the municipal manager, or an authorised person, shall upon its mere production constitute *prima facie* evidence of the debt.

22. Power to serve and compliance with notices

(1) The municipality may, by written notice, order an owner, consumer or any other person who fails to comply with the provisions of this by-law or of any condition imposed there under to remedy such breach within a period specified in the notice.

(2) If a person fails to comply with a written notice within the specified period, the municipality may take such action that is necessary to ensure compliance, including—

- (a) undertaking the work necessary itself and recovering the cost of such action or work from that owner, consumer or other person;
- (b) limiting or discontinuing the provision of services; and
- (c) instituting legal proceedings.

18. Ondertekening van kennisgewings en dokumente

'n Kennisgewing of dokument wat ingevolge hierdie verordening deur die munisipaliteit uitgereik word en wat onderteken is deur 'n personeellid van die munisipaliteit, word geag as behoorlik uitgereik en kan by blote voorlegging daarvan deur 'n hof as *prima facie*-bewys van daardie feit aanvaar word.

19. Lewering van kennisgewings

(1) 'n Kennisgewing of ander dokument wat ingevolge hierdie Wet op 'n persoon bestel word, word geag bestel te wees—

- (a) wanneer dit persoonlik aan daardie persoon aangelewer is;
- (b) wanneer dit by daardie persoon se woning of sake-onderneeming in die Republiek gelaat is by 'n persoon wat klaarblyklik oor die ouderdom van sestien jaar is;
- (c) wanneer dit per geregistreerde of gesertifiseerde pos aan daardie persoon se laaste bekende woon- of sake-adres in die Republiek gepos is en 'n bewys van die pos daarvan van die posdiens verkry is;
- (d) indien daardie persoon se adres in die Republiek onbekend is, wanneer dit op daardie persoon se agent of verteenwoordiger in die Republiek bestel word op die wyse waarvoor voorsiening gemaak is in paragrafe (a), (b) of (c); of
- (e) indien daardie persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, wanneer dit op 'n opsigtelike plek op die eiendom of perseel, indien enige, waarop dit betrekking het, opeaglek is.

(2) Wanneer 'n kennisgewing of ander dokument gemagtig moet word of op die eienaar, inwoner of houer van enige eiendomsreg of reg op enige eiendom bestel moet word, is dit voldoende indien daardie persoon in die kennisgewing of ander dokument beskryf word as "die eienaar", "inwoner" of "houer" van die betrokke eiendomsreg of reg, en is dit nie nodig om daardie persoon by naam te noem nie.

(3) 'n Regsproses word effektief en voldoende op 'n munisipaliteit bestel wanneer dit aan die munisipale bestuurder of 'n persoon aan diens in die munisipale bestuurder se kantoor, aangelewer word.

20. Waarmerk van dokumente

Elke lasgewing, kennisgewing of ander dokument wat waarmerking deur die munisipaliteit vereis, is voldoende gewaarmerk indien dit onderteken is deur die munisipale bestuurder of deur 'n behoorlik gemagtigde persoon.

21. Prima facie-bewys

Inregsverrigtinge deur of namens die munisipaliteit maak 'n sertifikaat wat 'n bedrag geld weerspieël wat aan die munisipaliteit verskuldig en betaalbaar is, as dit deur die munisipale bestuurder of 'n gemagtigde persoon onderteken is, by blote voorlegging daarvan prima facie-bewys van die skuld uit.

22. Bevoegdheid om kennisgewings te lewer en nakoming van kennisgewings

(1) Die munisipaliteit kan by wyse van skriftelike kennisgewing 'n eienaar, verbruiker of enige ander persoon wat versuim om te voldoen aan die bepaling van hierdie verordening of aan enige voorwaarde ingevolge daarvan opgelê, gelas om sodanige versuim of nie-nakoming aan te suiwer of te herstel binne 'n tydperk in die kennisgewing vermeld.

(2) Indien 'n persoon versuim om binne die voorgeskrewe tydperk aan 'n kennisgewing te voldoen, kan die munisipaliteit sodanige stappe doen as wat nodig is om nakoming te verseker, insluitend—

- (a) om self die nodige werk te verrig en die koste verbonde aan sodanige werk of optrede van daardie eienaar, verbruiker of ander persoon te verhaal;
- (b) die inkorting of staking van die lewering van dienste; en
- (c) die instel van regsaksie.

- (3) A notice in terms of subsection (1) must—
- give details of the provision of the by-law not complied with;
 - give the owner, consumer or other person a reasonable opportunity to make representations and state his or her case, in writing, to the municipality within a specified period, unless opportunity therefor was given before the notice was issued;
 - specify the steps necessary to rectify the failure to comply;
 - specify the period within which the steps specified must be taken; and
 - indicate that the municipality—
 - may undertake such work necessary to rectify the non-compliance and that any costs associated with such work may be recovered from the owner, consumer or other person; and
 - may take any other action necessary to ensure compliance.
- (4) In the event of an emergency the municipality may without prior notice undertake the work required by subsection (3)(e)(i) and recover the costs from such person.
- (5) The costs recoverable by the municipality in terms of subsections (3) and (4) is the full cost associated with that work and includes, but is not limited to, any exploratory investigation, surveys, plans, specifications, schedules of quantities, supervision, administration charge, the use of tools, the expenditure of labour involved in disturbing or rehabilitation of any part of a street or ground affected by the work and the environmental cost.

23. Power of entry and inspection

- The municipality may enter and inspect any premises for any purpose connected with the implementation or enforcement of this by-law, at all reasonable times, after having given reasonable written notice to the occupier of the premises.
- Any entry and inspection must be conducted in conformity with the requirements of the Constitution of South Africa, 1996.
- A municipal official may be accompanied by an interpreter and any other person reasonably required to assist him or her in conducting the inspection.
- A person representing the municipality must, on request, provide his identification.

24. Provision of information

An owner, occupier, consumer or person within the area of supply of the municipality must provide the municipality with accurate information that is reasonably required by the municipality for the implementation or enforcement of this by-law.

25. False statements or information

No person shall make a false statement or furnish false information to the municipality or falsify a document issued in terms of this by-law.

26. Indemnification from liability

Neither employees of the municipality nor any person, body, organisation or corporation acting on behalf of the municipality is liable for any damage arising from any omission or act done in good faith in the course of his duties unless the damage is caused by a wrongful act or negligence.

27. Conflict of law

If there is any conflict between this by-law and any other by-laws of the municipality, this by-law will prevail.

- (3) 'n Kennisgewing ingevolge subartikel (1) moet—
- besonderhede verskaf van die verordeninge waaraan nie voldoen is nie;
 - die eienaar, verbruiker of ander persoon 'n redelike geleentheid bied om vertoe te rig en sy of haar saak binne 'n voorgeskrewe tydperk skriftelik aan die munisipaliteit te stel, tensy sodanige geleentheid voor die uitreiking van die kennisgewing gegun was;
 - die stappe wat geneem moet word ten einde die versuim te herstel, voorskryf;
 - die tydperk waarbinne die voorgeskrewe stappe uitgevoer moet word; en
 - aandui dat die munisipaliteit—
 - sodanige werk as wat nodig mag wees om die versuim te herstel, self mag onderneem en dat enige koste wat met sodanige werk gepaard mag gaan, van die eienaar, verbruiker of ander persoon verhaal mag word; en
 - enige ander stappe wat nodig mag wees om nakoming te verseker.

(4) In 'n noodgeval mag die munisipaliteit sonder vooraf kennisgewing enige werk wat ingevolge subartikel (3)(e)(i) vereis word, self onderneem en die koste daaraan verbonde van sodanige persoon verhaal.

(5) Die koste wat ingevolge subartikels (3) en (4) deur die munisipaliteit verhaalbaar is, is die volle omvang van die koste wat met sodanige werk gepaard gaan, met insluiting, sonder om daartoe beperkte te wees, van enige oopsporingsondersoek, opnames, planne, spesifikasies, bylaes van hoeveelhede, toesig, administratiewe heffings, die gebruik van gereedskap, die arbeidskoste verbonde aan die versteuring of herstel van enige gedeelte van 'n straat of terrein wat deur die werksaamheid geraak word, sowel as die omgewingskoste.

23. Bevoegdheid om te betree en te inspekteer

(1) Die munisipaliteit mag te alle redelike tye, nadat redelike skriftelike kennisgewing aan die okkuperer van die perseel gegee is 'n perseel betree en inspekteer vir enige doel wat met die implementering of toepassing van hierdie verordening verband hou.

(2) Enige betreding en inspeksie moet verrig word in ooreenstemming met die vereistes van die Grondwet van Suid-Afrika, 1996.

(3) 'n Munisipale beampte mag vergesel word deur 'n tolk of enige ander persoon wat redelikerwys nodig is om hom of haar met die uitvoer van die inspeksie te help.

(4) 'n Persoon wat die munisipaliteit verteenwoordig moet, op versoek, sy identifikasie toon.

24. Verskaffing van inligting

'n Eienaar, okkuperer, verbruiker of persoon binne die voorsieningsgebied van die munisipaliteit moet die munisipaliteit van akkurate inligting voorsien wat redelickerwys deur die munisipaliteit vereis word vir die implementering of toepassing van hierdie verordening.

25. Vals verklarings of inligting

Niemand mag 'n vals verklaring maak of vals inligting verskaf aan die munisipaliteit nie, of 'n dokument ingevolge hierdie verordening uitgereik, vervals nie.

26. Vrywaring van aanspreeklikheid

Nie 'n werknemer van die munisipaliteit of enige persoon, liggaam, organisasie of korporasie wat namens die munisipaliteit optree, is aanspreeklik vir enige skade wat ontstaan uit enige handeling of versuim wat in goeie trou in die loop van sy of haar pligte gedoen is, tensy die skade deur 'n onregmatige daad of nalatigheid veroorsaak word.

27. Strydigheid van wette

Indien daar enige teenstrydigheid tussen hierdie verordening en enige ander verordeninge van die munisipaliteit is, geld hierdie verordening.

28. Transitional arrangements

(1) Installation work authorised by the municipality prior to the commencement date of this by-law or authorised installation work in progress on that date is considered to have been authorised in terms of this by-law; and the municipality may, for a period of 90 (ninety) days after the commencement of this by-law, authorise installation work in accordance with the by-laws that regulated that work immediately prior to the promulgation of this by-law.

(2) Any approval, consent or exemption granted under the by-laws repealed by section 29 shall remain valid.

(3) No consumer shall be required to comply with this by-law by altering a water installation or part of it which was installed in conformity with any by-laws applicable immediately prior to the commencement of this by-law; provided that if, in the opinion of the municipality, the installation, or part, is so defective or in a condition or position that could cause waste or undue consumption of water, pollution of the water supply or a health hazard, the municipality may by notice require the consumer to comply with the provisions of this by-law.

29. Repeal of existing municipal water services 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.

30. Short title and commencement

This by-law shall be known as the Water Services By-laws of the Swartland municipality.

31. Appeals against decisions of the municipality

A person whose rights are affected by a decision delegated by the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefor 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.

32. Waste of water

(1) No consumer may permit—

- (a) the purposeless or wasteful discharge of water;
- (b) pipes or water fittings to leak;
- (c) the use of maladjusted or defective water fittings;
- (d) an overflow of water to persist or
- (e) an inefficient use of water to persist.

(2) An owner must repair or replace any part of his or her water and sanitation installation which is in such a state of disrepair that it is causing or is likely to cause an occurrence listed in subsection (1).

(3) If an owner fails to take measures as contemplated in subsection (2), the municipality shall, by written notice in terms of section 22, require the owner to comply with the provisions of subsection (1).

(4) A consumer must ensure that any equipment or plant connected to his or her water installation uses water in an efficient manner.

(5) The municipality may, by written notice, prohibit the use by a consumer of any equipment in a water or sanitation installation if his or her use of water is inefficient. Such equipment shall not be returned to use until its efficiency has been restored and a written application to do so has been approved by the municipality.

28. Oorgangsreëlings

(1) Installeringswerk wat deur die munisipaliteit voor die inwerkingtredingsdatum van hierdie verordening gemagtig is, of gemagtigde installeringswerk wat op daardie datum aan die gang is, word geag ingevolge hierdie verordening gemagtig te gewees het en die munisipaliteit kan, vir 'n tydperk van negentig (90) dae na die inwerkingtreding van hierdie verordening, installeringswerk magtig ooreenkomsdig die verordeninge wat daardie werk onmiddellik voor die afkondiging van hierdie verordening gereguleer het.

(2) Enige goedkeuring, toestemming of vrystelling wat gegee is kragtens die verordeninge wat deur artikel 29 herroep is, sal geldig bly.

(3) Daar sal van geen verbruiker vereis word om aan hierdie verordening te voldoen deur 'n waterinstallasie of deel daarvan wat geïnstalleer is ooreenkomsdig enige verordeninge wat onmiddellik voor die inwerkingtreding van hierdie verordening van toepassing was, te verander nie; met dien verstande dat indien, na die mening van die munisipaliteit, die installering of deel daarvan so defektief is of in 'n toestand of posisie is wat verkwisting of onbehoorlike verbruik van water, besoedeling van die watertoever of 'n gesondheidsgevaar kan veroorsaak, die munisipaliteit by kennisgewing die verbruiker kan gelas om aan die bepalings van hierdie verordening te voldoen.

29. Herroeping van bestaande munisipale waterdienste-verordeninge

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit geïnkorporeer is, afgekondig is, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

30. Kort titel en inwerkingtreding

Hierdie verordening heet die Waterdienste Verordeninge van die Swartland munisipaliteit.

31. Appèl teen besluite van die munisipaliteit

'n Persoon wie se regte geraak word deur 'n besluit wat deur die munisipaliteit gedelegeer is, mag ingevolge Artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000 teen daardie besluit appèl aanteken deur binne 21 dae van die kennisgewing van die besluit skriftelike kennis van die appèl en die redes daarvoor aan die munisipale bestuurder te gee.

32. Verkwisting van water

(1) Geen verbruiker mag toelaat dat—

- (a) water doelloos of verkwistend uitgelaat word nie;
- (b) pype of watertoebehore lek nie;
- (c) wanaangepaste of defektiewe watertoebehore gebruik word nie;
- (d) 'n oorloop van water volgehou word nie; of
- (e) ondoeltreffende watergebruik voortduur nie.

(2) 'n Eienaar moet enige deel van sy water- en sanitasie-installasie wat in so 'n swak toestand is dat dit 'n toestand wat in subartikel (1) genoem word, veroorsaak of waarskynlik sal veroorsaak, vervang of herstel.

(3) Indien 'n eienaar versuim om maatreëls te tref soos in subartikel (2) boog, moet die munisipaliteit, by skriftelike kennisgewing in terme van artikel 22, die eienaar gelas om aan die bepalings van subartikel (1) te voldoen.

(4) 'n Verbruiker moet toesien dat enige toerusting of aanleg wat aan sy of haar waterinstallasie gekoppel is, water op 'n doeltreffende wyse gebruik.

(5) Die munisipaliteit kan, by skriftelike kennisgewing, die gebruik van enige toerusting in 'n water- of sanitasie-installasie deur 'n verbruiker verbied indien sy of haar gebruik van water ondoeltreffend is en sodanige toerusting mag nie weer gebruik word nie tensy die doeltreffendheid daarvan herstel is of 'n skriftelike aansoek om aldus te doen deur die munisipaliteit goedgekeur is.

33. Unauthorised and illegal discharges

- (1) No person may discharge or cause or permit any sewage to be discharged directly or indirectly into a storm water drain, river, stream or other watercourse, whether natural or artificial.
- (2) The owner or occupier of any premises on which steam or any liquid other than potable water, is stored, processed or generated shall provide all facilities necessary to prevent any discharge or leakage of such liquid to any street, storm water drain or watercourse, whether natural or artificial, except where, in the case of steam, the municipality has approved such discharge.
- (3) Where the hosing down or flushing by rainwater of an open area on any premises is likely to cause the discharge of objectionable matter into any street, storm water drain, river, stream or other watercourse, whether natural or artificial, or to cause or contribute towards the pollution of any such watercourse, the municipality may, by notice, require the owner of the premises to take reasonable measures to prevent or minimise such discharge or pollution.
- (4) No person may discharge or cause or permit the discharge of—
- (a) any substance other than sewage to be discharged into a drainage installation;
 - (b) water from any swimming pool directly or indirectly over any road or into a gutter, storm water drain, watercourse, open ground or private premises;
 - (c) water from artificial fountains, reservoirs or swimming pools, storm water or roof water into a drainage installation, without the approval of the municipality and subject to the payment of relevant fees and such conditions as the municipality may impose;
 - (d) any sewage, industrial effluent or other liquid or substance which—
 - (i) may be offensive to or may cause a nuisance to the public;
 - (ii) is in the form of steam or vapour or has a temperature exceeding 44°C at the point where it enters the sewer;
 - (iii) has a pH value less than 6.0;
 - (iv) contains any substance likely to produce or release explosive, flammable, poisonous or offensive gases or vapours in any sewer;
 - (v) contains any substance having an open flashpoint of less than 93°C or which releases a poisonous vapour at a temperature below 93°C;
 - (vi) contains any material including oil, grease, fat or detergents capable of causing obstruction to the flow in sewers or drains or interference with the proper operation of a sewage treatment works;
 - (vii) shows any visible signs of tar or associated products or distillates, bitumen or asphalts;
 - (viii) contains any substance in such concentration to produce an undesirable taste after chlorination or an undesirable odour or colour, or excessive foam;
 - (ix) has either a greater PV or COD (Chemical Oxygen Demand) value, a lower pH value, or a higher caustic alkalinity or electrical conductivity than specified in Schedule A, without the prior approval and subject to the payment of relevant fees and such conditions as the municipality may impose;
 - (x) contains any substance which—
 - (aa) cannot be treated at the sewage treatment works to which it could be discharged; or
 - (bb) will negatively affect the treatment processes at the sewage treatment works to which it is discharged;
 - (cc) will negatively impact on the ability of the sewage treatment works to produce discharges that meet the waste water discharge standards set in terms of the National Water Act, 1998 (Act No 36 of 1998), or
 - (xi) either alone or in combination with other substance may—
 - (aa) generate or constitute a toxic substance dangerous to the health of persons employed at the sewage treatment

33. Ongemagtigde en onwettige uitlaat

- (1) Geen persoon mag rioolvuil regstreeks of onregstreeks in 'n stormwaterstelsel, rivier, stroom of ander waterstroom, hetsy natuurlik of kunsmatig, uitlaat of toelaat dat dit uitgelaat word nie.
- (2) Die eienaar of okkuperer van 'n perseel waarop stoom of ander vloeistof behalwe drinkbare water opgegaar, verwerk of gegeneere word, moet alle fasilitete verskaf wat nodig is om 'n uitlaat of lekkasie van sodanige vloeistof in 'n straat, stormwaterriool of waterloop, hetsy natuurlik of kunsmatig, te voorkom, behalwe waar, in die geval van stoom, die munisipaliteit sodanige uitlaat goedgekeur het.
- (3) Waar die afspuit of afspoel van 'n oop gebied deur reënwater waarskynlik die uitlaat van aanstootlike stowwe in 'n straat, stormwaterriool, rivier, stroom of ander waterloop, hetsy natuurlik of kunsmatig, sal veroorsaak, of die besoedeling van enige sodanige waterloop sal veroorsaak of daartoe sal bydra, kan die munisipaliteit die eienaar van die perseel gelas om maatreëls te tref om sodanige uitlaat of besoedeling te voorkom of te verminder.
- (4) Geen persoon mag—
- (a) enige stof behalwe rioolvuil in 'n perseelrioolinstallasie uitlaat nie;
 - (b) water uit 'n swembad regstreeks of onregstreeks oor enige pad of in 'n geut, stormwaterriool, waterloop, oop grond of privaat perseel uitlaat nie
 - (c) water uit kunsmatige fonteine, reservoirs of swembaddens of stormwater of dakwater, in 'n perseelrioolinstallasie uitlaat sonder die goedkeuring van die munisipaliteit en betaling van toepaslike geldie nie.
 - (d) enige rioolvuil, nywerheidsuitvloeisel of ander vloeistof of stof uitlaat wat—
 - (i) skadelik vir die publiek kan wees of 'n oorlas vir die publiek kan veroorsaak nie;
 - (ii) in die vorm van stoom of damp is of 'n temperatuur het wat 44 °C oorskry by die punt waar dit die riol binne gaan nie;
 - (iii) pH-waarde van minder as 6.0 het nie;
 - (iv) waarskynlik 'n stof bevat wat plofbare, vlambare, giftige of skadelike gasse of dampe in enige riol kan voortbring of vrylaat nie;
 - (v) 'n stof bevat wat 'n oop flitspunt van minder as 93 °C het of 'n giftige damp teen 'n temperatuur van laer as 93 °C vrystel nie;
 - (vi) 'n stof, insluitende olie, vet of reinigingsmiddel bevat wat 'n versperring vir die vloeie in role of perseelrole of inmenging met die behoorlike werking van 'n rioolvuilbehandelingswerke kan veroorsaak nie;
 - (vii) enige sigbare tekens van teer of verwante produkte of distillate, bitumen of asfalt toon nie;
 - (viii) 'n stof in sulke konsentrasies bevat dat dit 'n ongewenste smaak na chlorering of 'n onwenslike reuk of kleur, of oormatige skuim kan voortbring nie;
 - (ix) of 'n groter PW of CSB (Chemiese Suurstofbehoefte)-waarde, 'n laer pH-waarde of 'n hoër bytalkaliniteit of elektriese geleivermoë het as wat in Bylae A gespesifieer word, sonder die vooraf goedkeuring van die munisipaliteit nie;
 - (x) 'n stof bevat wat—
 - (aa) nie by die rioolvuilbehandelingswerke waarheen dit uitgelaat word, behandel kan word nie;
 - (bb) die behandelingsprosesse by die rioolvuilbehandelingswerke waarheen dit uitgelaat word negatief sal beïnvloed nie, of
 - (cc) 'n negatiewe impak sal hê op die vermoë van die rioolvuilbehandelings-werke om uitlate te produseer wat sal voldoen aan die afvalwateruitlaat-standaarde wat ingevolge die Nasionale Waterwet, 1998 (Wet Nr. 36 van 1998) gestel is nie;
 - (xi) hetsy alleen of in kombinasie met 'n ander stof—
 - (aa) 'n toksiese stof genereer of uitmaak wat gevaelik is vir die gesondheid van mense wat by die rioolvuilbehandelingswerke werk of die raad se role of

- works or entering the municipality's sewers or manholes in the course of their duties; or
- (bb) be harmful to sewers, treatment plant or land used for the disposal of treated waste water; or
 - (cc) adversely affect any of the processes whereby sewage is treated or any re-use of sewage effluent.
- (5) No person may cause or permit the accumulation of grease, oil, fat or solid matter in any drainage installation that will adversely affect its effective functioning.
- (6) The municipality may, notwithstanding any other actions that may be taken in terms of this by-law, recover from any person who discharges industrial effluent or any substance which is unauthorised or illegal, all costs incurred by the municipality as a result of such discharges.

34. Illegal re-connection

A consumer whose access to water supply services have been restricted or disconnected, who intentionally re-connects to services or who interferes with infrastructure through which water supply services are provided, shall be disconnected.

35. Pipes in streets or public places

- (1) No person may, for the purpose of conveying water or sewage derived from whatever source, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by or under the control of the municipality, unless written permission has been obtained .
- (2) No other service (Telkom, Electricity, etc.) may be installed closer than one meter from an existing municipal water services pipe, and under no circumstances on top of such water pipe.

36. Use of water from sources other than the water supply system

- (1) No person may use or permit the use of water for domestic, commercial or industrial purposes, obtained from a source other than the water supply system without approval of the municipality
- (2) The provisions of sub section (1) do not apply to rain water tanks which are not connected to the water installation.
- (3) An applicant in terms of subsection (1) must provide proof that the water quality complies, whether as a result of treatment or otherwise, with the requirements of SANS 10241: Drinking Water, or that the use of such water does not or will not constitute a danger to health.
- (4) Any consent given in terms of subsection (1) may be withdrawn if—
 - (a) a condition imposed in terms of subsection (1) is breached; or
 - (b) the water quality no longer complies with the requirements referred to in subsection (3).
- (5) The municipality may take samples of such water to be tested for compliance with the requirements referred to in subsection (3).
- (6) The municipality may determine fees for the taking and testing of the samples referred to in subsection (5).
- (7) If water obtained from a borehole or other source of supply on any premises is used for a purpose which gives rise to the discharge of such water or a portion thereof into the municipality's sewerage system, the municipality may install a meter in the pipe leading from such borehole or other source of supply to the point or points where it is so used.

37. Service levels

- (1) The municipality may in accordance with national policy, but subject to principles of sustainability and affordability, by public notice, determine the service levels it is able to provide to consumers.

mangate in die loop van hulle pligte binnegaan; of skadelik is vir rirole, behandelingsaanlegte of grond wat vir die wegdoening van behandelde afvalwater gebruik word; of

- (bb) die rirole, behandelingsprosesse by die rioolvuilbehandelingswerke of grond waarheen dit uitgelaa kon word, negatief sal beïnvloed; of
- (cc) enige van die prosesse waarvolgens rioolvuil behandel word of enige hergebruik van rioolvuilvloeisel nadelig beïnvloed.

(5) Geen persoon mag die opeenhoping van vet, olie of vaste stof in enige perseelrioolinstallasie veroorsaak of toelaat wat die effektiewe funksionering daarvan nadelig sal beïnvloed nie.

(6) Die munisipaliteit mag, nieteenstaande enige ander stappe wat ingevolge hierdie verordening gedoen kan word, van enige persoon wat nywerheidsvloeisel of 'n stof wat ongemagtig of onwettig is uitaat, alle koste wat deur die munisipaliteit as gevolg van sodanige uitaat aangegaan word, verhaal.

34. Onwettige heraansluiting

'n Verbruiker wie se toegang tot watervoorsieningsdienste ingekort of gestaak is en wat daardie dienste heraansluit of wat inmeng met infrastruktuur waardeur watervoorsieningsdienste verskaf word, se dienste sal gestaak word.

35. Pype in strate of openbare plekke

- (1) Geen persoon mag vir die doel van afvoer van water of rioolvuil uit watter bron ook al afkomstig, 'n pyp of gepaardgaande komponent op, in of onder 'n straat, openbare plek of ander grond wat aan 'n munisipaliteit behoort of onder sy beheer is, lê of bou nie, sonder skriftelike goedkeuring van die munisipaliteit nie.
- (2) Geen ander diens (Telkom, elektrisiteit, ens.) mag nader as een meter vanaf 'n bestaande munisipale waterdienstepyp gelê word nie, en onder geen omstandighede bo-op 'n munisipale waterdienstepyp nie.

36. Gebruik van water uit ander bronne as die watertoeverstelsel

- (1) Geen persoon mag water wat nie uit die watertoeverstelsel verkry is vir huishoudelike, kommersiële of nywerheidsdoeleindes gebruik of die gebruik daarvan toelaat sonder die goedkeuring van die munisipaliteit nie.
- (2) Die bepalings van subartikel (1) geld nie vir reënwatertanks wat nie by die waterinstallasie aangesluit is nie.
- (3) 'n Aansoek in terme van subartikel (1) moet vergesel wees van bewys dat die watergehalte hetsy as gevolg van behandeling of andersins, voldoen aan die vereistes van SANS 10241: Drinkwater, of dat die gebruik van sodanige water nie 'n gevaar vir gesondheid inhou nie.
- (4) Enige toestemming wat ingevolge subartikel (1) gegee word, kan teruggetrek word indien—
 - (a) 'n voorwaarde wat ingevolge subartikel (1) gestel word, verbreek word; of
 - (b) die watergehalte nie meer voldoen aan die vereistes wat in subartikel (3) bedoel word nie.
- (5) Die munisipaliteit mag monsters neem van sodanige water en laat toets vir voldoening aan die vereistes wat in subartikel (3) bedoel word.
- (6) Die munisipaliteit mag tariewe bepaal vir die neem en toets van die monsters wat in subartikel (5) bedoel word.
- (7) Indien water wat uit 'n boorgat of ander voorraadbron op 'n perseel verkry word, gebruik word vir 'n doel wat aanleiding gee tot die uitaat van sodanige water of 'n deel daarvan in die munisipaliteit se rioolstelsel, mag die munisipaliteit 'n meter installeer in die pyp wat van sodanige boorgat of ander voorraadbron lei na die punt of punte waar dit aldus gebruik gaan word.

37. Dienstvlakte

- (1) Die munisipaliteit mag ooreenkomsdig nasionale beleid, maar onderworpe aan die beginsels van volhoubaarheid en bekostigbaarheid, die diensvlakte wat hy aan verbruikers kan verskaf by openbare kennisgewing vasstel.

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| <p>(2) The municipality may in determining service levels differentiate between types of consumers, domestic consumers, geographical areas and socio-economic areas.</p> <p>(3) The following levels of service may, subject to subsection (1), be provided by the municipality—</p> <p>(a) communal water supply services and on-site sanitation services—</p> <ul style="list-style-type: none"> (i) constituting the minimum level of service provided by the municipality; (ii) consisting of reticulated standpipes or a stationery water tank serviced either through a network pipe or a water tanker located within a reasonable walking distance from any household with a ventilated improved pit latrine located on each premises; and premises in this case mean the lowest order of visibly demarcated area on which some sort of informal dwelling has been erected; (iii) installed free of charge; (iv) provided free of any charge to consumers; and (v) maintained by the municipality. <p>(b) yard connection not connected to any water installation and an individual connection to the municipality's sanitation system—</p> <ul style="list-style-type: none"> (i) consisting of an un-metered standpipe not connected to any water installation and a pour-flush toilet pan, wash-trough and suitable toilet top structure connected to the municipality's sanitation system; (ii) installed free of charge; and (iii) maintained by the municipality. <p>(c) a metered pressured water connection with an individual connection to the municipality's sanitation system—</p> <ul style="list-style-type: none"> (i) installed against payment of the relevant connection fee; (ii) provided against payment of prescribed fee; and (iii) with the water and drainage installations maintained by the consumer. | <p>(2) Die munisipaliteit mag by die vasstelling van diensvlakte onderskei tussen soorte verbruikers, huishoudelike verbruikers, geografiese gebiede en sosio-ekonomiese gebiede.</p> <p>(3) Die volgende diensvlakte mag behoudens subartikel (1), deur die munisipaliteit voorsien word—</p> <p>(a) Gemeenskapswatervoorsieningsdienste en terreinsanasiydienste—</p> <ul style="list-style-type: none"> (i) wat die minimum diensvlak uitmaak wat deur die munisipaliteit verskaf word; (ii) wat bestaan uit geretikuleerde staanpype of 'n vaste watertenk wat bedien word deur óf 'n netwerkyp of 'n watertenk wat binne redelike loopafstand geleë is van enige huishouding met 'n geventileerde verbeterde put-latrine en perseel in hierdie geval beteken die laagste orde sigbare afgebakende gebied waarop 'n informele woning van een of ander aard opgerig is; (iii) wat gratis geïnstalleer is; (iv) wat kosteloos aan verbruikers gelewer word; en (v) wat deur die munisipaliteit in stand gehou word. <p>(b) 'n Werfaansluiting wat nie met 'n waterinstallasie verbind is nie en 'n individuele aansluiting by die munisipaliteit se sanitasiestelsel—</p> <ul style="list-style-type: none"> (i) wat bestaan uit 'n ongemeterde staanpype 'n wat nie met 'n waternaansluiting verbind is nie en 'n ingooi-spoeltoiletpan, wastrog en gesikte toilet bo-struktuur wat met die munisipaliteit se sanitasiestelsel verbind is; (ii) wat gratis geïnstalleer is; en (iii) wat deur die munisipaliteit in stand gehou word. <p>(c) 'n Gemeterde drukwaternaansluiting met 'n individuele verbinding met die munisipaliteit se sanitasiestelsel—</p> <ul style="list-style-type: none"> (i) wat teen betaling van die toepaslike aansluitgelde geïnstalleer is; (ii) wat teen betaling van voorgeskrewe geldte verskaf word; en (iii) met water- en perseelrioolinstallasies wat deur die verbruiker in stand gehou word. |
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CHAPTER 2: WATER SERVICES INTERMEDIARIES

38. Registration

The municipality may by public notice require water services intermediaries or classes of water services intermediaries to register in a manner specified in the public notice.

39. Provision of water services

- (1) A water services intermediary must ensure that water services, including basic services as determined by the municipality, are provided where he or she is obliged to provide water services.
- (2) The quality, quantity and sustainability of water services provided by a water services intermediary must meet any minimum standards prescribed in terms of the Act and must at least be of the same quality as provided by the municipality to consumers.

40. Charges for water services provided

- (1) A water services intermediary may not charge for water services at a price which does not comply with the norms and standards prescribed under the Act and any additional norms and standards as may be set by the municipality.
- (2) A water services intermediary must provide subsidised water services, as determined by the municipality in terms of its Tariff Policy.

HOOFTUK 2: WATERDIENSTE-TUSSENGANGERS

38. Registrasie

Die munisipaliteit kan by openbare kennisgewing van waterdienste-tussengangers of klasse waterdienste-tussengangers vereis om te regstreer op 'n wyse wat in die openbare kennisgewing gespesifiseer word.

39. Verskaffing van waterdienste

- (1) 'n Waterdienste-tussenganger moet verseker dat die waterdienste, insluitende basiese dienste soos deur die munisipaliteit bepaal, verskaf word waar hy of sy verplig is om waterdienste te verskaf.
- (2) Die gehalte, hoeveelheid en volhoubaarheid van waterdienste wat deur 'n waterdienste tussenganger verskaf word, moet voldoen aan die minimum standarde wat ingevolge die Wet voorgeskryf word, en moet minstens van dieselfde gehalte wees as wat deur die munisipaliteit aan verbruikers verskaf word.

40. Gelde vir waterdienste verskaf

- (1) 'n Waterdienste tussenganger mag nie 'n prys vir waterdienste vra wat nie voldoen aan die norme wat kragtens die Wet voorgeskryf word en enige bykomende norme en standarde wat deur die munisipaliteit gestel word nie.
- (2) 'n Waterdienste tussenganger moet gesubsidieerde waterdienste verskaf, soos deur die munisipaliteit ingevolge sy Tariefbeleid bepaal.

41. Water services intermediaries and people living on farms

- (1) A water services intermediary must have a contract with the consumer (for example an employment or property lease contract) of which the main purpose is not the provision of water services.
- (2) Farm owners are regarded as employers and as such responsible for housing and related services to their employees living on the farms. Farm owners are therefore water services intermediaries in terms of the Water Services Act and the Strategic Framework for Water Services (Clause 3.5.2) and are responsible for the provision of at least basic water services to people living on the farm.
- (3) The standard and tariff for water supplied by intermediaries must comply with sections 9 and 10 of the Water Services Act and any associated regulations and water quality must comply with the standards for human consumption as specified in SANS 10241.

CHAPTER 3: WATER SUPPLY SERVICES

Part 8: Connection to water supply system

42. Provision of connection pipe

- (1) If an agreement for water supply services has been concluded and no connection pipe exists in respect of the premises, the owner must apply on the prescribed form and pay the determined fee for the installation of such a pipe.
- (2) If an application is made for water supply services which are of such an extent or so situated that it is necessary to extend, modify or upgrade the water supply system in order to supply water to the premises, the municipality may agree to the extension provided that the owner must pay for the cost of the extension.
- (3) Only the municipality may install a connection pipe, but the owner or consumer may connect the water installation to the connection pipe.
- (4) No person may commence any development on any premises unless the municipality has installed a connection pipe and meter. A connection point will be provided by the municipality within 15 working days after a successful agreement for water supply services in respect of premises has been concluded.

43. Location of connection pipe

- (1) A connection pipe provided and installed by the municipality must—
- be located in a position determined by the municipality and be of a suitable size;
 - terminate at—
 - the boundary of the land owned by or vested in the municipality or over which it has a servitude or other right;
 - at the outlet of the water meter or isolating valve if it is situated on the premises; or
 - a position determined by the municipality.
- (2) The municipality may at the request of any person agree to a connection to a main other than that which is most readily available for the provision of water supply to the premises; provided that the applicant shall be responsible for any extension of the water installation to the connecting point designated by the municipality and for obtaining a servitude over other premises that may be necessary.
- (3) An owner must pay the determined connection charge in advance before a water connection can be effected.

44. Provision of single water connection for supply to several consumers on the same premises

- (1) Notwithstanding the provisions of section 42, only one connection pipe to the water supply system may be provided for the supply of water to any premises, irrespective of the number of accommodation units, business units or consumers located on such premises.

41. Waterdienste-tussengangers en bewoners van plase

- (1) Waterdienste-tussengangers moet 'n kontrak met die verbruiker hê, waarvan die hoofdoel nie die verskaffing van waterdienste is nie, byvoorbeeld 'n diens- of huurkontrak.
- (2) Plaaseienaars word beskou as werkgewers, en is as sodanig verantwoordelik vir die verskaffing van behuising en verwante dienste aan hulle werknemers en ander inwoners van die plaas. Plaaseienaars is dus ook waterdienste-tussengangers ingevolge die Waterdienstewet en die Strategiese Raamwerk vir Waterdienste (Klousule 3.5.2), en is verantwoordelik vir die verskaffing van minstens basiese waterdienste aan bewoners van die plaas.
- (3) Die standaard en tarief vir waterdienste wat deur waterdienste-tussengangers verskaf word, moet voldoen aan artikels 9 en 10 van die Waterdienstewet en enige gepaard-gaande regulasies, en waterkwaliteit moet voldoen aan die standarde vir menslike gebruik soos vervat in SANS 10241.

HOOFSTUK 3: WATEROORSIENINGSDIENSTE

Deel 8: Aansluiting by watervoorsieningsdiens

42. Voorsiening van verbindingsspp

- (1) Indien 'n ooreenkoms vir watervoorsieningsdienste aangegaan is en daar geen verbindingsspp ten opsigte van die perseel bestaan nie, moet die eienaar op die voorgeskrewe vorm aansoek doen en die vasgestelde geld vir die installering van so 'n spp betaal.
- (2) Indien aansoek gedoen word vir watervoorsieningsdienste wat van so 'n omvang is of so geleë is dat dit nodig is om die watervoorsieningstelsel uit te brei, te verander of op te gradeer ten einde water aan die perseel te verskaf, kan die munisipaliteit tot die uitbreiding instem op voorwaarde dat die eienaar vir die koste van die uitbreiding betaal.
- (3) Slegs die munisipaliteit mag 'n verbindingsspp installeer maar die eienaar of verbruiker kan die waterinstallasie by die verbindingsspp aansluit.
- (4) Geen persoon mag 'n ontwikkeling op 'n perseel begin nie tensy die munisipaliteit 'n verbindingsspp en meter geïnstalleer het. 'n Verbindingsspp sal deur die munisipaliteit voorsien word binne 15 werksdae nadat goedkeuring vir die voorsiening van waterdienste aan 'n perseel, gegee is.

43. Ligging van verbindingsspp

- (1) 'n Verbindingsspp wat deur die munisipaliteit voorsien en geïnstalleer is, moet—
- geleë wees in 'n posisie wat deur die munisipaliteit vasgestel is en van 'n gesikte grootte wees;
 - eindig by—
 - die grens van die grond wat aan die munisipaliteit behoort of by hom berus, of waarop hy 'n serwituit of ander reg het;
 - die uitlaat van die watermeter of isoleerklep as dit op die perseel geleë is; of
 - 'n posisie wat deur die munisipaliteit bepaal word.
- (2) Die munisipaliteit kan op versoek van enige persoon instem tot 'n ander aansluiting as die hoofleiding wat die beste is vir die verskaffing van water aan die perseel, met dien verstande dat die aansoeker verantwoordelik is vir enige uitbreiding van die waterinstallasie tot by die aansluitpunt wat deur die munisipaliteit aangewys word en vir die verkryging van enige serwituit oor ander persele wat nodig mag wees.
- (3) 'n Eienaar moet die vasgestelde aansluitgeld vooruit betaal voordat 'n waternaansluiting bewerkstellig kan word.

44. Voorsiening van 'n enkele waternaansluiting vir verskaffing aan verskeie verbruiker op dieselfde perseel

- (1) Nieteenstaande die bepalings van artikel 42, mag slegs een verbindingsspp na die watervoorsieningstelsel vir die verskaffing van water aan 'n perseel voorsien word, ongeag die aantal akkommodasie-eenhede, besigheidseenhede of verbruikers wat op so 'n perseel geleë is.

- (2) Where the owner, or occupier of any premises on which several accommodation units are situated, requires the supply of water to such premises for the purpose of supply to the different accommodation units, the municipality may provide and install—
- a single measuring device in respect of the premises as a whole or any number of such accommodation units; or
 - a separate measuring device for each accommodation unit or any number thereof.
- (3) Where the municipality has installed a single measuring device as contemplated in subsection (2)(a), the owner or occupier of the premises—
- must, if the municipality so requires, install and maintain on each branch pipe extending from the connection pipe to the different accommodation units—
 - a separate measuring device; and
 - an isolating valve; and
 - shall be liable to the municipality for the charges for all water supplied to the premises through such a single measuring device, irrespective of the different quantities consumed by the different consumers.
- (4) Notwithstanding subsection (1), the municipality may authorise that more than one connection pipe be provided on the water supply system for the supply of water to any premises comprising sectional title units if undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connection pipe.
- (5) Where the provision of more than one connection pipe is authorised by the municipality under subsection (4), the tariffs and charges for the provision of a connection pipe is payable in respect of each water connection so provided.
- (6) Where premises are supplied by a number of connection pipes, the municipality may require the owner to reduce the number of connection points and alter his water installation accordingly.

45. Interconnection between premises or water installations

An owner of premises shall ensure that no interconnection exists between the water installation on his or her premises and the water installation on other premises; or where several accommodation units are situated on the same premises, between the water installations of the accommodation units unless he or she has obtained the written consent of the municipality.

46. Disconnection of water installation from the connection pipe

The municipality may disconnect a water installation from the connection pipe and remove the connection pipe if—

- the agreement for supply has been terminated in terms of section 10 and it has not received an application for a subsequent supply of water to the premises served by the pipe within a period of 90 days of such termination;
- the building on the premises concerned has been demolished; or
- the provision of water supply services is terminated in accordance with the municipality's Credit Control And Debt Collection Policy.

Part 9: Communal water services works

47. Provision of a water services work for water supply to several consumers

(1) The municipality may install a communal standpipe for the provision of water services to several consumers at a location it considers appropriate, provided that a majority of consumers, to whom water services will be provided by the standpipe, has been consulted and informed of the level of service, the tariffs payable and the location thereof.

(2) The municipality may provide communal water services through a communal installation designed to provide a controlled volume of water to several consumers.

(2) Waar die eienaar of okkuperdeer van 'n perseel waarop verskeie akkommodasie-eenhede geleë is die verskaffing van water aan sodanige perseel vereis vir die doel van verskaffing aan die verskillende akkommodasie-eenhede, mag die munisipaliteit—

- 'n enkele meettoestel ten opsigte van die perseel as 'n geheel of enige aantal sodanige akkommodasie-eenhede verskaf en installeer; of
 - 'n afsonderlike meettoestel vir elke akkommodasie eenheid of enige aantal daarvan verskaf en installeer.
- (3) Waar die munisipaliteit 'n enkele meettoestel geïnstalleer het soos beoog in subartikel (2) (a), moet die eienaar of okkuperdeer van die perseel—
- op elke takpyp wat van die verbindingspyp tot by die verskillende akkommodasie-eenhede strek—
 - 'n afsonderlike meettoestel; en
 - 'n isoleerklep installeer en in stand hou; en
 - is hy teenoor die munisipaliteit aanspreeklik vir die gelde van alle water wat deur so 'n enkele meettoestel aan die perseel verskaf word, ongeag die verskillende hoeveelhede wat deur die verskillende verbruikers verbruik word.
- (4) Ondanks subartikel (1) kan die munisipaliteit magtig verleen dat meer as een verbindingspyp op die watervoorsieningstelsel voorsien word vir die verskaffing van water aan enige perseel wat uit deeltel-eenhede bestaan indien die voorsiening van slegs een verbindingspyp onnodige ontbering of ongerief aan enige verbruiker op sodanige perseel tot gevolg sal hê.
- (5) Waar die munisipaliteit die voorsiening van meer as een verbindingspyp ingevolge subartikel (4) gemagtig het, is die tariewe en heffings vir die voorsiening van 'n verbindingspyp betaalbaar ten opsigte van elke waterverbinding aldus voorsien.
- (6) Waar persele deur 'n aantal voorsieningspype bedien word, kan die munisipaliteit vereis dat die aantal voorsieningspunte verminder word en die waterinstallasie dienooreenkomsdig verander word.

45. Interverbinding tussen persele en waterinstallasies

'n Perseeleienaar moet verseker dat geen tussenverbinding tussen die waterinstallasie op sy of haar perseel en die waterinstallasie op ander persele, of waar verskeie wooneenhede op dieselfde perseel geleë is, tussen die waterinstallasies van die wooneenhede sal bestaan nie, tensy hy of sy skriftelike toestemming van die munisipaliteit het.

46. Ontkoppeling van waterinstallasie van verbindingspyp

Die munisipaliteit mag 'n waterinstallasie van die verbindingspyp ontkoppel en die verbindingspyp verwijder indien—

- die goedkeuring ingevolge artikel 10 beëindig is en geen aansoek binne 90 (negentig) dae na sodanige beëindiging vir 'n verdere voorsiening van water na die perseel wat deur die pyp bedien is, deur die munisipaliteit ontvang is;
- die gebou op die perseel gesloop is; of
- voorsiening van waterdienste ingevolge die munisipaliteit se Kredietbeheer en Skuldinvorderingsbeleid opgeskort is..

Deel 9: Gemeenskapswatervoorsieningsdienste

47. Verskaffing van watervoorsiening aan verskeie verbruikers

(1) Die munisipaliteit kan 'n gemeenskapstaanpyp vir die verskaffing van waterdienste aan verskeie verbruikers by 'n plek installeer wat hy gepas ag, met dien verstande dat 'n meerderheid van verbruikers 'n aan wie waterdienste deur die staanpyp verskaf gaan word, deur die munisipaliteit geraadpleeg is en ingelig is oor die vlak van diens, tariewe wat betaalbaar is en ligging van die werk.

(2) Die munisipaliteit kan gemeenskapswatervoorsieningsdienste verskaf deur 'n gemeenskapsinstallasie wat ontwerp is om 'n beheerde volume water aan verskeie verbruikers te voorsien.

*Part 10: Temporary water supply services***48. Water supplied from a hydrant**

(1) The municipality may authorise a temporary supply of water to be taken from one or more fire hydrants subject to such conditions and for any period that may be prescribed by it and payment of the applicable charges, including a deposit.

(2) A person who wishes to obtain a temporary supply of water referred to in subsection (1) must apply for such a water supply service in terms of section 2 and must pay the required deposit.

(3) The supply of water in terms of subsection (1) must be measured and the applicant shall provide a portable water meter and all other necessary fittings and apparatus.

*Part 11: Standards and general conditions of supply***49. Quantity, quality and pressure**

(1) Water supply services provided by the municipality must comply with the minimum standards set for the provision of water supply services in terms of section 9 of the Act.

(2) The municipality must implement a suitable water quality sampling programme specifying the sampling points, frequency of testing and substances for which the water will be tested, thereby ensuring that the water quality complies with the standards presented in SANS 241.

50. Testing of pressure in water supply systems

The municipality may, on application by a consumer and on payment of the determined charge, determine the available pressure in the water supply system relating to his premises over such period as the person may request.

51. Specific conditions of supply

(1) Notwithstanding the undertaking in section 49, the granting of a supply of water by the municipality shall not constitute an undertaking by it to maintain at any time or any point in its water supply system—

- (a) an uninterrupted supply, subject to the provisions of regulations 4 and 14 of GNR509 promulgated on 8 June 2011; or
- (b) a specific pressure or rate of flow in such supply other than requires in terms of the said regulations.

(2) The municipality may, subject to the provisions of subsection (1)(b), specify the maximum pressure to which water will be supplied from the water supply system.

(3) If an owner or consumer requires—

- (a) that any of the standards referred to in subsection (1); or
- (b) a higher standard of service than specified in section 49; be maintained on his premises, he or she shall take the necessary steps to ensure that the proposed water installation is able to meet such standards.

(4) The municipality may, in an emergency, interrupt the supply of water to any premises without prior notice.

(5) If the consumption of water by a consumer adversely affects the supply of water to another consumer, the municipality may apply such restrictions as necessary to the supply of water in order to ensure a reasonable supply of water to the other consumer and must inform that consumer about the restrictions.

(6) The municipality shall not be liable for any damage to property caused by water flowing from any water installation that is left open when the water supply is re-instated after an interruption in supply.

(7) Every steam boiler, hospital, industry and any premises which requires, a continuous supply of water shall have a storage tank, which must comply with the specification for water storage tanks as stipulated in SANS 10252 Part 1.

*Deel 10: Tydelike watervoorsieningsdienste***48. Water wat uit 'n brandkraan verskaf word**

(1) Die munisipaliteit mag 'n tydelike watertoever wat uit een of meer brandkrane geneem word magtig, onderworpe aan sodanige voorwaarde en vir 'n tydperk wat dit voorskryf en teen betaling van die vasgestelde geldie, insluitende 'n deposito.

(2) 'n Persoon wat ingevolge subartikel (1) 'n tydelike watertoever wil verkry moet aansoek doen vir die betrokke waterdiens ingevolge artikel 2 en die vereiste deposito betaal.

(3) Die voorsiening van water in terme van subartikel (1) moet gemeter word en die persoon moet 'n verplaasbare watermeter en alle ander toebehore en bybehore wat nodig is, voorsien.

*Deel 11: Standaarde en algemene voorwaarde van voorsiening***49. Hoeveelheid, gehalte en druk**

(1) Watervoorsieningsdienste wat deur die munisipaliteit verskaf word, moet voldoen aan die minimum standaarde wat vir die verskaffing van watervoorsieningsdienste ingevolge artikel 9 van die Wet gestel is.

(2) Die munisipaliteit moet 'n gesikte water moniteringsprogram implimenteer waarvolgens die monsterpunte, toetsfrekwensie en stowwe waarvoor getoets word gespesifieer word om te voldoen aan die vereistes van SANS 10241.

50. Toets van druk in watervoorsieningstelsels

Die munisipaliteit kan, op aansoek van 'n verbruiker en teen betaling van die vasgestelde geld, die hoeveelheid druk in die watervoorsieningstelsel met betrekking tot sy perseel oor sodanige tydperk as wat die persoon versoek, vasstel.

51. Spesifieke voorwaarde van verskaffing

(1) Nietenstaande die onderneming in artikel 49, maak die toestaan van waterverskaffing deur die munisipaliteit nie 'n onderneming deur hom uit om te eniger tyd of by enige punt in sy watervoorsieningstelsel—

- (a) 'n ononderbroke toevoer te handhaaf nie, behoudens die Bepalings van Regulasies 4 en 14 van GN 509 gepromulgeer op 8 Junie 2011; of
- (b) 'n spesifieke druk of vloeitempo in sodanige toevoer te handhaaf nie, behalwe soos vereis ingevolge gemelde regulasies.

(2) Die munisipaliteit mag, behoudens die bepalings van subartikel (1)(b), die maksimum druk waarteen water uit die watervoorsieningstelsel voorsien sal word, spesifieer.

(3) Indien 'n eienaar of verbruiker vereis—

- (a) dat enige van die standaarde wat in subartikel (1) bedoel word; of
- (b) 'n hoër diensstandaard as wat in artikel 49 gespesifieer word

op sy perseel gehandhaaf word, moet hy die nodige stappe doen om te verseker dat die beoogde waterinstallasie aan sodanige standaarde kan voldoen.

(4) Die munisipaliteit mag in 'n noodgeval die verskaffing van water aan enige perseel sonder vooraf kennisgewing onderbreek.

(5) Indien die verbruik van water deur 'n verbruiker die verskaffing van water aan 'n ander verbruiker nadelig beïnvloed, mag die munisipaliteit beperkings plaas op die verskaffing van water aan die verbruiker om 'n redelike toevoer van water aan 'n ander verbruiker te verseker, en moet hy daardie verbruiker van die beperkings verwittig.

(6) Die munisipaliteit is nie aanspreeklik vir enige skade aan eiendom wat veroorsaak word deur water wat vloeit uit 'n waterinstallasie wat oop gelaat is nadat die watertoever na 'n onderbreking in toevoer herstel word nie.

(7) Elke stoomketel, hospitaal, bedryf en enige perseel wat vir die doel van die werk wat op die perseel onderneem word 'n deurlopende watertoever vereis, moet 'n opgaartenk hê wat voldoen aan die spesifikasies vir wateropgaartenks soos in SANS 10252 Deel 1 vereis.

(8) The storage tank must have a capacity of not less than 24 hours water supply calculated as the quantity required to provide the average daily consumption where water can be stored when the continuous supply is disrupted.

(9) No consumer may resell water supplied to him by the municipality except with the written permission of the municipality.

Part 12: Measurement of water supply services

52. Measuring of quantity of water supplied

(1) All water supplied to a consumer by the municipality shall pass through a meter or other measuring device for the purpose of measuring the quantity of water supplied at regular intervals.

(2) A meter referred to in subsection (1) and its associated apparatus shall be provided and installed by the municipality and shall remain the municipality's property, and may be changed and maintained by the municipality.

(3) (a) The municipality may install the meter, and its associated apparatus, serving a water installation at any point in the installation;

(b) If the municipality installs a meter in a water installation in terms of subsection (3) (a), it may install a section of pipe and associated fittings between the end of its connection pipe and the meter, and such section shall be deemed to form part of the water installation;

(c) The municipality may require a consumer install the meter in the boundary wall of his or her premises.

(4) If the municipality installs a meter in a water installation in terms of subsection (5), the owner must—

(a) provide a place in which to install it;

(b) ensure that unrestricted access is available to it at all times;

(c) be responsible for its protection and be liable for the costs arising from damage thereto or loss thereof, excluding damage arising from normal fair wear and tear;

(d) ensure that no connection is made to the pipe in which the meter is installed, between the meter and the connection pipe serving the installation; and

(e) make provision for the drainage of water which may be discharged, from the pipe in which the meter is installed, in the course of work done by the municipality on the meter.

(5) No person other than an authorised official may—

(a) disconnect a meter from the pipe in which it is installed;

(b) break a seal which the municipality has placed on a meter; or

(c) in any other way interfere with a meter and its associated apparatus.

(6) If the municipality considers that the size of a meter is unsuitable due to the quantity of water supplied to premises, it may replace it and may recover the cost from the consumer.

(7) The municipality may require the installation, at the owner's expense, of a meter to each dwelling unit, in separate occupancy, on any premises, for use in determining quantity of water supplied to each such unit; provided that where fixed quantity water delivery systems are used a single meter may be used to supply more than one unit.

(8) All water meters shall comply with the Trade Metrology Act, (Act No 77 of 1973), as amended from time to time and must be SABS approved.

53. Quantity of water supplied to consumer

(1) For the purpose of assessing the quantity of water supplied to a consumer during any period and measured through a meter installed by the municipality over a specific period, it shall be deemed, unless the contrary can be proved, that—

(8) Die opgaartenk moet 'n inhoudsvermoë hê van nie minder nie as 24 uur se watervoorraad, bereken as die hoeveelheid wat nodig is om die gemiddelde daaglikske verbruik te voorsien, waar water opgegaar kan word wanneer die deurlopende toevoer onderbreek word.

(9) Geen verbruiker mag water wat deur die munisipaliteit aan hom verskaf word, herverkoop nie, behalwe met die skriftelike toestemming van die munisipaliteit.

Deel 12: Meting van watervoorsieningsdienste

52. Meting van hoeveelheid water wat verskaf word

(1) Alle water wat deur die munisipaliteit aan 'n verbruiker verskaf word moet deur 'n meter of ander meetapparaat vloeい wat daargestel is om die hoeveelheid water wat voorsien word teen gerekende intervalle te meet.

(2) 'n Meettoestel waarna in subartikel (1) verwys word en sy gepaardgaande bybehore 'n moet deur die munisipaliteit voorsien en geïnstalleer word, en moet deur die munisipaliteit verander en in stand gehou word.

(3) (a) Die munisipaliteit kan 'n meettoestel en die gepaardgaande bybehore op enige punt in die dienspyp installeer.

(b) Indien die munisipaliteit ingevolge subartikel (3)(a) 'n meettoestel op 'n dienspyp installeer, kan hy 'n seksiepyp en gepaardgaande bybehore tussen die eindpunt van sy verbindingspyp en die meter installeer, en daardie seksie maak deel van die waterinstallasie uit.

(c) Die munisipaliteit mag vereis dat 'n verbruiker die meter in die grensmuur van sy of haar eiendom installeer.

(4) Indien die munisipaliteit ingevolge subartikel (3) 'n meettoestel op 'n dienspyp installeer, moet die eienaar—

(a) 'n plek voorsien waar dit geïnstalleer kan word;

(b) onbeperkte toegang daar toe verseker;

(c) dit beskerm en aanspreeklikheid aanvaar vir die koste wat spruit uit skade daaraan, uitgesonderd skade wat uit billike slytasisie spruit;

(d) verseker dat geen aansluiting aan die pyp waarin die meettoestel geïnstalleer is, tussen die meettoestel en die verbindingspyp wat die installasie bedien, gemaak word nie; en

(e) voorsiening maak vir die afloop van water wat uit die pyp waarin die meettoestel geïnstalleer is, in die loop van werk wat deur die munisipaliteit aan die meettoestel gedoen word.

(5) Geen persoon behalwe 'n bevoegde amptenaar mag—

(a) 'n meettoestel en van die pyp waarin dit geïnstalleer is, ontkoppel nie;

(b) 'n seel wat die munisipaliteit op 'n meter geplaas het, breek nie; of

(c) op enige ander wyse met 'n meettoestel en sy gepaardgaande bybehore inmeng nie.

(6) Indien 'n meettoestel ongesik is vanweë die hoeveelheid water wat aan die perseel verskaf word, kan hy dit vervang en die koste van die verbruiker verhaal.

(7) Die munisipaliteit mag, op die verbruiker se onkoste, vereis dat 'n meettoestel by elke wooneenheid vir afsonderlike okkupasie op 'n perseel geïnstalleer word om die hoeveelheid water wat aan elke sodanige eenheid voorsien word, te bepaal, met dien verstande dat waar beheerde volume-waterleveringstelsels gebruik word, 'n enkele meettoestel andersins vir meer as een eenheid gebruik mag word.

(8) Alle watermeters moet voldoen aan die vereistes van die Wet op Handelsmetrologie (Wet Nr. 77 van 1973) soos aangepas van tyd tot tyd, en moet SABS goedgekeur wees.

53. Hoeveelheid water wat aan verbruiker verskaf word

(1) Vir die doeleindes van die bepaling van die hoeveelheid water gemeet deur 'n meettoestel wat deur die munisipaliteit geïnstalleer is en oor 'n spesifieke tydperk aan 'n verbruiker verskaf word, word dit geag, tensy die teendeel bewys word, dat—

- (a) the quantity is represented by the difference between readings of the meter taken at the beginning and end of such period;
- (b) the meter was registering correctly during such period; and
- (c) the entries in the records of the municipality were correctly made;
- (2) If water is supplied to, or taken by a consumer without its passing through a meter, the estimate by the municipality of the quantity of such water shall be deemed correct.
- (3) Where water supplied by the municipality to any premises is not taken by the consumer without the water passing through any measuring device the municipality may for the purposes of rendering an account, make an estimate, in accordance with subsection (4), of the quantity of water supplied to the consumer during the period that water was so taken by the consumer.
- (4) For the purposes of subsection (3), an estimate of the quantity of water supplied to a consumer shall be based on—
- (a) the average monthly consumption of water on the premises registered over three consecutive measuring periods over not more than 90 days in total, after the date on which the irregularity referred to in subsection (3) was discovered and rectified, or
 - (b) the average monthly consumption of water on the premises over any three consecutive measuring periods during the 12 months preceding the date on which the irregularity referred to in subsection (3) was discovered and rectified.
- (5) Until such time as a meter has been installed, the estimated consumption of that consumer must be based on the average consumption of water supplied to the specific zone within which the consumer's premises are situated, during a specific period.
- (6) Where it is not reasonably possible or cost effective to measure water supplied to each consumer within a particular zone, the municipality may in terms of its Tariff Policy determine the fees to be paid by each consumer within that zone irrespective of actual consumption.
- (7) Fees determined in terms of subsection (6) will be based on the estimated average consumption of water supplied to that zone.
- (8) For purposes of subsections (5) and (6), a zone is that area of which the consumer's premises is part, which is zoned in terms of a town planning scheme or a spatial development framework for homogeneous usage.
- (9) If a contravention of section 52(5) occurs, the consumer shall pay to the municipality the cost as determined in terms of the municipality's Tariff Policy.
- (10) Where water supply services are provided through a communal water services work, the amount due and payable by consumers gaining access thereto shall be based on the estimated average consumption of water supplied to that water services work, and the decision of the municipality in arriving at that amount is final and binding on each consumer affected thereby.
- (11) Nothing in this by-law shall be construed as imposing on the municipality an obligation to cause any measuring device installed by the municipality on any premises to be measured at the end of every month or any other fixed period, and the municipality may estimate the quantity of water supplied over any period during the interval between successive measurements of the measuring device and render an account accordingly.
- (12) A consumer is entitled to a water leakage discount in terms of the municipality's Credit Control and Debt Collection Policy.

54. Defective meters

- (1) If a consumer has reason to believe that a meter is defective, he or she may, against payment of the prescribed fee, make application in writing for the meter to be tested.
- (2) The prescribed fee referred to in subsection (1) shall be—
- (a) retained by the municipality if the meter is found in terms of subsection (3) or (4) not to be defective; or

- (a) die hoeveelheid die verskil is tussen metings wat aan die begin en aan die einde van daardie tydperk geneem is;
- (b) die meettoestel gedurende daardie tydperk akkuraat was; en
- (c) die inskrywings in die rekords van die munisipaliteit korrek gemaak is.
- (2) Indien die water voorsien is aan, of geneem is deur 'n verbruiker sonder dat dit deur 'n meettoestel gevloeい het, word die raming deur die munisipaliteit van die veronderstelde hoeveelheid water geag korrek te wees.
- (3) Waar water wat deur die munisipaliteit verskaf word op enige wyse deur die verbruiker geneem word sonder dat die water deur 'n meettoestel vloeい wat deur die munisipaliteit voorsien is, mag die munisipaliteit ingevolge subartikel (4) vir die doel van die lewer van 'n rekening, die hoeveelheid water beraam wat gedurende die tydperk wat die water aldus deur die verbruiker geneem is.
- (4) Vir die doeleindeste van subartikel (3), moet 'n raming van die hoeveelheid water wat aan 'n verbruiker verskaf word gebaseer word op—
- (a) die gemiddelde maandelikse verbruik van water op die perseel wat aangegeteken is oor drie opeenvolgende meettydperke oor nie meer as negentig (90) dae in totaal na die datum waarop 'n onreëlmatigheid wat in subartikel (3) bedoel word, ontdek en reggestel is; of
 - (b) die gemiddelde maandelikse verbruik van water op die perseel gedurende enige drie opeenvolgende meettydperke gedurende die twaalf maande onmiddellik voor die datum waarop 'n onreëlmatigheid wat in subartikel (3) bedoel word, ontdek en reggestel is.
- (5) Totdat 'n meettoestel geïnstalleer is, moet die geraamde verbruik van daardie verbruiker gedurende 'n spesifieke tydperk gebaseer word op die gemiddelde verbruik van water wat aan die spesifieke voorsieningsone waarbinne die verbruiker se perseel geleë is, gedurende 'n spesifieke periode, verskaf is.
- (6) Waar dit nie redelik moontlik of koste-effektiel is om water te meet wat aan elke verbruiker binne 'n vasgestelde voorsieningsone verskaf word nie, mag die munisipaliteit ingevolge sy Tarief Beleid 'n basiese tarief of heffing vasstel wat deur elke verbruiker in daardie sone betaal moet word, afgesien van die hoeveelheid water wat werklik verbruik word.
- (7) Gelde wat ingevolge subartikel (6) vasgestel is sal gebaseer wees op die gemiddelde waterverbruik in daardie sone.
- (8) Vir die doeleindeste van subartikels (5) en (6), is 'n sone daardie gebied waarvan die verbruiker se perseel deel is, wat in terme van 'n stadsbeplanningskema of 'n ruimtelike ontwikkelingsraamwerk vir homogene gebruik gesoneer is.
- (9) Indien 'n oortreding van artikel 52 (5) plaasvind, moet die verbruiker die koste soos bepaal in die munisipaliteit se Tariefbeleid, betaal.
- (10) Waar watervoorsieningsdienste deur 'n gemeenskaplike diens gelewer word, sal die bedrag betaalbaar gebaseer word op die beraamde gemiddelde verbruik van die water wat voorsien is, en die besluit van die munisipaliteit ten opsigte van die gebruik is final en bindend op die verbruikers.
- (11) Niks wat in hierdie verordening vervat is, sal vertolk word as 'n verpligting van die munisipaliteit om 'n meettoestel wat op 'n perseel geïnstalleer is, aan die einde van elke maand of enige ander vasgestelde tydperk te laat meet nie, en die munisipaliteit mag die hoeveelheid water skat wat oor enige tydperk tydens die pouse tussen twee agtereenvolgende metings van die meettoestel verskaf is en 'n rekening dienoordeekomstig lewer;
- (12) 'n Verbruiker is geregtig op 'n waterlekkasie afslag ingevolge die munisipaliteit se Kredietbeheer en Skuldinvorderingsbeleid.

54. Foutiewe meters

- (1) Indien 'n verbruiker rede het om te vermoed dat 'n meettoestel foutief is, is hy of sy geregtig om, teen betaling van die voorgeskrewe geldie, skriftelik aansoek te doen dat die meter getoets moet word.
- (2) Die gelde waarna daar in subartikel (1) verwys word sal—
- (a) deur die munisipaliteit behou word indien daar gevind word dat die meter nie foutief is nie; of

- (b) refunded to the applicant if the meter is found in terms of those subsections to be defective.
- (3) A meter to which the regulations relating to water meters published under the Trade Metrology Act, 1973 (Act No 77 of 1973) are applicable shall be deemed to be defective if, when tested in accordance with SANS 11529 Part I, is found to have a percentage error in over-registration or under-registration greater than that permitted for a meter in use in terms of that specification.
- (4) A meter to which the regulations referred to in subsection (3) are not applicable shall be regarded to be defective if it is found to have a percentage error in over-registration or under-registration greater than that allowed in SABS 11529:1999 Part 4 and SANS 11525:1999 Part I.
- (5) A consumer is entitled, on giving the municipality reasonable notice of his or her intention, to be present at the testing of any meter in which the consumer has an interest at his or her own cost.
- (6) Any meter removed by the municipality for testing must be retained intact and must be available for a period of three months after testing.

55. Adjustment of quantity of water supplied through defective meter

- (1) If, in terms of section 54, the meter is found to be defective, the municipality must—
- repair the meter or install another meter without charging the consumer for the meter, unless the costs thereof are recoverable from the consumer where section 52 (5) has been contravened; and
 - determine the quantity of water for which the consumer will be charged on the basis set out in section 53 (4).

56. Special meter reading at request of consumer

The municipality must, on receipt from a consumer of written notice of not less than five working days and subject to payment of the prescribed fee, read a meter at a time or on a day other than that upon which it would normally be read.

57. Special measurement

- (1) If the municipality wishes to ascertain the quantity of water which is used in a part of the water installation, it may by written notice advise the owner of its intention to install a meter in the water installation.
- (2) The installation of a meter referred to in subsection (1), its removal, and the restoration of the water installation after such removal shall be carried out at the expense of the municipality. The consumer shall however be held liable for the cost of installing a measuring device where a connection is without a required meter.
- (3) The provisions of sections 52(4) and 52(5) shall apply if applicable in respect of a meter installed in terms of subsection (1).

58. No reduction of amount payable for water wasted

A consumer shall not be entitled to a reduction of the amount payable for water wasted or lost in a water installation if not agreed otherwise, unless it can be proved that the municipality was negligent.

Part 13: Audit

59. Water audit

- (1) The municipality may require a consumer, within one month after the end of a financial year of the municipality, to undertake a water audit at his or her own cost.
- (2) The audit must at least indicate—
- the amount of water used during the financial year;
 - the amount paid for water for the financial year;
 - the number of people living on the stand or premises;
 - the number of people permanently working on the stand or premises;

- (b) terugbetaal word aan die applikant indien die meter wel foutief is.
- (3) 'n Meter waarop die regulasies van toepassing is soos beskryf vir watermeters in die Wet op Handelsmetrologie, 1973 (Wet Nr. 77 van 1973), sal beskou word as defektief, indien getoets in ooreenstemming met SANS 11529 Deel 1 daar bevind word dat daar 'n presentasie fout ten opsigte van oor- of onder-registrasie is wat meer is as die toelaatbare in terme van daardie spesifikasie.
- (4) 'n Meter waarop die regulasies waarna daar in subartikel (3) verwys word nie van toepassing is nie sal defektief wees wanneer daar bevind word dat die persentasie fout van oor- of onder-registrasie groter is as die toelaatbare in SABS 11529: 1999 Deel 4 en SANS 11525 Deel 1.
- (5) 'n Verbruiker is daarop geregtig om op eie koste teenwoordig te wees by die toetsing van enige meter waarby hy of sy belangte het..
- (6) Enige meter wat deur die munisipaliteit verwijder is vir toetsing moet ongeskonde bewaar word en moet beskikbaar wees vir 'n tydperk van drie maande nadat dit getoets is.

55. Verstelling van die hoeveelheid water deur 'n foutiewe meter voorsien.

- (1) Indien daar in terme van subartikel 54 bevind is dat 'n meter foutief is, moet die munisipaliteit—
- die meter herstel of 'n ander meter installeer sonder enige koste aan die verbruiker, behalwe waar die koste verhaalbaar is vanaf die verbruiker ingvolge artikel 52 (5); en
 - die hoeveelheid waterverbruik wat van die verbruiker verhaal word bepaal op die basis soos uiteengesit in artikel 53 (4).

56. Spesiale meterlesing op versoek van verbruiker

Die munisipaliteit moet, by ontvangs van 'n skriftelike versoek van 'n verbruiker van nie minder as vyf werksdae en onderworpe aan betaling van 'n voorgeskrewe fooi, 'n meter lees op 'n tyd en dag anders as die tyd en dag waarop die normale lesing geneem word.

57. Spesiale meting

- (1) Indien die munisipaliteit die hoeveelheid water wat in 'n deel van 'n waterinstallasie gebruik is moet bepaal, kan hy by skriftelike kennisgewing, die eienaar in kennis stel van sy voorneme om 'n meettoestel op enige punt in die waterinstallasie te installeer.
- (2) Die installering van 'n meettoestel wat in subartikel (1) bedoel word, die verwydering daarvan, en die herstel van die waterinstallasie na so 'n verwydering, moet op die onkoste van die munisipaliteit gedoen word. Die verbruiker sal egter verantwoordelik wees vir die kostes waar die waterinstallasie sonder 'n meettoestel is.
- (3) Die bepalings van artikels 52 (4) en 52 (5) sal geld indien van toepassing, ten opsigte van 'n meettoestel wat ingevolge subartikel (1) geinstalleer is.

58. Geen vermindering van bedrag betaalbaar vir verkwiste water

'n Verbruiker is nie geregtig op 'n vermindering van die bedrag wat betaalbaar is vir water wat verkwis is of in 'n waterinstallasie verlore gegaan het nie, behalwe indien andersins ooreengekom of as bewys kan word dat die munisipaliteit nalatig was.

Deel 13: Oudit

59. Wateroudit

- (1) Die munisipaliteit kan binne een maand na die einde van 'n finansiële jaar van 'n verbruiker vereis om op sy eie koste 'n wateroudit te doen.
- (2) Die oudit moet ten minste die volgende behels en verslag doen oor—
- die hoeveelheid water wat gedurende die finansiële jaar gebruik is;
 - die bedrag wat vir die finansiële jaar vir water betaal is;
 - die aantal mense wat op die standplaas of perseel woon;
 - die aantal mense wat permanent op die standplaas of perseel werk;

- (e) the seasonal variation in demand through monthly consumption figures;
- (f) the water pollution monitoring methods;
- (g) the current initiatives for the management of the demand for water;
- (h) the plans to manage their demand for water;
 - (i) a comparison of the report with any report that may have been made during the previous three years;
- (j) estimates of consumption by various components of use;
- (k) a comparison of the above factors with those reported in each of the previous three years, where available, and
- (l) any other information the municipality may deem necessary.

Part 14: Installation work

60. Approval of installation work

- (1) If an owner wishes to have installation work done, he or she must first obtain the municipality's written approval;
- (2) Approval shall not be required in the case of water installations in dwelling units or installations where no fire installation is required in terms of SANS 10400, or in terms of any municipal by-laws, or for the repair or replacement of an existing pipe or water fitting other than a fixed water geyser and its associated protective devices.
- (3) Application for the approval referred to in subsection (1) shall be made on the prescribed form and shall be accompanied by—
 - (a) the determined charge, if applicable;
 - (b) copies of the drawings as may be required by the municipality, giving information in the form required by Clause 4.1.1 of SANS Code 10252: Part I; and
 - (c) a certificate certifying that the installation has been designed in accordance with SANS Code 10252: Part I by a registered professional engineer or technologist.
- (4) Authority given in terms of subsection (1) shall lapse after twelve months.
- (5) A complete set of approved drawings of installation work must be available at the site of the work at all times until the work has been completed.
- (6) If installation work has been done in contravention of subsection (1) or (2), the municipality may by written notice require the owner of the premises concerned to—
 - (a) rectify the contravention within a specified period;
 - (b) if work is in progress, to cease the work; and
 - (c) to remove all such work which does not comply with this by-law.

61. Provision and maintenance of water installations

- (1) An owner must provide and maintain his water installation at his or her own cost and except where permitted in terms of subsection (3), must ensure that the installation is situated within the boundary of his or her premises.
- (2) An owner must install an isolating valve at a suitable point on a service pipe immediately inside the boundary of the property in the case of a meter installed outside the boundary, and in the case of a meter installed on the premises, at a suitable point on the service pipe.
- (3) Before doing work in connection with the maintenance of a portion of a water installation which is situated outside the boundary of his premises, an owner shall obtain the written consent of the municipality or the owner of the land on which the portion is situated, as the case may be.

- (e) die seisoenale wisseling in vraag deur maandelikse verbruiksyfers;
- (f) die waterbesoedelingsmoniteringsmetodes;
- (g) die huidige inisiatiewe vir die bestuur van die aanvraag na water;
- (h) die planne om sy aanvraag na water te bestuur;
- (i) 'n vergelyking van die verslag met enige verslag wat gedurende die vorige drie jaar gedoen is;
- (j) ramings van verbruik deur verskillende komponente van gebruik;
- (k) 'n vergelyking van bogenoemde faktore met dié waarvoor daar in elk van die vorige drie jare verslag gedoen is, indien beskikbaar; en
- (l) enige ander inligting wat die munisipaliteit nodig mag ag.

Deel 14: Installeerwerk

60. Goedkeuring van installeerwerk

- (1) Indien 'n eienaar installeerwerk, insluitend 'n waterverhitter en sy gepaardgaande beskermingstoestelle, gedoen wil hê, moet hy die munisipaliteit se skriftelike goedkeuring verkry;
- (2) Goedkeuring word nie vereis—
 - (a) in die geval van waterinstallasies in wooneenhede of installasies waar geen brandinstallasie ingevolge SANS 10400 of ingevolge enige munisipale verordeninge vereis word nie; of
 - (b) vir die herstel of vervanging van 'n bestaande pyp of watertoebehoersel nie.
- (3) Aansoeke om die goedkeuring bedoel in subartikel (1) moet op die voorgeskrewe vorm gedoen word en vergesel word van—
 - (a) die vasgestelde geld, indien van toepassing;
 - (b) afskrifte van die tekeninge soos deur die munisipaliteit vasgestel kan word, wat inligting verstrek in die vorm wat deur Klousule 4.1.1 van SANS-kode 10252: Deel I, vereis word; en
 - (c) 'n sertifikaat wat sertifiseer dat die installasie ooreenkomsdig SANS-kode 10252: Deel I deur 'n geregistreerde professionele ingenieur of tegnoloog ontwerp is.
- (4) Magtiging wat ingevolge subartikel (1) verleen is, verval na twaalf (12) maande.
- (5) 'n Volledige stel goedgekeurde tekeninge van die installeerwerk moet te alle tye totdat die werk voltooi is, op die plek van die werk beskikbaar wees.
- (6) Indien installeerwerk strydig met subartikels (1) of (2) gedoen is, kan die munisipaliteit die betrokke eienaar by wyse van skriftelike kennisgewing gelas om—
 - (a) die oortreding binne 'n gespesifieerde tydperk reg te stel;
 - (b) indien werk aan die gang is, om die werk te staak; en
 - (c) om werk wat nie aan hierdie verordening voldoen nie, te verwyder.

61. Voorsiening en instandhouding van waterinstallasies

- (1) 'n Eienaar moet sy of haar waterinstallasie op eie koste voorsien en in stand hou en waar toestemming ingevolge subartikel (3) verleen is, toesien dat die installasie binne die grense van sy of haar eiendom is.
- (2) 'n Eienaar moet 'n afsluitklep installeer op 'n geskikte posisie op die dienspyp vlak binne die grens van die eiendom in die geval waar die meter buite die grens van die eiendom geleë is, en in die geval waar die meter op die eiendom is, by 'n geskikte punt op die dienspyp.
- (3) Voordat enige werk in verband met die instandhouding van 'n eienaar se waterinstallasie wat buite die grense van sy of haar eiendom gesetel is, gedoen word, moet die eienaar, na gelang van die geval, die skriftelike toestemming van die munisipaliteit, of die eienaar van die grond waarop sodanige gesetel is, bekom.

62. Persons permitted to do installation and other work

(1) Only a plumber, a person working under the control of a plumber, or another person authorised in writing by the municipality, shall be permitted to—

- (a) do installation work other than the replacement or repair of an existing pipe or water fitting;
- (b) replace a fixed water geyser or its associated protective devices;
- (c) inspect, disinfect and test a water installation, fire installation or storage tank;
- (d) service, repair or replace a back flow preventer; or
- (e) install, maintain or replace a meter provided by an owner in a water installation.

(2) No person may require or engage a person who is not a plumber to do the work referred to in subsection (1).

(3) Notwithstanding the provisions of subsection (1) the municipality may permit a person who is not a plumber to do installation work on his or her own behalf on premises owned and occupied solely by himself or herself and his or her immediate household, provided that such work must be inspected and approved by a plumber at the discretion of the municipality.

63. Technical requirements for a water installation

Notwithstanding the requirement that a certificate be issued in terms of section 60, all water installations shall comply with SANS 10252 Part 1 and all fixed electrical storage water heaters shall comply with SANS 10254.

64. Use of pipes and water fittings to be authorised

(1) No person may, without the written authority of the municipality, install or use a pipe or water fitting in a water installation unless it is included in the Schedule of Approved Pipes and Fittings as compiled by the municipality.

(2) Application for the inclusion of a pipe or water fitting in the Schedule referred to in subsection (1) must be made on the form prescribed by the municipality and be accompanied by the prescribed charge.

(3) A pipe or water fitting may not be included in the Schedule referred to in

subsection (1) unless it—

- (a) bears the standardisation mark of the South African Bureau of Standards in respect of the relevant SANS specification; or
- (b) bears a certification mark issued by the SANS to certify that the pipe or water fitting complies with an SANS mark specification or a provisional specification issued by the SANS, provided that no certification marks shall be issued for a period exceeding two years; or
- (c) is included in the list of water and sanitation installations approved by the municipality.

(4) The municipality may, in respect of any pipe or water fitting included in the Schedule, impose such additional conditions, as it may consider necessary in respect of the use or method of installation.

(5) The Schedule shall be available for inspection at the office of the municipality at any time during working hours and may be purchased at a determined charge.

65. Labelling of terminal water fittings and appliances

All terminal water fittings and appliances using or discharging water shall be marked, or have included within the packaging of the item, the following information—

- (a) the range of pressure in kPa over which the water fitting or appliance is designed to operate.

62. Persone toegelaat om installeer- en ander werk te doen

(1) Slegs 'n loodgieter, 'n persoon wat onder die beheer van 'n loodgieter werk, of 'n ander persoon wat skriftelik deur die munisipaliteit gemagtig is, word toegelaat om—

- (a) installeerwerk behalwe die vervanging of herstel van 'n bestaande pyp of watertoebehoersel te doen;
- (b) 'n vaste waterverhitter of sy gepaardgaande beskermingstoestelle te vervang;
- (c) 'n waterinstallasie, brandinstallasie of opgaartenk te inspekteer, te ontsmet en te toets;
- (d) 'n terugvloeisperder te diens, te herstel of te vervang; of
- (e) 'n meter wat deur 'n eienaar in 'n waterinstallasie voorsien is, te installeer, in stand te hou of te vervang.

(2) Geen persoon mag 'n persoon wat nie 'n loodgieter is gebruik of in diens neem om die werk te doen wat in subartikel (1) bedoel word nie.

(3) Nieteenstaande die bepalings van subartikel (1), mag die munisipaliteit 'n persoon wat nie 'n loodgieter is nie, toelaat om installeerwerk namens homself of haarself op 'n perseel wat aan hom of haar behoort en alleenlik deur sy of haar onmiddellike huishouding geokkupeer word, te doen, met dien verstande dat sodanige werk deur 'n loodgieter onder toesig van die munisipaliteit geïnspekteer en goedgekeur moet word.

63. Tegniese vereistes vir 'n waterinstallasie

Nieteenstaande die vereiste dat 'n sertifikaat ingevolge artikel 60 uitgereik word, moet alle waterinstallasies aan SANS 10252 Deel 1 voldoen en alle vaste elektriese warmwateropgaarders moet aan SANS 10254 voldoen.

64. Gebruik van pype en watertoebehoere moet gemagtig word

(1) Geen persoon mag, sonder die skriftelike magtiging van die munisipaliteit, 'n pyp of watertoebehoersel in 'n waterinstallasie installeer of gebruik nie, tensy dit ingesluit is by die Bylae van Goedgekeurde Pype en Toebehoere soos deur die munisipaliteit saamgestel.

(2) Aansoek om die insluiting van 'n pyp of watertoebehoersel by die bylae wat in subartikel (1) bedoel word, moet gedoen word op die vorm wat deur die munisipaliteit voorgeskryf word en van die voorgeskreve heffing vergesel wees.

(3) 'n Pyp of watertoebehoersel mag nie by die bylae ingesluit word nie, tensy dit—

- (a) die standaardisasiemerk van die Suid-Afrikaanse Buro van Standaarde ten opsigte van die toepaslike SANS-spesifikasie op het nie;
- (b) 'n sertifiseringsmerk wat deur die SANS uitgereik is, op het om te sertificeer dat die pyp of watertoebehoersel aan 'n SANS-merkspesifikasie van 'n voorlopige spesifikasie wat deur SANS uitgereik is, voldoen, met dien verstande dat geen sertifiseringsmerke uitgereik mag word vir 'n tydperk wat twee jaar oorskry nie; of
- (c) ingesluit is in die lys van water- en sanitasie-installerings goedgekeur deur die munisipaliteit.

(4) Die munisipaliteit kan, ten opsigte van 'n pyp of watertoebehoersel wat by die Bylae ingesluit is, sodanige bykomende voorwaardes stel wat hy ten opsigte van die gebruik of metode van installasie nodig mag ag.

(5) Die bylae moet te eniger tyd gedurende werkure by die kantoor van die munisipaliteit ter insae beskikbaar wees en kan teen 'n vasgestelde heffing verkoop word.

65. Etikettering van eindwatertoebehoere en—toestelle

Alle eindwatertoebehoere en toestelle wat water gebruik of uitlaat moet gemaak word of die volgende inligting by die verpakking van die item insluit—

- (a) die drukstrek in kPa waarvoor die watertoebehoere of toestel ontwerp is om te werk.

- (b) the flow rate, in litres per minute, related to the design pressure range, provided that this information shall be given for at least the following water pressures: 20 kPa, 100 kPa and 400 kPa.

66. Unlawful water installation

Where any installation work has been constructed in contravention of this by-law, the owner must on receiving a compliance notice by the municipality, carry out such alterations to the installation as prescribed in the notice.

67. Water demand management

(1) The municipality may insist that water demand management measures be implemented where considered necessary which measures may include the installation of water demand management meters

(2) In any water installation where the dynamic water pressure is more than 200 kPa at a shower control valve, and where the plumbing has been designed to balance the water pressures on the hot and cold water supplies to the shower control valve, a shower head with a maximum flow rate of more than 10 litres per minute may not be installed.

(3) The maximum flow rate from any tap installed on a wash hand basin may not exceed 6 litres per minute.

Part 15: Water pollution, restriction and wasteful use of water

68. Owner to prevent pollution of water

An owner must provide and maintain approved measures to prevent the entry of a substance, which may be a danger to health or adversely affect the potability of water or affect its fitness for use, into—

- (a) the water supply system; or
- (b) any part of the water installation on his or her premises.

69. Water restrictions

(1) The municipality may by public notice, to prevent the wasteful use of water in terms of section 32, or in the event of a water shortage, drought or flood—

- (a) prohibit or restrict the consumption of water in the whole or part of its area of jurisdiction in general or for—
 - (i) specified purposes;
 - (ii) during specified hours of the day or on specified days; or
 - (iii) in a specified manner;
- (b) restrict the quantity of water that may be consumed over a specified period;
- (c) impose charges additional to those prescribed in respect of the supply of water in excess of a limit contemplated in subsection (1)(b)(i);
- (d) impose a general surcharge on the prescribed charges in respect of the supply of water; and
- (e) impose restrictions or prohibitions on the use or manner of use or disposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation.

(2) The municipality may limit the application of a notice contemplated by

subsection (1) to specified areas and categories of consumers, premises and activities, and may permit deviations and exemptions from, and the relaxation of, any of the provisions on reasonable grounds.

(3) The municipality may—

- (a) take, or by written notice require a consumer at his or her own expense to take measures, including the installation of measurement devices and devices for restricting the flow of water to ensure compliance with a notice published in terms of subsection (1);

- (b) die vloeitempo, in liter per minuut, in verhouding tot die ontwerpdrukstrek, met dien verstande dat hierdie inligting vir ten minste die volgende waterdruk gegee moet word: 20 kPa, 100 kPa en 400 kPa.

66. Onwettige water installaise

Waar enige installeerwerk teenstrydig met hierdie verordening gedoen is moet die eienaar by ontvangs van 'n voldoeningskennisgewing van die munisipaliteit, die nodige veranderinge aan die installasie aanbring soos in die kennisgewing voorgeskryf.

67. Waternaamvraagbestuur

(1) Die munisipaliteit mag vereis dat waternaamvraagbestuurmaatreëls toegepas word waar noodsaklik welke maatreëls die installering van water aanvraag bestuursmeganismes mag insluit.

(2) In 'n waterinstallasie waar die dinamiese waterdruk meer as 200 kPa by 'n stortbeheerklep is, en waar die loodgieterswerk ontwerp is om 'n balans tussen die waterdruk op die warm- en kouewater toevoer na die stortbeheerklep te bereik, mag 'n stortkop met 'n maksimum vloeitempo van meer as 10 liter per minuut nie geïnstalleer word nie.

(3) Die maksimum vloeitempo uit enige kraan wat op 'n handewasbak geïnstalleer is, mag nie 6 liter per minuut oorskry nie.

Deel 15: Waterbesoedeling, beperking en verkwiestende gebruik van water

68. Eienaar moet waterbesoedeling voorkom

'n Eienaar moet goedgekeurde maatreëls voorsien en in stand hou ter voorkoming van die insypeling in—

- (a) die watervoorsieningsisteem; en
- (b) enige deel van die waterinstallasie op sy of haar perseel, van enige stof wat 'n gesondheidsgevaar mag inhoud of die drinkbaarheid van die water nadelig mag beïnvloed.

69. Waterbeperkings

(1) Ter voorkoming van die verkwiestende gebruik van water ingevolge artikel 32, of in die geval van 'n water tekort, droogte of vloed, mag die munisipaliteit by wyse van openbare kennisgewing—

- (a) die verbruik van water in die geheel of 'n gedeelte van sy jurisdiksiebergebied verbied of beperk vir algemene doeleindes of—
 - (i) vir bepaalde doeleindes;
 - (ii) tydens bepaalde ure van die dag of op bepaalde dae; of
 - (iii) op 'n bepaalde manier; en
- (b) beperkings plaas op die hoeveelheid water wat oor 'n bepaalde tydperk verbruik mag word;
- (c) bykomende heffings bepaal vir watervoorsiening wat die beperkte hoeveelheid in subartikel (1)(a)(i) beoog, oorskry;
- (d) 'n algemene toeslag op die voorgeskrewe heffings vir watervoorsiening bepaal; en
- (e) beperkings of verbodsbeplings ople met betrekking tot die gebruik of wyse van gebruik of die opstelling van 'n toestel waardoor water gebruik of verbruik word, of die verbinding van sodanige toestelle aan die waterinstallasie.

(2) Die munisipaliteit mag die toepassing van 'n kennisgewing deur subartikel (1) beoog beperk tot bepaalde areas en kategorieë verbruikers, persele en aktiwiteite en mag afwykings, vrystellings of die verslapping van enige van die beplings op redelike gronde toelaat.

(3) Die munisipaliteit mag—

- (a) maatreëls instel, met insluiting van die installering van meettoestelle en toestelle vir die beperking van die vloei van water, of 'n verbruiker by wyse van skriftelike kennisgewing gelas om sodanige maatreëls op sy of haar eie koste in te stel as wat nodig mag wees om nakoming van 'n kennisgewing wat ingevolge subartikel (1) uitgereik is, te verseker; of

- (b) discontinue or, for such period as it may deem fit, limit the supply of water to any premises in the event of a contravention or failure to comply with the terms of a notice published in terms of subsection (1), subject to notice in terms of section 22; and
 - (c) shall where the supply has been discontinued, restore it only when the determined charge for discontinuation and reconnecting the supply has been paid.
- (4) The provisions of this section shall also apply in respect of water supplied directly by the municipality to consumers outside its area of jurisdiction, notwithstanding anything to the contrary in the conditions governing such supply, unless otherwise specified in the notice published in terms of subsection (1).

Part 16: Fire services connections

70. Connection to be approved by the municipality

- (1) The municipality may grant or refuse an application for the connection of a fire extinguishing installation to its main supply .
- (2) No water shall be supplied to any fire extinguishing installation without the municipality's approval in terms of section 60.
- (3) If a fire extinguishing installation which is connected to the municipality's main, is not kept in proper working order, or is being used for purposes other than fire fighting, the municipality may require the installation to be disconnected from the main or have it disconnected at the consumer's expense.

71. Special provisions

The provisions of SANS 10252-1 shall apply to the supply of water for fire fighting purposes.

72. Dual and combined installations

All new buildings erected after the commencement of this by-law, must comply with the following requirements in relation to the provision of fire extinguishing services—

- (a) if boosting of the system is required, a dual pipe system must be used, one for fire extinguishing purposes and the other for general domestic purposes.
- (b) combined installations shall only be permitted where no booster pumping connection is provided on the water installation. In such cases a fire hydrant must be provided by the municipality, at the consumer's expense, within 90 metres of the property.
- (c) Combined installations where a booster pumping connection is provided, shall only be permitted when designed and certified by a professional engineer.
- (d) All pipes and fittings must be capable of handling pressures in excess of 1800 kPa and must be capable of maintaining their integrity when exposed to fire conditions.

73. Connection pipes for fire extinguishing services

(1) After the commencement of this by-law, a single connection pipe for both fire (excluding sprinkler systems) and potable water supply services shall be provided by the municipality.

(2) The municipality shall provide and install, at the cost of the owner a combination meter on the connection pipe referred to in subsection (1).

(3) A separate connection pipe shall be laid and used for every fire sprinkler extinguishing system unless the municipality gives its approval to the contrary.

(4) A connection pipe must be equipped with a measuring device that will not obstruct the flow of water while the device is operating.

- (b) vir sodanige tydperk as wat die munisipaliteit dit nodig ag, die watervoorsiening na enige perseel afsluit of beperk in die geval van 'n oortreding of nie-nakoming van die bepalings van 'n kennisgewing uitgereik ingevolge subartikel (1), onderhewig aan kennisgewing ingevolge artikel 22; en

- (c) sal, waar die toevoer gestaak is, dit slegs herstel wanneer die vasgestelde geld vir staking en heraansluiting betaal is.

(4) Die bepalings van hierdie artikel sal ook van toepassing wees op water wat regstreeks deur die munisipaliteit aan verbruikers buite die munisipaliteit se gebied van jurisdiksie voorsien word, niteenstaande enigets tot die teendeel in die voorwaardes wat sodanige voorsiening beheer.

Deel 16: Branddienste-aansluitings

70. Aansluiting moet deur die munisipaliteit goedgekeur word

(1) Die munisipaliteit mag 'n aansoek om die aansluiting van 'n brandbestrydings installasie by sy hoofleiding toestaan of weier.

(2) Geen water mag aan 'n brandbestrydings installasie voorsien word alvorens die munisipaliteit se goedkeuring ingevolge artikel 60 verky is nie.

(3) Indien 'n brandbestrydings installasie wat aan die munisipaliteit se hoofleiding verbind is, nie behoorlik in werkende toestand onderhou word nie , of vir ander doeleindes as brandbestryding gebruik word, mag die munisipaliteit vereis dat die installasie van die hoofleiding ontkoppel word of dit laat ontkoppel op koste van die verbruiker.

71. Spesiale bepalings

Die bepalings van SANS 10252-1 is van toepassing op die voorsiening van water vir brandbestrydings doeleindes.

72. Dubbel- en gekombineerde installasies

Alle nuwe geboue wat na die inwerkingtreding van hierdie verordening opgerig word, moet aan die volgende vereistes met betrekking tot die verskaffing van brandbestrydingsdienste voldoen—

- (a) indien aanjaag van die stelsel vereis word, moet 'n dubbelpypstelsel gebruik word, een vir brandbestrydingsdoeleindes en die ander vir algemene huishoudelike doeleindes.
- (b) gekombineerde installasies mag net toegelaat word waar geen aanjaagpompaansluiting op die waterinstallasie verskaf word nie. In sulke gevalle moet 'n brandkraan deur die munisipaliteit, op die verbruiker se onkoste, binne 90 meter van die eiendom voorsien word.
- (c) gekombineerde installasies waar 'n aanjaagpompaansluiting verskaf word, mag net toegelaat word as dit deur 'n professionele ingenieur ontwerp en gesertifiseer is.
- (d) alle pype en toebehore moet in staat wees om druk van meer as 1 800 kPa te kan hanteer en moet hulle integriteit kan handhaaf wanneer dit aan brandtoestande blootgestel word.

73. Verbindingspype vir brandbestrydingsdienste

(1) Na die inwerkingtreding van hierdie verordening, moet 'n enkelverbindingspyp vir beide brand (uitgesonderd sprinkelstelsels) en drinkbare watervoorsieningsdienste deur die munisipaliteit verskaf word.

(2) Die munisipaliteit moet, op die koste van die eienaar, 'n kombinasiemeter op die verbindings-pyp soos bedoel in subartikel (1) verskaf en installeer.

(3) 'n Afsonderlike verbindingspyp moet vir elke sprinkelbrandbestrydingstelsel gelê en gebruik word, tensy die munisipaliteit goedkeuring tot die teendeel gee.

(4) 'n Verbindingspyp moet toegerus wees met 'n meettoestel wat nie die vloeい van water sal belemmer terwyl die toestel werk nie.

74. Valves and meters in connection pipes

Every connection pipe to a fire extinguishing installation must be fitted with valves and a measuring device which shall be—

- supplied by the municipality at the expense of the consumer;
- installed between the consumer's property and the main; and
- installed in such position as may be determined by the municipality.

75. Meters in fire extinguishing connection pipes

The municipality shall be entitled to install a water meter in any connection pipe used solely for fire extinguishing purposes and the owner of the premises shall be liable for all costs in so doing if it appears that water has been drawn from the pipe for purposes other than for the purpose of extinguishing a fire.

76. Sprinkler extinguishing installation

A sprinkler installation may be installed directly to the main, but the municipality will not guarantee any specified pressure at any time.

77. Header tank or double supply from main

- The consumer must install a header tank at such elevation as will compensate for any failure or reduction of pressure in the municipality's main for its sprinkler installation, unless this installation is provided with a duplicate supply from a separate main.
- The main pipe leading from a header tank to the sprinkler installation may be in direct connection with the main, provided that the main pipe must be equipped with a reflux valve which will shut off the supply from the main, if the pressure in the main fails or is reduced.
- Where a sprinkler installation is provided with a duplicate supply from a separate main, each supply pipe must be equipped with a reflux valve situated within the premises.

78. Sealing of private fire hydrants

- Except where a system is a combined system with a combination meter, all private hydrants and hose-reels must be sealed by the municipality and the seals must not be broken by any person other than by the municipality in the course of servicing and testing, except for the purposes of opening the hydrant or using the hose when there is a fire.
- The consumer must give the municipality at least 48 hours notice prior to a fire extinguishing installation being serviced and tested.
- The cost of resealing hydrants and hose-reels shall be borne by the consumer except when the seals are broken by the municipality's officers for testing purposes.
- Any water consumed through a fire installation or sprinkler system shall be paid for by the consumer at the charges determined by the municipality.

Part 17: General provisions

79. Notification of boreholes

- No person may sink a borehole on premises situated in a dolomite area, and before sinking a borehole a person must determine if the premises on which the borehole is to be sunk are situated within a dolomite area.
- The municipality may by public notice require—
 - the owner or occupier of any premises upon which a borehole exists to notify it of the existence thereof and provide it with such information about the borehole that it may require;

74. Kleppe en meters in verbindingspype

Elke verbindingspyp na 'n brandbestrydingsinstallasie moet toegerus wees met kleppe en 'n meettoestel wat—

- op die koste van die verbruiker deur die munisipaliteit voorsien is;
- tussen die verbruiker se eiendom en die hoofleiding geïnstalleer word; en
- in 'n posisie geïnstalleer word soos deur die munisipaliteit bepaal.

75. Meters in brandbestrydingsverbindingspype

Die munisipaliteit is geregtig om 'n watermeter in enige verbindingspyp wat uitsluitlik vir brand-bestrydingsdoeleindes bedoel is te installeer en die eienaar van die perseel is aanspreeklik vir alle koste om dit te doen as dit blyk dat water uit die pyp vir ander doeleindes as vir die doel van bestryding van 'n brand gebruik word.

76. Sprinkelbusinstallasie

'n Sprinkelinstallasie kan regstreeks op die hoofleiding geïnstalleer word, maar die munisipaliteit kan nie gespesifiseerde druk te eniger tyd te waarborg nie.

77. Drukhoogtetenk of dubbeltoevoer van hoofleiding af

- Die verbruiker moet 'n drukhoogtetenk op so 'n hoogte installeer dat dit vergoed vir enige onderbreking of vermindering van druk in die munisipaliteit se hoofleiding vir sy sprinkelininstallasie, tensy die installasie van 'n duplikaat toevoer van 'n afsonderlike hoofleiding voorsien word.
- Die hoofleidingpyp wat van 'n drukhoogtetenk na die sprinkelininstallasie lei mag in regstreeks verbinding met die hoofleiding wees, met dien verstande dat die hoofleiding toegerus moet wees met 'n terugslagklep wat, indien die druk in die hoofleiding om enige rede onderbreek of verminder word, die toevoer van die hoofleiding sal afsluit.
- Waar 'n sprinkelininstallasie van 'n duplikaat toevoer vanaf 'n afsonderlike hoofleiding voorsien is, moet elke toevoerpyp toegerus wees met 'n terugslagklep wat binne die perseel geleë is.

78. Verseël van privaat brandkrane

- Behalwe waar 'n stelsel 'n gekombineerde stelsel met 'n kombinasie meter is, moet alle privaat brandkrane en slangtolle deur die munisipaliteit verseël word, en die seëls mag nie, behalwe vir die doeleindes om die brandkraan oop te maak of die slang te gebruik wanneer daar 'n brand is, gebreek word deur enige ander persoon as die munisipaliteit in die loop van versiening en toetsing nie.
- Die verbruiker moet die munisipaliteit minstens 48 uur kennis gee voordat 'n brandbestrydings installasie versien en getoets word.
- Die koste van die herverseëling van brandkrane en slangtolle moet deur die verbruiker gedra word, behalwe wanneer die seëls deur die munisipaliteit se beampetes vir toetsdoeleindes gebreek word.
- Die verbruiker moet vir enige water wat deur 'n brandinstallasie- of sprinkelinstelsel verbruik word, betaal teen die tariewe wat deur die munisipaliteit vasgestel is.

Deel 17: Algemene bepalings

79. Kennisgewing van boorgate

- Geen persoon mag 'n boorgat sink op 'n perseel wat in 'n dolomietgebied geleë is nie, en voordat 'n boorgat gesink word, moet 'n persoon vasstel of die perseel waarop die boorgat gesink gaan word, binne 'n dolomietgebied geleë is.
- Die munisipaliteit kan by openbare kennisgewing—
 - van die eienaar of okkuperdeer van 'n perseel waarop 'n boorgat bestaan vereis om kennis te gee van die bestaan van 'n boorgat op sodanige perseel, en sodanige inligting oor die boorgat wat nodig is, te voorsien; en

- (b) the owner or occupier of any premises who intends to sink a borehole on the premises, to notify it on the prescribed form of its intention to do so before any work in connection sinking it is commenced.
- (3) The municipality may require the owner or occupier of any premises who intends to sink a borehole, to undertake an environmental impact assessment before sinking it.
- (4) Boreholes are subject to any requirements of the National Water Act, 1998 (Act No 36 of 1998).
- (5) The municipality may by notice to an owner or occupier or by public notice, require any person who has an existing borehole that is used for water supply services to—
- obtain approval from it for the use of a borehole for potable water in accordance with sections 6, 7 and 22 of the Act;
 - adhere to conditions imposed by it in respect of the use of a borehole for water services; and
 - to pay a fixed charge imposed by it in respect of the use of such a borehole.

80. Sampling of water

- (1) In addition to samples taken from water supply for domestic purposes, the municipality may take samples of water obtained from sources authorised in terms of sections 6 or 7 of the Act to be tested for compliance with national standards..
- (2) The prescribed charge for the taking and testing of the samples referred to in subsection (1) shall be paid by the person to whom approval to use the water as potable water was granted in terms of section 6(1) of the Act.

81. Supply of non-potable water by municipality

- (1) The municipality may on application in terms of section 3 agree to supply non-potable water to a consumer, subject to such terms and conditions as it may impose.
- (2) Water supplied in terms of subsection (1) may not be used for domestic or any other purposes.
- (3) The municipality does not guarantee the purity of any non-potable water or its suitability for the purpose for which the supply was granted.
- (4) The supply of non-potable water shall, both as to condition and use, be at the risk of the consumer.

82. Testing of pressure in water supply systems

The municipality may, on application by an owner and on payment of the prescribed charge, determine and furnish him or her with the value of the pressure in the water supply system relating to his or her premises over such period as he or she may request.

83. Use of grey water

No person may use grey water or permit such water to be used, except with the written permission of the municipality.

84. Warning Notices

- (1) Where non-potable water is used, the owner shall ensure that every terminal water fitting and every appliance which supplies or uses the water is clearly marked with a weather-proof notice indicating that the water is unsuitable for domestic purposes.
- (2) Where treated sewage effluent is used, the owner shall erect weather-proof notices in prominent positions warning that such effluent is not suitable for domestic purposes.
- (3) A warning notice in terms of subsections (1) and (2) shall be in more than one official language and shall include the symbolic sign for non-potable water, sign PV5 as described in SANS 11186.

- (b) van die eienaar of okkuperde van 'n perseel wat voornemens is om 'n boorgat op die perseel te sink, vereis om op die voorgeskrewe vorm kennis te gee van sy of haar voorneme om dit te doen voordat daar begin word met enige werk in verband met die sink daarvan.
- (3) Die munisipaliteit kan van die eienaar of okkuperde van 'n perseel wat voornemens is om 'n boorgat te sink, vereis om 'n omgewingsimpakbeoordeling te doen voordat dit gesink word.
- (4) Boorgate is onderhewig aan enige vereistes van die Nasionale Waterwet, 1998 (Wet Nr. 36 van 1998).
- (5) Die munisipaliteit kan, by kennisgewing aan 'n eienaar of okkuperde of by openbare kennisgewing, van 'n eienaar of okkuperde wat 'n bestaande boorgat het vereis om—
- goedkeuring te verkry vir die gebruik van 'n boorgat vir drinkbare water ooreenkomsdig artikels 6, 7 en 22 van die Wet;
 - voorraades voorgeskryf deur die munisipaliteit ten aansien van die gebruik van 'n boorgat vir waterdienste, na te kom; en
 - 'n vaste heffing ten aansien van die gebruik van so 'n boorgat, te betaal.

80. Monsterneming van water

- (1) Benewens die toets van watertoevoer vir huishoudelike doeleinies, mag die munisipaliteit ook watermonsters neem uit enige bron bedoel in artikels 6 en 7 van die Wet en dit toets vir voldoening aan nasionale standarde.
- (2) Die voorgeskrewe heffing vir die neem en toetsing van die monsters waarna in subartikel (1) verwys word, sal betaal word deur die party aan wie goedkeuring ingevolge artikel 6(1) van die Wet verleen is om die water as drinkwater te gebruik.

81. Voorsiening van nie-drinkbare water deur die munisipaliteit

- (1) Op aansoek ingevolge artikel 3,m mag die munisipaliteit nie-drinkbare water aan 'n verbruiker verskaf, onderhewig aan sodanige voorraades as wat dit mag voorskryf.
- (2) Water wat ingevolge subartikel (1) verskaf word mag nie vir huishoudelike of enige ander doel gebruik word nie.
- (3) Die munisipaliteit waarborg nie die suwerheid van nie-drinkbare water of die geskiktheid vir die doeleinies waarvoor die goedkeuring verleen is nie.
- (4) Die voorsiening van nie-drinkbare water sal ten aansien van beide die toestand en die gebruik daarvan uitsluitlik op risiko van die verbruiker geskied.

82. Toetsing van druk in watervoorsieningstelsels

Op aansoek deur 'n eienaar en teen betaling van die voorgeskrewe heffing, mag die munisipaliteit die meting van die druk in die watervoorsieningstelsel van toepassing op daardie perseel oor sodanige tydperk as wat die eienaar mag versoek, bepaal en verskaf.

83. Gebruik van grys water

Niemand mag grys water gebruik of toelaat dat dit gebruik word sonder die toestemming van die munisipaliteit nie.

84. Waarskuwingskennisgewings

- (1) Waar nie-drinkbare water gebruik word, moet die eienaar verseker dat elke punt van aftapping en alle toebehore wat die water voorsien duidelik gemerk is met waterdigte kennisgewings wat aantoon dat die water nie geskik is vir huishoudelike doeleinies nie.
- (2) Waar gesuiwerde rioolwater gebruik word, moet die eienaar kennisgewings oprig wat waarsku dat die uitvloeisel nie geskik is vir huishoudelike gebruik nie.
- (3) 'n Kennisgewing ingevolge subartikels (1) en (2) moet in meer as een amptelike taal aangebring word asook 'n simboliese teken insluit vir nie drinkbare water, teken PV5 soos beskryf in SANS 11186.

CHAPTER 4: SANITATION SERVICES

Part 18: Standards and general provisions

85. Standards for sanitation services

Sanitation services provided by the municipality must comply with the minimum standards set for the provision of sanitation services in terms of the section 9 of the Act.

86. Objectionable discharge to sewage disposal system

- (1) No person shall cause or permit any solid, contaminated liquid or gaseous substance to enter—
 - (a) any storm water drain, storm water sewer or excavated or constructed watercourse unless otherwise permitted in this by-law;
 - (b) any river, stream or natural watercourse or any public water, whether ordinarily dry or otherwise, except in accordance with the provision of the Water Act; or
 - (c) any street or premises.
- (2) No person may discharge, or permit the discharge or entry into the sewage disposal system of any sewage or other substance—
 - (a) which does not comply with the standards and criteria prescribed in sections 112 to 116 below;
 - (b) which contains any substance in such concentration as will produce or be likely to produce in the effluent produces for discharge at any sewage treatment plant or sea outfalls discharge point or in any public water any offensive, or otherwise undesirable taste, colour, odour, temperature or any foam;
 - (c) which may prejudice the re-use of treated sewage or adversely affect any of the processes whereby sewage is purified for re-use, or treated to produce sludge for disposal;
 - (d) which contains any substance or thing of whatsoever nature which is not amenable to treatment to a satisfactory degree at a sewage treatment plant or which causes or is likely to cause a breakdown or inhibition of the processes in use at such plant;
 - (e) which contains any substance or thing of whatsoever nature which is of such strength, or which is amenable to treatment only to a degree as will result in effluent from the sewage treatment plant or discharge from any sea outfalls not complying with standards prescribed under the National Water Act, 1998 (Act No. 36 of 1998);
 - (f) which may cause danger to the health or safety of any person or may be injurious to the structure or materials of the sewage disposal system or may prejudice the use of any ground used by the municipality for the sewage disposal system; and
 - (g) which may inhibit the unrestricted conveyance of sewage through the sewage disposal system.
- (3) No person may cause or permit storm water or rain water to enter the sewage disposal system.
- (4) The municipality may, by written notice, order the owner or occupier to conduct, at his or her cost, periodic expert inspections of the premises in order to identify precautionary measures which would ensure compliance with this by-law.
- (5) No person may cause a nuisance through odours, pollution or visual offensiveness due to a defective drainage installation.
- (6) The municipality shall give the owner or occupier of such premises 24 hours notice to remove such nuisance, failing which the municipality may remove it at his or her expense.
- (7) If any person contravenes any provision of subsections (1) to (3) he or she shall within twelve hours, or earlier if possible, advise the municipality of the details of the contravention and the reasons for it.

HOOFSTUK 4: SANITASIEDIENSTE

Deel 18: Standaarde en algemene bepalings

85. Standaarde vir sanitasiedienste

Sanitasiedienste wat deur die munisipaliteit voorsien word, moet voldoen aan die minimum vereistes wat vir die voorsiening van sanitasiedienste ingevolge artikel 9 van die Wet bepaal is.

86. Aanstootlike loslaat na rioolvilwegdoenstelsel

- (1) Niemand mag toelaat dat enige vaste stof, besoedelde vloeistof of gas ingelaat word in—
 - (a) enige stormwaterdrein, stormwaterpyp of uitgegrawe of gekonstrueerde waterloop nie;
 - (b) enige rivier, stroom of natuurlike waterloop of enige openbare stroom hetsy droog of nie, tensy in ooreenstemming met die Waterwet; of
 - (c) enige straat of eiendom.
- (2) Niemand mag enige rioolvil of ander stof in die rioolvilwegdoenstelsel loslaat of die loslaat of toegang daarvan toelaat indien daardie rioolvil of ander stof—
 - (a) nie aan die standaarde en maatstawwe wat artikels 112 tot 116 hieronder voorskryf, voldoen nie;
 - (b) bestanddele in sodanige konsentrasie bevat as wat in die uitvloeiselproduk vir loslatting by enige rioolvilbehandelingsaanleg of uitlooploslatingspunte ter see of in enige openbare water enige aanstootlike, of andersins onaanvaarbare smaak, kleur, reuk, temperatuur of enige skuim tot gevolg sal hê of waarskynlik tot gevolg sal hê;
 - (c) die hergebruik van behandelde rioolvil benadeel of enige van die prosesse waardeur rioolvil vir hergebruik gesuwer word of behandel word vir die produsering van slyk, nadelig raak;
 - (d) enige stof of voorwerp van watter aard ookal bevat wat nie tot 'n bevredigende mate ontvanklik is vir behandeling by 'n rioolvilbehandelingsaanleg nie, of wat die staking of onderdrukking van die prosesse wat in sodanige aanleg gebruik word tot gevolg sal hê of waarskynlik tot gevolg sal hê;
 - (e) enige stof of voorwerp van watter aard ook al bevat wat so sterk is, of wat slegs ontvanklik is vir behandeling tot so 'n beperkte mate, dat dit tot gevolg het dat die uitvloeisel vanuit die rioolvilbehandelingsaanleg of loslaat vanuit die loslatingspunte ter see nie aan die standaarde voorgeskryf deur die die Nasionale Waterwet, 1998 (Wet Nr 36 van 1998) voldoen nie;
 - (f) 'n gevaar vir die gesondheid of veiligheid van enige persoon kan inhou, of nadelig vir die struktuur of materiaal van die rioolvilwegdoenstelsel kan wees, of wat 'n nadelige uitwerking op enige grond wat deur die munisipaliteit vir die rioolvilwegdoenstelsel gebruik word, kan hê.; en
 - (g) die ongehinderde vloei van rioolvil deur die rioolvilwegdoenstelsel mag onderdruk.
- (3) Niemand mag die insypeling van stormwater of reënwater in die rioolvilwegdoenstelsel veroorsaak of toelaat nie.
- (4) Die munisipaliteit mag, by wyse van skriflike kennisgewing, die eienaar of okkuperer gelas om op sy of haar eie onkoste periodieke deskundige inspeksies van die perseel uit te voer ten einde voorkomingsmaatreëls wat nakoming van hierdie verordening sal verseker, te identifiseer en om sodanige bevindings aan 'n gevoldmagtigde beampot oor te dra.
- (5) Niemand mag toelaat dat 'n oorlas ontstaan deur reuke, besoedeling of sigbare onooglikheid as gevolg van 'n defektiewe dreineringstelsel nie.
- (6) Die munisipaliteit moet die eienaar of okkuperer 24 uur kennis gee om sodanige oorlas te verwijder, by gebreke waarvan die munisipaliteit dit op sy of haar koste sal verwijder of laat verwijder.
- (7) Indien 'n persoon enige van die bepalings vervat in subartikel (1) of subartikel (2) of subartikel (3) oortree, moet sodanige persoon binne 12 uur die munisipaliteit van die besonderhede van die oortreding en die redes daarvoor in kennis stel.

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| <p><i>Part 19: On-site sanitation services and associated services</i></p> <p>87. Use of on-site sanitation services not connected to the sanitation system</p> <p>(1) No person may use or permit the use of on-site sanitation services not connected to the municipality's sanitation system without the approval of the municipality.</p> <p>(2) An application in terms of subsection (1) must be accompanied by evidence that the sanitation facility is not likely to have a detrimental effect on health or the environment.</p> <p>(3) Consent given in terms of subsection (1) may be withdrawn if—</p> <ul style="list-style-type: none"> (a) a condition imposed in terms of subsection (1) is breached; (b) the sanitation facility has a detrimental impact on health or the environment; or (c) a municipal service becomes available and a connection can be provided by the municipality. <p>(4) The municipality may undertake such investigations as it may deem necessary to determine if a sanitation facility has a detrimental impact on health or the environment.</p> <p>(5) The person to whom consent was granted in terms of subsection (1) shall be liable for the costs associated with an investigation undertaken in terms of subsection (4), if the sanitation facility has a detrimental impact on health or the environment.</p> <p>88. Application for infrastructure</p> <p>If an agreement for on-site sanitation and associated services exists and no infrastructure in connection therewith exists on the premises, the owner must immediately apply on the approved form and—</p> <ul style="list-style-type: none"> (a) pay the prescribed charge for the installation of necessary infrastructure; or (b) with the approval of the municipality install the connecting sewer or on site sanitation services. <p>89. Services associated with on-site sanitation services</p> <p>(1) The removal or collection of conservancy tank contents, night soil or the emptying of pits will be undertaken by the municipality in accordance with a removal and collection schedule. .</p> <p>(2) Copies of the collection and removal schedule shall be available on request.</p> <p>90. Charges in respect of services associated with on-site sanitation services</p> <p>Charges in respect of the removal or collection of conservancy tank contents, night soil or the emptying of pits shall be determined in terms of the municipality's Tariff Policy.</p> <p>91. Installation of on-site sanitation services</p> <p>(1) If approval for on-site sanitation services has been given, or if it is not reasonably possible or cost effective for the municipality to install a connecting sewer, the owner must install sanitation services specified by the municipality, unless the service is a subsidised service that has been determined by the municipality in terms of its Credit Control and Debt Collection By-law.</p> <p>(2) The municipality may undertake, or require investigations to be done at the owner's expense, to determine if a sanitation facility would have a detrimental impact on health or the environment.</p> <p>92. Ventilated improved pit latrines</p> <p>(1) The municipality may, on such conditions as it may prescribe, having regard to—</p> <ul style="list-style-type: none"> (a) the nature and permeability of the soil; | <p><i>Deel 19: Terreinsanitasiedienste en verwante dienste</i></p> <p>87. Gebruik van terreinsanitasiedienste wat nie aan die sanitasiestelsel gekoppel is nie</p> <p>(1) Geen persoon mag terreinsanitasiedienste wat nie aan die munisipaliteit se sanitasiestelsel gekoppel is gebruik of die gebruik daarvan toelaat sonder goedkeuring van die munisipaliteit nie.</p> <p>(2) 'n Aansoek ingevolge subartikel (1) moet vergesel word van bewyse dat die fasilitet nie nadele inhou ten opsigte van gesondheid en die omgewing nie.</p> <p>(3) Toestemming ingevolge subartikel (1) kan teruggetrek word, indien—</p> <ul style="list-style-type: none"> (a) 'n voorwaarde wat ingevolge subartikel (1) gestel is, nie nagekom word nie; (b) die sanitasie fasilitet 'n nadelige invloed het op gesondheid en die omgewing; of (c) 'n munisipale diens beskikbaar raak en 'n aansluiting deur die munisipaliteit voorsien kan word. <p>(4) Die munisipaliteit kan ondersoek uitvoer soos benodig om te bepaal of die sanitasie fasilitet 'n nadelige effek op gesondheid of die omgewing sal hê.</p> <p>(5) Die persoon aan wie toestemming verleen is ingevolge subartikel (1) sal verantwoordelik wees vir die kostes aangegaan in terme van subartikel (4) indien die resultate van die ondersoek toon dat die sanitasie-fasilitet 'n nadelige invloed het op gesondheid of die omgewing.</p> <p>88. Aansoek om infrastruktuur</p> <p>Indien goedkeuring vir terreinsanitasiedienste en verwante dienste bestaan, en geen infrastruktuur in verband daarvan op die perseel in stand is nie, moet die eienaar onmiddellik op die voorgeskrewe vorm daarom aansoek doen en—</p> <ul style="list-style-type: none"> (a) die voorgeskrewe heffing vir die installering van die nodige infrastruktuur betaal; (b) met die goedkeuring van die munisipaliteit die verbindingsriool of terreinsanitasiedienste in ooreenstemming met die spesifikasies van die munisipaliteit installeer. <p>89. Dienste verwant aan terreinsanitasiedienste</p> <p>(1) Die verwydering of versameling van rioletteninhoud, nagvuil of die leegmaak van putlatrines, sal deur die munisipaliteit onderneem word ingevolge 'n bepaalde program.</p> <p>(2) Afskrifte van die program sal op versoek beskikbaar gestel word.</p> <p>90. Heffings ten opsigte van dienste verwant aan terreinsanitasiedienste</p> <p>Heffings ten opsigte van die verwydering of versameling van rioletteninhoud, nagvuil of die leegmaak van putlatrines, sal ingevolge die munisipaliteit se Tariefbeleid bepaal word.</p> <p>91. Installering van terreinsanitasiedienste</p> <p>(1) Indien goedkeuring vir terreinsanitasiedienste verleen is, of as dit nie redelik moontlik of koste-effektief vir die munisipaliteit is om 'n aansluitriool te installeer nie, moet die eienaar sanitasiestelsel wat deur die munisipaliteit gespecifieer is op die terrein installeer tensy die diens 'n gesubsidieerde diens is wat deur die munisipaliteit bepaal is ooreenkomsdig sy Kredietbeheer- en Skuldinvorderingsbeleid.</p> <p>(2) Die munisipaliteit kan 'n ondersoek doen of vereis dat ondersoek gedoen word, op koste van die eienaar, om te bepaal of die sanitasie-fasilitet 'n nadelige impak op gesondheid of die omgewing sal hê.</p> <p>92. Geventileerde verbeterde putlatrines</p> <p>(1) Die munisipaliteit kan op sodanige voorwaardes wat dit mag voorskryf, met inagneming van—</p> <ul style="list-style-type: none"> (a) die aard en deurlatendheid van die grond; |
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- (b) the depth of the water table;
 - (c) the size of, and access to, the site; and
 - (d) the availability of a piped water supply,
- approve the disposal of human excrement by means of a ventilated improved pit (VIP) latrine.
- (2) A ventilated improved pit latrine must have—
- (a) a pit of 2m^3 capacity;
 - (b) lining as required;
 - (c) a slab designed to support the superimposed loading; and
 - (d) protection preventing children from falling into the pit.
- (3) A ventilated improved pit latrine must conform to the following specifications—
- (a) the pit must be ventilated by means of a pipe, sealed at the upper end with durable insect proof screening fixed firmly in place;
 - (b) the ventilation pipe must—
 - (i) project not less than 0.5m above the nearest roof;
 - (ii) be of at least 150mm in diameter, and
 - (iii) be installed vertically with no bend;
 - (c) the interior of the closet must be finished so that it can be kept in a clean and hygienic condition and the superstructure must be well-ventilated in order to allow the free flow of air into the pit to be vented through the pipe;
 - (d) the opening through the slab must be of adequate size to prevent fouling and the rim must be raised so that liquids used for washing the floor do not flow into the pit; it shall further be equipped with a lid to prevent the egress of flies and other insects when the toilet is not in use;
 - (e) it must be located in a position that is independent of the dwelling unit;
 - (f) in situations where there is danger of polluting an aquifer due to the permeability of the soil, the pit must be lined with an impermeable material that is durable that will not crack under stress;
 - (g) in situations where the ground in which the pit is to be excavated is unstable, suitable support is to be given to prevent the collapse of the soil; and
 - (h) the latrine must have access to water for washing hands.
- (4) Any alternative system must be designed by a registered professional engineer or technologist and approved by the municipality before installation.

93. Septic tanks and treatment plants

- (1) The municipality may approve the disposal of sewage or other effluent by means of septic tanks or other on-site sewage treatment plants.
- (2) A septic tank or other sewage treatment plant on a site may not be situated closer than three metres to any dwelling unit or to any boundary of the premises on which it is situated.
- (3) Effluent from a septic tank or other on-site sewage treatment plant must be disposed of to the satisfaction of the municipality.
- (4) A septic tank must be watertight, securely covered and provided with gas-tight means of access to its interior adequate to permit the inspection of the inlet and outlet pipes and adequate for the purpose of removing sludge.
- (5) A septic tank serving a dwelling unit must—
- (a) have a capacity below the level of the invert of the outlet pipe of not less than 500 litres per bedroom, subject to a minimum capacity below such an invert level of 2 500 litres;
 - (b) have an internal width of not less than 1 metre measured at right angles to the direction of the flow;

- (b) die diepte van die watertafel;
 - (c) die grootte van en toegang tot die terrein; en
 - (d) die beskikbaarheid van 'n pypwatertoewer,
- die wegdoening van menslike ekskrement deur middel van 'n geventileerde verbeterde put (VIP) latrine goedkeur.
- (2) 'n Geventileerde verbeterde putlatrine moet—
- (a) 'n put met 'n inhoudsvermoë van 2m^3 hê;
 - (b) 'n voering hê soos vereis;
 - (c) 'n platblok hê wat ontwerp is om die geërfde lading te stut; en
 - (d) 'n beskerming hê wat verhoed dat kinders in die put val.
- (3) 'n Geventileerde verbeterde putlatrine moet aan die volgende spesifikasies voldoen—
- (a) die put moet geventileer word deur middel van 'n pyp wat by die bopunt met duursame insekwerende sif afgedig is wat stewig in plek geplaas is;
 - (b) die ventilasiepyp moet—
 - (i) nie minder nie as 0.5 m bokant die naaste dak uitsteek;
 - (ii) minstens 150 mm in diameter wees; en
 - (iii) vertikaal sonder 'n buig geïnstalleer wees;
 - (c) die binnekant van die kloset moet glad afgewerk wees sodat dit in 'n skoon en higiëniese toestand gehou kan word en die struktuur moet goed geventileer wees ten einde toe te laat dat die vry vloeie van lug na die put deur die pyp geleei word;
 - (d) die opening deur die platblok moet van toereikende grootte wees om bevuiling te voorkom en die rand moet gelig wees sodat vloeistowwe wat vir die was van die vloer gebruik word, nie in die put inloop nie; dit moet verder toegerus wees met 'n deksel om te voorkom dat vlieë en ander insekte uitkom wanneer die toilet nie in gebruik is nie;
 - (e) dit moet geleë wees op 'n plek wat onafhanklik van die wooneenheid is;
 - (f) in situasies waar daar 'n gevaar van besoedeling van 'n brugkanaal weens die deurlatendheid van die grond is, moet die put uitgevoer word met 'n ondeurlatende materiaal wat duursaam is en nie onder spanning sal kraak nie;
 - (g) in situasies waar die grond waarin die put uitgegrawe gaan word, onstabiel is, moet 'n geskikte stut verskaf word om die instorting van die grond te voorkom; en
 - (h) daar moet voldoende toegang tot water wees vir die was van hande.
- (4) Enige alternatiewe stelsel moet ontwerp word deur 'n professionele geregistreerde ingenieur of tegnoloog en moet goedgekeur word deur die munisipaliteit voor installering.

93. Septiese tenks en behandelingsaanlegte

- (1) Die munisipaliteit mag die wegdoening van rioolvuil of ander uitvloeisel deur middel van septiese tenks of ander terrein rioolvuilbehandelingsaanlegte goedkeur.
- (2) 'n Septiese tenk of ander rioolvuil behandelingsaanleg op 'n terrein mag nie nader as drie meter van enige wooneenheid of aan enige grens van die perseel waarop dit geleë is, wees nie.
- (3) Uitvloeisel uit 'n septiese tenk of ander terrein rioolvuilbehandelingsaanleg moet tot bevrediging van die munisipaliteit weggedoen word.
- (4) 'n Septiese tenk moet waterdig, stewig bedek en voorsien wees van 'n gasdigte wyse van toegang tot die binnekant wat toereikend is om die inspeksie van die inlaat- en uitlaatpype toe te laat en toereikend is vir die doel van verwydering van slik.
- (5) 'n Septiese tenk moet—
- (a) 'n inhoudsvermoë onder die vlak van die bodem van die uitlaatpype van nie minder nie as 500 liter per slaapkamer hê, onderworpe aan 'n minimum inhoudsvermoë onder so 'n bodemvlak van 2500 liter;
 - (b) 'n interne breedte van nie minder nie as 1 meter hê, reghoekig in die rigting van die vloei gemeet;

- (c) have an internal depth between the cover and the bottom of the tank of not less than 1,7metre; and
 - (d) retain liquid to a depth of not less than 1,4metre.
- (6) Septic tanks serving premises other than a dwelling unit must be designed and certified by a professional civil engineer registered as a member of the Engineering Council of South Africa.
- (7) No rain water, storm-water, or effluent other than that approved by the municipality may be discharged into a septic tank.

94. French drains

- (1) The municipality may, having regard to the quantity and the nature of the effluent and the nature of the soil as determined by the permeability test prescribed by the South African Bureau of Standards, approve the disposal of waste-water or other effluent by means of french drains, soakage pits or other approved works.
- (2) A french drain, soakage pit or other similar work may not—
- (a) be situated closer than 5m to any dwelling unit or to any boundary of any premises on which it is situated;
 - (b) be located in a position that may cause contamination of any borehole or other source of water which is or may be used for drinking purposes; or
 - (c) cause dampness in any building.
- (3) The dimensions of any french drain, soakage pit or other similar work shall be determined in relation to the absorbent qualities of the soil and the nature and quantity of the effluent.
- (4) French drains serving premises other than a dwelling house must be designed and certified by a professional civil engineer registered as a member of the Engineering Council of South Africa.

95. Conservancy tanks

- (1) The municipality may approve the construction of a conservancy tank and ancillary appliances for retention of sewage or effluent.
- (2) No rain water, storm-water, or effluent other than approved by the municipality may be discharged into a conservancy tank.
- (3) No conservancy tank must be used as such unless—
- (a) the invert of the tank slopes towards the outlet at a gradient of not less than 1 in 10;
 - (b) the tank is gas and water tight;
 - (c) the tank has an outlet pipe, 100mm in internal diameter, made of wrought iron, cast iron or other approved material, and except if otherwise approved by the municipality, terminating at an approved valve and fittings for connection to the municipality's removal vehicles;
 - (d) the valve and fittings referred to in sub section (c) or the outlet end of the pipe, as the case may be, are located in a chamber that has hinged cover approved by the municipality and which is situated in a position required by the municipality; and
 - (e) access to the conservancy tank is provided by means of an approved manhole fitted with a removable cast iron cover placed immediately above the visible spigot of the inlet pipe.
- (4) The municipality may, having regard to the position of a conservancy tank or of the point of connection for a removal vehicle, require the owner or consumer to indemnify the municipality, in writing, against any liability for any damages that may result from rendering the service, as a condition for emptying the tank.
- (5) Where the municipality's removal vehicle has to enter private premises for the emptying of a conservancy tank, the owner shall provide a roadway at least 3.5m wide capable of withstanding a wheel load of 4 metric tons in all weather conditions.
- (6) The owner or occupier of premises on which a conservancy tank is installed shall at all times maintain the tank in good order and condition.

- (c) 'n interne diepte tussen die deksel en die bodem van die tenk van nie minder nie as 1,7 meter hê; en
 - (d) vloeistof op 'n diepte van nie minder nie as 1,4 meter terughou.
- (6) Septiese tenks wat 'n ander perseel as 'n wooneenheid bedien, moet ontwerp en gesertifiseer wees deur 'n professionele siviele ingenieur wat as 'n lid van die Ingenieursraad van Suid-Afrika geregistreer is.
- (7) Geen reënwater, stormwater of uitvloeisel anders as wat deur die munisipaliteit goedgekeur is, mag in 'n septiese tenk uitgelaat word nie.

94. Sypelriole

- (1) Die munisipaliteit mag met inagneming van die hoeveelheid en aard van die uitvloeisel en die aard van die grond soos bepaal deur die deurlatendheidstoets wat deur die Suid-Afrikaanse Buro van Standaarde voorgeskryf word, die wegdoening van afvalwater of ander uitvloeisel deur middel van sypelriole, weekputte of ander goedgekeurde werke goedkeur.
- (2) 'n Sypelriool, weekput of ander soortgelyke werk mag nie—
- (a) nader as 5 m aan enige wooneenheid of aan enige grens van enige perseel waarop dit geleë is wees nie;
 - (b) in 'n posisie wees wat besoedeling veroorsaak van 'n boorgat of ander waterbron wat vir drinkdoeleindes gebruik word nie; of
 - (c) vogtigheid in enige gebou kan veroorsaak nie.
- (3) Die afmetings van 'n sypelriool, weekput of ander soortgelyke werk moet bepaal word in verhouding tot die absorberende eienskappe van die grond en die aard en hoeveelheid van die uitvloeisel.
- (4) Sypelriole wat 'n ander perseel as 'n woonhuis bedien, moet ontwerp en gesertifiseer word deur 'n professionele siviele ingenieur wat as 'n lid van die Ingenieursraad van Suid-Afrika geregistreer is.

95. Riooltenks

- (1) Die munisipaliteit mag die bou van 'n riooltenk en aanvullende toestelle vir die terughou van rioolvuil of uitvloeisel goedkeur.
- (2) Geen reënwater, stormwater of uitvloeisel anders as wat deur die munisipaliteit goedgekeur is, mag in 'n riooltenk uitgelaat word nie.
- (3) Geen riooltenk mag as sodanig gebruik word nie, tensy—
- (a) die bodem van die tenk teen 'n helling van nie minder nie as 1 in 10 na die uitlaat afloop;
 - (b) die tenk gas- en waterdig is;
 - (c) die tenk 'n uitlaatpyp, met 'n binne deursnee van 100 mm, van gegote yster, gietyster of ander goedgekeurde materiaal gemaak en, tensy andersins deur die munisipaliteit goedgekeur, eindig in 'n goedgekeurde klep en toebehore vir aansluiting by die munisipaliteit se verwyderingsvoertuie het;
 - (d) die klep en toebehore in subartikel (c) bedoel of die uitlaatpyp van die pyp, na gelang van die geval, geleë is in 'n kamer wat 'n skarnierdeksel het wat deur die munisipaliteit goedgekeur is en wat geleë is in 'n posisie wat deur die munisipaliteit vereis word; en
 - (e) toegang tot die opgaartenk voorsien is deur middel van 'n goedgekeurde mangat met 'n verwijderbare gietysterdeksel wat onmiddellik bo die sigbare tap van die inlaatpyp geplaas is.
- (4) Die munisipaliteit mag, met inagneming van die posisie van die opgaartenk of van die aansluitingspunt vir 'n verwyderingsvoertuig, van die eienaar of verbruiker vereis om, as 'n voorwaarde vir die leegmaak van die tenk, die munisipaliteit skriftelik te vrywaar teen enige aanspreeklikheid vir enige skade wat kan voortspruit uit die levering van daardie diens.
- (5) Waar die munisipaliteit se verwyderingsvoertuig oor 'n private perseel moet ry vir die leegmaak van 'n riooltenk, moet die eienaar 'n toegangspad van minstens 3,5 meter breed wat 'n wiellas van 4 metriekie ton in alle weerstoestande kan weerstaan, voorsien.
- (6) Die eienaar of okkuperer van 'n perseel waarop 'n riooltenk geïnstalleer word moet te alle tye die tenk in 'n goeie toestand onderhou.

96. Operation and maintenance of on-site sanitation services

The operation and maintenance of on-site sanitation services and all costs pertaining to it remains the responsibility of the owner of the premises, unless the on-site sanitation services are subsidised services determined in accordance with the municipality's Credit Control and Debt Collection Policy.

97. Disused conservancy and septic tanks

If a conservancy tank or septic tank is no longer required for the storage or treatment of sewage, or if permission for its use is withdrawn, the owner must either cause it to be completely removed or to be completely filled with earth or other suitable material, provided that the municipality may require a tank to be dealt with in another way, or approve its use for other purposes.

Part 20: Sewage disposal

98. Obligation to connect to sanitation system

(1) All premises on which sewage is produced must be connected to the municipality's sanitation system if a connecting sewer is available or if it is reasonably possible or cost effective for the municipality to install a connecting sewer, unless approval for the use of on-site sanitation services has been obtained in terms of section 37.

(2) The municipality may require the owner of premises not connected to the municipality's sanitation system to connect to the sanitation system.

(3) An owner of premises, who is required to connect those premises to the municipality's sanitation system in accordance with subsection (1), must inform the municipality in writing of any sanitation services provided by the municipality on the site, which will no longer be required as a result of the connection to the sanitation system.

(4) The owner shall be liable for charges payable in respect of sanitation services on the site, until an approval for rendering those services has been terminated in accordance with the municipality's by-laws relating to credit control and debt collection.

(5) If the owner fails to connect premises to the sanitation system after a notice in terms of subsection (2) the municipality institute legal action, notwithstanding any other action that it may take in terms of this by-law,

99. Provision of connecting sewer

(1) If approval for sanitation services has been given and no connecting sewer exists in respect of the premises, the owner shall make application on the prescribed form, and—

- (a) pay the tariffs and charges determined by the municipality for the installation of a connecting sewer; or
- (b) with the approval of the municipality install the connecting sewer according to specifications of the municipality.

(2) If an application is made for sanitation services which are of such an extent or so situated that it will become necessary to extend, modify or upgrade the sanitation system, the municipality may agree to the extension only if the owner pays or undertakes to pay the prescribed costs.

(3) Only the municipality may install or approve an installed connecting sewer, but the owner or consumer may connect the sanitation installation to the connection pipe.

(4) No person may commence any development on any premises unless the municipality has installed a connecting sewer.

100. Location of connecting sewer

(1) A connecting sewer that has been provided by the municipality or owner in terms of section 99 must—

- (a) be located in a position and be of a suitable size determined by the municipality; and
- (b) terminate at—
 - (i) the boundary of the premises;

96. Werking en instandhouding van terreinsanitasiedienste

Die werking en instandhouding van terreinsanitasiedienste en alle koste wat daaraan verbonde is, bly die verantwoordelikheid van die eienaar van die perseel, tensy die terreinsanitasiedienste gesubsidieerde dienste ooreenkomsdig die munisipaliteit se Kredietbeheer- en Skuldinvorderingsbeleid is.

97. Ongebruikte riool- en septiese tenks

Indien 'n riooltenk of septiese tenk nie meer vir die opgaar of behandeling van rioolvuil nodig is nie, of indien toestemming vir die gebruik daarvan teruggetrek word, moet die eienaar dit óf heeltemal laat verwyder óf dit heeltemal met grond of ander geskikte materiaal laat opvul, met dien verstande dat die munisipaliteit kan vereis dat daar op 'n ander manier met 'n tenk gehandel word, of die gebruik daarvan vir ander doeleindes goedgekeur.

Deel 20: Wegdoen van rioolvuil

98. Verpligting om by sanitasiestelsel aan te sluit

(1) Alle persele waarop rioolvuil ontstaan moet by die munisipaliteit se sanitasiestelsel aangesluit word as daar 'n aansluitriool beskikbaar is of as dit redelik moontlik of koste-effektief vir die munisipaliteit is om 'n aansluitriool te installeer, tensy goedkeuring vir die gebruik van terreinsanitasiedienste ingevolge artikel 37 verkry is.

(2) Die munisipaliteit kan van die eienaar van 'n perseel wat nie by die munisipaliteit se sanitasiestelsel aangesluit is nie, vereis om by die sanitasiestelsel aan te sluit.

(3) 'n Eienaar van 'n perseel van wie ooreenkomsdig subartikel (1) vereis word om daardie perseel by die munisipaliteit se sanitasiestelsel aan te sluit, moet die munisipaliteit skriftelik in kennis stel van enige sanitasiestelsel wat deur die munisipaliteit op die terrein verskaf word wat as gevolg van die aansluiting by die sanitasiestelsel nie meer nodig sal wees nie.

(4) Die eienaar sal aanspreeklik wees vir enige gelde wat ten opsigte van sanitasiestelsel op die terrein betaalbaar is totdat 'n goedkeuring vir die levering van daardie dienste beëindig is.

(5) Indien die eienaar versuim om die perseel by die sanitasiestelsel aan te sluit na 'n kennisgewing ingevolge subartikel (2), kan die munisipaliteit, ondanks enige ander stappe wat hy ingevolge hierdie verordening kan doen, regstappe instel.

99. Voorsiening van aansluitriool

(1) Indien goedkeuring vir sanitasiestelsel verleen is en geen aansluitriool ten opsigte van die perseel bestaan nie, moet die eienaar op die voorgeskrewe vorm aansoek doen; en

- (a) die tariewe en gelde betaal wat deur die munisipaliteit vir die installering van 'n aansluitriool vasgestel is; of
- (b) met toestemming van die munisipaliteit die verbindingsriool ooreenkomsdig spesifikasies van die munisipaliteit installeer.

(2) Indien aansoek gedoen word vir sanitasiestelsel wat van so 'n omvang is of so geleë is dat dit nodig word om die sanitasiestelsel uit te brei, te verander of op te gradeer, kan die munisipaliteit tot die uitbreiding instem indien die eienaar die koste daarvan betaal of onderneem om daarvoor te betaal.

(3) Slegs die munisipaliteit kan 'n aansluitriool installeer of 'n geïnstalleerde aansluitriool goedkeur, maar die eienaar of verbruiker kan die sanitasiestelsel vir die verbindingsriool aansluit.

(4) Geen persoon mag 'n ontwikkeling op 'n perseel begin nie tensy die munisipaliteit 'n aansluitriool geïnstalleer het.

100. Ligging van aansluitriool

(1) 'n Aansluitriool wat deur die munisipaliteit of die eienaar ingevolge artikel 99 voorsien en geïnstalleer is, moet—

- (a) geleë wees in 'n posisie en van 'n geskikte grootte wees wat deur die munisipaliteit bepaal is; en
- (b) eindig by—
 - (i) die grens van die perseel;

| | |
|---|---|
| <p>(ii) at the connecting point if it is situated on the premises; or</p> <p>(iii) at a position determined by the municipality.</p> <p>(2) In reaching an agreement with an owner concerning the location of a connecting sewer, the municipality shall ensure that the owner is aware of—</p> <ul style="list-style-type: none"> (a) practical restrictions that may exist regarding the location of a connecting sewer pipe; (b) the cost implications of the various possible locations of the connecting sewer, and (c) whether or not the municipality requires it, to fix the location of the connecting sewer by providing a portion of his or her water installation at or outside the boundary of his or her premises, or such agreed position inside or outside his or her premises where the connection is required. <p>(3) The municipality may at the request of the owner of premises, approve, a connection to a connecting sewer other than one that is most readily available for the provision of sanitation services to the premises in which event the owner shall be responsible for any extension of the drainage installation to the connecting point designated by the municipality and for obtaining, at his own cost, a servitude over other premises that may be necessary.</p> <p>(4) Should more than one erf connect to a line and share a service, a service agreement is to be drawn up between the various owners regarding the maintenance and upgrading of the shared service.</p> <p>(5) Where an owner is required to provide a sewage lift as provided for in terms of the Building Regulations, or the premises are at a level where the drainage installation cannot discharge into the sewer by gravitation, the rate and time of discharge into the sewer has to be subject to the approval of the municipality.</p> <p>(6) The owner of premises must pay the connection charges and tariffs determined by the municipality before a connection to the connecting sewer can be effected.</p> | <p>(ii) die aansluitpunt indien dit op die perseel geleë is; of</p> <p>(iii) 'n posisie soos bepaal deur die munisipaliteit.</p> <p>(2) By bereiking van 'n ooreenkoms met die eienaar oor die plasing van 'n verbindingsriool, moet die munisipaliteit toesien dat die eienaar bewus is van—</p> <ul style="list-style-type: none"> (a) praktiese beperkings wat ten aansien van die plasing van 'n verbindingsriool mag bestaan; (b) die koste-implikasie van die verskillende moontlike plasings van die verbindingsriool; en (c) of die munisipaliteit dit van die eienaar verg al dan nie, om die plasing van die verbindingsriool te bepaal deur 'n gedeelte van sy of haar waterinstallasie by of buite sy of haar perseel se grense te voorsien, of sodanige oorengekome posisie binne of buite sy of haar perseel waar die verbinding vereis word. <p>(3) Die munisipaliteit kan op versoek van die eienaar van 'n perseel, 'n aansluiting aan 'n ander aansluitriool as die beste beskikbare een vir die verskaffing van sanitasiendienste goedkeur in welke geval die eienaar verantwoordelik is vir enige uitbreiding van die perseelrioolinstallasie tot by die aansluitpunt wat deur die munisipaliteit aangewys is en om op sy eie koste 'n serwituut op 'n ander perseel te verkry wat nodig is.</p> <p>(4) Waar meer as een perseel aan 'n lyn verbind is en 'n diens deel, moet 'n diensooreenkoms tussen die onderskeie eienaars gesluit word met betrekking tot die onderhoud en opgradering van die gedeelde diens.</p> <p>(5) Waar daar van 'n eienaar vereis word om 'n rioolvuil hefpomp ingevolge die Bouregulasies te voorsien, of die perseel op 'nvlak is waar die perseelrioolinstallasie nie deur gravitasie na die riool kan afloop nie, is die aflooptempo en—tyd aan die goedkeuring van die munisipaliteit onderworpe.</p> <p>(6) Die eienaar van 'n perseel moet die aansluitgelde en tariewe wat deur die munisipaliteit vasgestel is, betaal voordat 'n aansluiting by die aansluitriool gedoen kan word.</p> |
| <p>101. Provision of one connecting sewer for several consumers on same premises</p> <p>(1) Notwithstanding the provisions of section 102, only one connecting sewer to the sanitation system may be provided for the disposal of sewage from any premises, irrespective of the number of accommodation units or consumers located on such premises.</p> <p>(2) Where the owner or occupier of premises on which several accommodation units are situated, requires the disposal of sewage from such different accommodation units, the municipality may, in its discretion, provide and install either—</p> <ul style="list-style-type: none"> (a) a single connecting sewer in respect of the premises as a whole or any number of such accommodation units; or (b) a separate connecting sewer for each accommodation unit or any number thereof. <p>(3) Where the municipality has installed a single connecting sewer as contemplated in subsection (2) (a), the owner or occupier—</p> <ul style="list-style-type: none"> (a) must if the municipality so requires, install and maintain on each branch pipe extending from the connecting sewer to the different accommodation units— <ul style="list-style-type: none"> (i) a separate connecting sewer; (ii) an isolating valve; and (iii) a rodging eye at all branching joints; (b) will be liable to the municipality for the tariffs and charges for all sewage disposed from the premises through such a single connecting sewer, irrespective of the different quantities disposed by the different consumers. . (c) will be liable jointly for the maintenance of a private combined sewer system from the connection point on the municipal main sewer including the connecting manhole. <p>(4) Notwithstanding subsection (1), the municipality may authorise the provision of more than one connecting sewer from any premises comprising of sectional title units or if undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connecting sewer.</p> | <p>101. Voorsiening van een aansluitriool vir verskeie verbruikers op dieselfde perseel</p> <p>(1) Nieteenstaande die bepalings van artikel 102, mag net een aansluitriool in die sanitasiestelsel voorsien word vir die wegdoening van rioolvuil, ongeag die aantal akkommodasie-eenhede of verbruikers wat op sodanige perseel is.</p> <p>(2) Wanneer die eienaar of okkuperer van 'n perseel waarop verskeie wooneenhede is die wegdoen van rioolvuil vanaf die verskillende wooneenhede verlang, kan die munisipaliteit—</p> <ul style="list-style-type: none"> (a) 'n enkelverbindingsriool ten opsigte van die perseel as 'n geheel, of enige aantal sodanige wooneenhede, voorsien en installeer; of (b) 'n afsonderlike verbindingsriool vir elke wooneenheid, of enige aantal wooneenhede, voorsien en installeer. <p>(3) Wanneer die munisipaliteit 'n enkelverbindingsriool soos in subartikel (2)(a) beoog, geïnstalleer het, sal die eienaar of okkuperer—</p> <ul style="list-style-type: none"> (a) indien die munisipaliteit dit vereis, aan elke takpyp wat vanaf die verbindingsriool na die verskillende wooneenhede strek— <ul style="list-style-type: none"> (i) 'n afsonderlike verbindingsriool installeer en onderhou; (ii) 'n isoleerklep installeer en onderhou; en (iii) skoonmaakoë installeer by alle takpypverbindings. (b) aanspreklik wees teenoor die munisipaliteit vir die tariewe en heffings ten opsigte van alle rioolvilverwydering vanaf die perseel deur middel van sodanige enkelverbindingsriool, ongeag die verskillende hoeveelhede waarmee deur die verskillende verbruikers weggedoen is; (c) gesamentlik verantwoordelik wees vir die onderhoud van die privaat gekombineerde rioolstelsel vanaf die konneksiepunt by die munisipaliteit se hoofriool, asook die mangat. <p>(4) Nieteenstaande subartikel (1), mag die munisipaliteit toelaat dat meer as een aansluitriool voorsien word op 'n perseel wat uit deeltiteenhede bestaan of indien onnodige onbering of ongerief vir 'n verbruiker op so 'n perseel deur die voorsiening van net een aansluitriool veroorsaak sal word.</p> |

(5) Where the provision of more than one connecting sewer is authorised by the municipality under subsection (4), the tariffs and charges for the provision of a connecting sewer are payable in respect of each sewage connection so provided.

102. Interconnection between premises

- (1) An owner of premises may not without the approval of the municipality install an interconnection between the drainage installation on his premises and the drainage installation on any other premises.
- (2) An agreement that stipulates the combined responsibility for the maintenance or possible upgrade of the shared service between the owners of the shared services must be concluded.

103. Disconnection of draining installation from connecting sewer

The municipality may disconnect a drainage installation from the connecting sewer and remove the connecting sewer if—

- (a) the approval for provision of sewer supply services has been terminated in terms of the municipality's by-laws relating to credit control and debt collection and it has not received an application for subsequent provision to the premises served by the sewer within a period of 90 days of such termination; or
- (b) the building on the premises concerned has been demolished.

Part 21: Sewage delivered by road haulage

104. Acceptance of sewage delivered by road haulage

The municipality may accept sewage for disposal delivered to the municipality's sewage treatment plants by road haulage.

105. Permission for delivery of sewage by road haulage

- (1) No person shall without permission discharge sewage into the municipality's sewage treatment plants by road haulage.
- (2) The charges for any sewage delivered to the municipality's sewage treatment plants shall be assessed by the municipality in accordance with the prescribed tariffs or charges.

106. Conditions for delivery of sewage by road haulage

- (1) When sewage is delivered by road haulage—
 - (a) the time of delivery shall be arranged in consultation with the municipality;
 - (b) the nature and composition of the sewage shall be established to the satisfaction of the municipality prior to the discharge thereof and no person shall deliver sewage that does not comply with the standards laid down in terms of this by-law; and
 - (c) where use is made of the municipality's suction tanker truck, the service will be rendered subject to the conditions, policy and prescribed fees. .

107. Withdrawal of permission for delivery of sewage by road haulage

- (1) The municipality may withdraw any permission to discharge sewage by road haulage, after giving ten days written notice if the person—

- (a) fails to ensure that the sewage so delivered conforms to the standards prescribed in Schedule "A" or in the written permission;

(5) Waar die voorsiening van meer as een aansluitriool deur die munisipaliteit kragtens subartikel (4) gemagtig word, is die tariewe en gelde vir die voorsiening van 'n aansluitriool betaalbaar ten opsigte van elke rioolvulaansluiting aldus voorsien.

102. Tussenaansluiting tussen persele

- (1) 'n Eienaar van 'n perseel mag nie sonder goedkeuring van die munisipaliteit 'n tussenaansluiting tussen die perseelrioolinstallasie op sy perseel en die perseelrioolinstallasie op 'n ander perseel installeer nie.
- (2) 'n Ooreenkoms moet gesluit word tussen die onderskeie eienaars van 'n gesamentlike aansluitriool wat die gesamentlike verantwoordelikheid ten opsigte van die onderhoud en moontlike opgradering van die gedeelte diens uiteensit.

103. Diskonnektering van perseelrioleringsinstallasie van verbindingsriool

Die munisipaliteit mag 'n perseelrioleringsinstallasie van die verbindingsriool diskonnekteer en die verbindingsriool verwijder indien—

- (a) die goedkeuring vir voorsiening van die verbindingsriool ingevolge die munisipaliteit se kredietbeheer en skuldinvordering verordeninge beëindig is en geen aansoek ontvang is vir die verdere voorsiening aan die perseel binne 90 (negentig) dae na sodanige beëindiging deur die munisipaliteit nie; of
- (b) die gebou op die perseel gesloophas is.

Deel 21: Rioolvuil deur middel van padvervoer gelewer

104. Aanvaarding van lewering van rioolvuil deur middel van padvervoer

Die munisipaliteit mag rioolvuil wat deur middel van padvervoer aan die munisipaliteit se rioolvuil behandelingsaanleg gelewer word, aanvaar.

105. Skriftelike toestemming vir lewering van rioolvuil deur middel van padvervoer

- (1) Niemand mag sonder goedkeuring van die munisipaliteit rioolvuil in die munisipaliteit se rioolvuil behandelingsaanleg deur middel van padvervoer loslaat nie.
- (2) Die heffings betaalbaar vir enige rioolvuil wat aan die munisipaliteit se rioolvuil-behandelingsaanleg vir wegdoening gelewer is, sal deur die munisipaliteit in ooreenstemming met die voorgeskrewe tariewe en heffings bepaal word.

106. Voorwaardes vir die lewering van rioolvuil deur middel van padvervoer

- (1) Wanneer rioolvuil deur middel van padvervoer gelewer word—
 - (a) moet die tyd van aflewering in oorelog met die munisipaliteit gereël word;
 - (b) moet die aard en samestelling van die rioolvuil voor die loslating daarvan vasgestel word, en niemand mag rioolvuil lever wat nie aan die standaarde voldoen wat ingevolge hierdie verordening voorgeskryf is nie; en
 - (c) sal dit, waar gebruik gemaak word van die munisipaliteit se vragmotor, onderhewig wees aan die vereistes, beleid en vasgestelde tariewe.

107. Terugtrekking van toestemming vir lewering van rioolvuil deur middel van padvervoer

- (1) Die munisipaliteit mag enige toestemming om rioolvuil deur middel van padvervoer los te laat, terugtrek nadat 10 (tien) dae skriftelike kennigsgewing van sodanige voorname, gelewer is indien sodanige persoon—
 - (a) versuim om toe te sien dat die rioolvuil wat aldus gelewer is aan die standaarde wat in Bylae "A" of in die skriftelike toestemming voorgeskryf is, voldoen;

- (b) fails or refuses to comply with any notice lawfully served on him or her in terms of this by-law or contravenes any provisions of this by-law or any condition imposed on him or her in terms of any permission granted to him or her; or
- (c) fails to pay the charges in respect of any sewage delivered.

Part 22: Purified sewage

108. Use of purified sewage

- (1) The municipality may on application in terms of section 2, agree to supply purified sewage to a consumer.
- (2) No warranty shall be supplied by the municipality in respect of the suitability of the purified sewage for the purpose for which the supply was granted.
- (3) The supply of purified sewage shall be at the risk of the consumer, who shall be liable for any consequential damage or loss arising directly or indirectly there from, including the consequences of any bona fide fault of the municipality or the malfunction of a treatment plant.
- (4) Purified sewage pipes must—
 - (a) be clearly marked indicating that it is conveying purified effluent;
 - (b) have a warning notice on the pipe at regular intervals or marked in a different (orange) colour;
 - (c) not be accessible to the general public; and
 - (d) the pipeline must be constructed to the general municipal standards.

Part 23: Disposal of industrial effluent and trade premises

109. Application for disposal of industrial effluent

- (1) A Person must apply in terms of section 2(1), on the prescribed form attached as Schedule B to this by-law, for approval to discharge industrial effluent into the sewage disposal system of the municipality.
- (2) The municipality may, grant permission to discharge industrial effluent if the capacity of a sewage disposal system is sufficient to permit the conveyance and effective treatment and lawful disposal of the industrial effluent.
- (3) The provisions of Chapter I will with the necessary changes apply to any permission to discharge industrial effluent.
- (4) Any person who wishes to construct or cause to be constructed, a building which shall be used as a trade premises, shall at the time of lodging a building plan in terms of section 4 of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), also lodge applications for the provision of sanitation services and for permission to discharge industrial effluent in terms of subsection (1).
- (5) In the cases where industries are situated in an area where they cannot connect to the municipal sewer systems, or where there are no sewerage connections, it must do on site treatments, to an environmental discharge standard.
- (6) If it is not possible to do on site treatment, the industrial effluent must be transported to the nearest waste water treatment plant.
- (7) The necessary permit for the transportation and discharging of the effluent, must be obtained from the municipality against payment of the prescribed charges.

110. Unauthorised discharge of industrial effluent

- (1) No person may discharge or cause or permit to be discharged into the sewage disposal system any industrial effluent except with the permission of the municipality.

- (b) versuim of weier om aan enige kennisgewing wat regtens ingevolge hierdie verordening op hom of haar beteken is, te voldoen, of enige bepalings van hierdie verordening of enige voorwaarde aan hom of haar ingevolge enige toestemming voorgeskryf, oortree; of
- (c) versuim om die bepaalde heffings ten opsigte van enige gelewerde rioolvuil te betaal.

Deel 2: Gesuiwerde rioolwater

108. Gebruik van gesuiwerde rioolwater

- (1) Op aansoek ingevolge artikel 2, kan die munisipaliteit instem om gesuiwerde rioolwater aan 'n verbruiker te verskaf.
- (2) Geen waarborg sal ten aansien van die geskiktheid vir die doeleindes waarvoor die watervoorsiening toegestaan is, deur die munisipaliteit verskaf word nie.
- (3) Die voorsiening van gesuiwerde rioolwater sal uitsluitlik op risiko van die verbruiker geskied en die verbruiker sal aanspreeklik wees vir enige gevolgskade of verlies wat regstreeks of onregstreeks as gevolg daarvan mag ontstaan, met insluiting van gevolge weens enige bona fide fout deur die munisipaliteit, of die onklaarheid van 'n verwerkingsaanleg.
- (4) Pype wat gesuiwerde rioolwater vervoer moet—
 - (a) duidelik gemerk wees om aan te dui dat dit gesuiwerde uitvloeisel vervoer;
 - (b) 'n waarskuwingsteken toon wat op gereelde intervalle aangebring is, of gemerk wees met 'n spesiale kleur (oranje);
 - (c) nie toeganklik wees vir die algemene publiek nie; en
 - (d) die pyplyn moet volgens die munisipale standarde gelê wees.

Deel 23: Wegdoen van nywerheidsuitvloeisel van handelspersele

109. Aansoek om wegdoen van nywerheidsuitvloeisel

- (1) Ingevolge artikel 2(1) moet 'n persoon aansoek doen op die voorgeskrewe vorm soos aangeheg as Bylae B aan hierdie verordening om goedkeuring vir die loslaat van nywerheidsuitvloeisel in 'n rioolvulwegdoenstsel van die munisipaliteit.
- (2) Die munisipaliteit mag toestemming verleen vir die wegdoen van nywerheidsuitvloeisel indien die kapasiteit van 'n rioolvulwegdoenstsel voldoende is om die vervoer en doeltreffende behandeling sowel as die regmatige wegdoen van nywerheidsuitvloeisel te behartig.
- (3) Die bepalings van Hoofstuk I sal met die nodige wysigings van toepassing wees op enige toestemming om nywerheidsuitvloeisel los te laat.
- (4) Enige persoon wat voorinemens is om 'n gebou wat as 'n handelsperseel gebruik staan te word op te rig, of te laat oprig, moet ten tyde van die indiening van 'n bouplan ingevolge artikel 4 van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet Nr 103 van 1977), ook aansoeke indien om die lewering van sanitasielidense en om toestemming om nywerheidsuitvloeisel ingevolge subartikel (1) los te laat.
- (5) In gevalle waar nywerhede in 'n area geleë is waar daar geen toegang tot die munisipale rioolstelsel is nie, of waar daar geen rioolaansluitings is nie, moet suivering op die terrein uitgevoer word tot 'n standaard wat aflatting in die omgewing toelaat.
- (6) Indien dit nie moontlik is om die uitvloeisel op terrein te behandel nie, moet die nywerheidsuitvloeisel na die naaste rioolsuiweringswerke vervoer word.
- (7) Die nodige permit moet van die munisipaliteit verkry word vir die vervoer en uitlatting van die uitvloeisel, en die vasgestelde tarief moet betaal word.

110. Ongemagtigde loslating van nywerheidsuitvloeisel

- (1) Niemand mag sonder toestemming van die munisipaliteit enige nywerheidsuitvloeisel in die rioolvulwegdoenstsel loslaat of veroorsaak of toelaat dat dit daarin losgelaat word nie

- (2) A person to whom such permission is granted shall pay the prescribed charges.
- (3) A sewer plan indicating the position, depth, connection point and connecting manhole must be submitted to the municipality for approval.

111. Quality standards for disposal of industrial effluent

- (1) A person to whom permission has been granted must ensure that no industrial effluent is discharged into the sewage disposal system unless it complies with the standards and criteria set out in Schedule A hereto.
- (2) The municipality may relax or vary the standards in Schedule A, provided that it represents the best practicable environmental option.
- (3) In determining whether relaxing or varying the standards in Schedule A represents the best practicable environmental option, the municipality must consider—
- whether the applicant's undertaking is operated and maintained at optimal levels;
 - whether technology used by the applicant represents the best available option for his or her industry and, if not, whether the installation of such technology would entail unreasonable cost to the applicant;
 - whether the applicant is implementing a programme of waste minimisation which complies with national and local waste minimisation standards;
 - the cost to the municipality of granting the relaxation or variation; and
 - the environmental impact or potential impact of such a relaxation or variation.
- (4) Test samples may be taken at any time to ascertain whether the industrial effluent complies with Schedule A or any other standard laid down in a written permission.
- (5) The holder of a permission issued in terms of subsection (1) shall provide a sampling point.

112. Conditions for disposal of industrial effluent

- (1) The municipality may issue a permit in the form of Schedule C for the discharge of industrial effluent requiring a person to—
- subject the industrial effluent to preliminary treatment to ensure that it conforms to the standards prescribed in Schedule A before being discharged into the sewage disposal system;
 - install equalising tanks, valves, pumps, appliances, meters and other equipment necessary to control the rate and time of discharge into the sewage disposal system;
 - install a drainage installation, separate from the drainage installation for other sewage, for the conveyance of the industrial effluent into the sewage disposal system at a given point, and may prohibit a person from disposing of the industrial effluent at any other point;
 - construct on any pipe conveying industrial effluent to any sewer, a service access hole or stop-valve in such position and of such dimensions and materials as the municipality may prescribe;
 - provide all information that may be required to enable it to assess the tariffs or charges due to it;
 - provide adequate facilities including, but not limited to, level or overflow detection devices, standby equipment, overflow catch pits, or other appropriate means of preventing a discharge into the sewage disposal system in contravention of this by-law;

- (2) 'n Persoon aan wie sodanige toestemming verleen is, moet die voorgeskrewe heffings aan die munisipaliteit betaal.
- (3) 'n Rioolplan wat die posisie en diepte, aansluitingspunt en aansluitingswerkuim aandui, moet aan die munisipaliteit voorgelê word vir goedkeuring.

111. Gehaltestandaarde vir wegdoening van nywerheidsuitvloeisel

- (1) 'n Persoon aan wie toestemming verleen is, moet toesien dat geen nywerheidsuitvloeisel in die rioolvilwegdoenstelsel van die munisipaliteit losgelaat word nie, tensy dit aan die standaarde en maatstawwe in Bylae A hiervan uiteengesit, voldoen.
- (2) Die munisipaliteit kan die standaarde in Bylae A verslap of wysig, indien hy oortuig is dat enige sodanige verslapping die beste praktiese omgewingsopsie verteenwoordig.
- (3) By die vasstelling of die verslapping of wysiging van die standaarde in Bylae A die beste praktiese omgewingsopsie verteenwoordig, moet die munisipaliteit die volgende in ag neem—
- of die aansoeker se onderneming teen optimale vlakke behartig en onderhou word;
 - of die tegnologie wat die aansoeker aanwend die beste beskikbare opsie in sy of haar nywerheidsveld is, en indien nie, of die installasie van sodanige tegnologie onredelike kostes vir die aansoeker tot gevolg sal hê;
 - of die aansoeker uitvoering gee aan 'n program van afvalbeperking wat aan die nasionale en plaaslike afvalbeperkingstandaarde voldoen;
 - die koste vir die munisipaliteit verbonde aan die toestaan van die verslapping of wysiging; en
 - die omgewingsinvloed of potensiële invloed as gevolg van sodanige verslapping of wysiging.
- (4) Toetsmonsters kan te eniger tyd geneem word ten einde vas te stel of die nywerheidsuitvloeisel aan Bylae A of aan enige ander standaard wat in 'n skriftelike toestemming voorgeskryf is, voldoen.
- (5) 'n Persoon aan wie toestemming verleen is in terme van subartikel (1) moet 'n monsternemingspunt voorsien.

112. Voorwaardes vir wegdoening van nywerheidsuitvloeisel

- (1) Die munisipaliteit kan in 'n permit in die vorm van Bylae C vir die wegdoening van nywerheidsuitvloeisel iemand gelas om—
- die nywerheiduitvloeisel aan voorlopige behandeling te onderwerp om te verseker dat die nywerheidsuitvloeisel aan die voorgeskrewe standaarde in Bylae A sal voldoen alvorens dit in die rioolvilwegdoenstelsel losgelaat word;
 - balanseertenks, kleppe, pompe, toestelle, meters en ander toerusting te installeer wat nodig is om die tempo en tyd van die storting in die rioolvilwegdoenstelsel te beheer;
 - 'n perseelrioleringsinstallasie, afsonderlik van die perseelrioleringsinstallasie vir vuilwaterafvoer en standaard huishoudelike uitvloeisel, te installeer vir die wegvoer van sy of haar nywerheidsuitvloeisel na die rioolvilwegdoenstelsel by 'n gegewe punt, en sodanige persoon verbied om sy of haar nywerheidsuitvloeisel by enige ander punt los te laat of om sy of haar vuilwaterafvoer en standaard huishoudelike uitvloeisel op enige ander wyse mee weg te doen as in 'n rioolvilwegdoenstelsel;
 - aan enige pyp wat sy of haar nywerheidsuitvloeisel na enige riool toe wegvoer, 'n dienstoegangsgat of afsluitklep aan te bring, in so 'n posisie en van sodanige afmetings en materiaal as wat die munisipaliteit mag voorskryf;
 - alle inligting te voorsien wat die munisipaliteit benodig om die verskuldigde tariewe of heffings te bepaal;
 - voldoende fasilitete te verskaf, soos hoogtelynverklikkers of oorloopverklikkers, gereedschapsuitrusting, oorloopvangbak of ander gepaste maniere om 'n loslating in die rioolvilwegdoenstelsel te voorkom wat teenstrydig met hierdie verordening sal wees;

- (g) cause any meter, gauge or other device installed in terms of this section to be calibrated by an independent authority at the cost of the responsible person as required by the municipality; and
 - (h) cause industrial effluent to be analysed and to submit the results of the tests when completed.
- (2) The cost of any treatment, plant, works or analysis which the person mentioned in subsection (1) may be required to do shall be borne by the said person.
- (3) The written permission of the municipality must be obtained for any proposed changes to the composition of industrial effluent discharged into the sewage disposal system.
- (4) Where industrial effluent does not comply with the standards in Schedule A or the written permission issued in respect of that process or premises, the municipality must be informed of the incident and the reasons therefor within twelve hours of such discharge.

113. Withdrawal of written permission for disposal of industrial effluent

- (1) The municipality may withdraw an approval to a person who has been authorised to discharge industrial effluent if the person—
 - (a) fails to ensure that the industrial effluent discharged conforms to the industrial effluent standards prescribed in Schedule A of this by-law or the written permission referred to in section 109;
 - (b) fails or refuses to comply with a notice in terms of this by-law or contravenes a provision of this by-law or any condition imposed in terms of permission granted to him or her; or
 - (c) fails to pay the assessed charges in respect of any industrial effluent discharged.
- (2) The municipality may on withdrawal of any written permission—
 - (a) in addition to any steps prescribed in this by-law, authorise the closing or sealing of the connecting sewer of the said premises to any sewer against payment of the prescribed fee; and
 - (b) refuse to accept any industrial effluent until it is satisfied that adequate steps have been taken to ensure that it conforms with the standards prescribed in this by-law.

114. Sea outfalls

- (1) The provisions of this part shall apply equally to industrial effluent discharged into any of the municipality's sea outfalls, subject to any additional conditions specific to sea outfalls that may be imposed.
- (2) Where industrial effluent is accepted for discharge into a sea outfall it shall be delivered to the point of acceptance approved by the municipality by means of a pipeline constructed and maintained by the permitted person.
- (3) No industrial effluent shall be accepted for discharge into a sea outfall unless—
 - (a) it complies with the standards and criteria set out in Schedule A;
 - (b) it is proved that such effluent—
 - (i) is not toxic to marine fauna or flora;
 - (ii) contains no constituents in concentrations which can create a nuisance on the beaches or in the sea, or a health hazard or which may have an adverse effect on bathing or other recreational areas;
 - (iii) contains no floating material;
 - (iv) contains no substance which may be prejudicial or injurious to the municipality's sea outfalls and associated sumps, sewers, plant and equipment or to its employees;
 - (v) contains no materials capable of creating a nuisance by frothing; and

- (g) toe te sien dat enige meter, meetglas of ander toestel wat ingevolge hierdie artikel geïnstalleer is, deur 'n onafhanklike owerheid, op koste van daardie persoon, gekalibreer word soos deur die munisipaliteit vereis en afskrifte van die kalibrering aan die munisipaliteit te voorsien ; en
 - (h) toe te sien dat sy of haar nywerheidsuitvloeisel ontleed word en dat die uitslae van sodanige ontledings aan die munisipaliteit voorsien word.
- (2) Die koste van enige behandeling, aanleg, werke of ontleding wat van die persoon in subartikel (1) vereis word sal deur gemelde persoon gedra word.
- (3) Die skriftelike toestemming van die munisipaliteit moet bekom word vir enige voorgenome veranderings aan die samestelling van nywerheidsuitvloeisel wat in die rioolvilwegdoen-stelsel losgelaat word.
- (4) Ingeval nywerheidsuitvloeisel wat nie aan die standaarde voldoen wat in Bylae A voorgeskryf is nie, of wat nie aan die skriftelike toestemming voldoen wat ten aansien van daardie proses of perseel uitgereik is nie, in 'n rioolvilwegdoenstelsel losgelaat word, moet die munisipaliteit binne 12 uur na sodanige loslating van die voorval en die redes daarvoor in kennis gestel word.

113. Terugtrekking van skriftelike toestemming vir wegdoening van nywerheids-uitvloeisel

- (1) Die munisipaliteit kan toestemming om nywerheidsuitvloeisel in 'n rioolvilwegdoenstelsel los te laat, terugtrek indien daardie persoon—
 - (a) versuum om te voldoen aan die nywerheidsuitvloeiselstandaarde wat in Bylae A van hierdie verordening voorgeskryf is of in die goedkeuring ingevolge artikel 109;
 - (b) versuum of weier om te voldoen aan 'n skriftelike kennisgewing wat ingevolge hierdie verordening gegee is of 'n bepaling van hierdie verordening of enige voorwaarde wat opgelê is, oortree; of
 - (c) versuum om die vasgestelde tariewe ten opsigte van nywerheidsuitvloeisel te betaal.
- (2) By die terugtrekking van enige skriftelike toestemming, mag die munisipaliteit—
 - (a) benewens die stappe in hierdie verordening voorgeskryf, die sluiting of verseëling van die verbindingriool aan enige riool, magtig teen betaling van die vasgestelde geldie; of
 - (b) weier om enige nywerheidsuitvloeisel te aanvaar tensy voldoende stappe ingestel is om te verseker dat dit aan die standaarde voldoen wat deur hierdie verordening voorgeskryf is.

114. See-uitlate

- (1) Die bepalings van hierdie gedeelte sal gelykmatig van toepassing wees op nywerheidsuitvloeisel wat in enige van die munisipaliteit se see-uitlate gestort word, onderhewig aan enige addisionele vereistes wat spesifiek met betrekking tot see-uitlate gestel mag word.
- (2) Waar nywerheidsuitvloeisel aanvaar word vir storting in 'n see-uitlaat moet dit gelewer word by die punt van aanvaarding soos goedgekeur deur die munisipaliteit deur middel van 'n pyplyn wat op koste van die persoon aldus toegelaat gebou en onderhou moet word.
- (3) Geen nywerheidsuitvloeisel sal vir storting in 'n see-uitlaat aanvaar word nie tensy—
 - (a) dit voldoen aan die standaarde en kriteria soos uiteengesit in Bylae A;
 - (b) bewys aan die munisipaliteit gelewer is dat sodanige uitvloeisel—
 - (i) nie toksies is vir mariene fauna of flora nie;
 - (ii) nie enige bestanddele in sodange konsentrasie bevat dat dit 'n oorlas op strande of in die see of 'n gesondheidsgevaar kan veroorsaak of 'n nadelige effek kan hê op swem-en ander ontspanningsgebiede nie;
 - (iii) geen drywende materiaal bevat nie;
 - (iv) geen bestanddele bevat wat nadelig of gevaelik mag wees vir die munisipaliteit se see-uitlate en daarmee gepaardgaande pompe, riole, toerusting of werknemers nie;
 - (v) geen materiaal bevat wat 'n oorlas kan veroorsaak deur skuiming nie; of

- (vi) contains no standard domestic effluent;
 - (c) it complies with any applicable standards in terms of the National Water Act, 1998 (Act No. 36 of 1998).
- (4) The municipality may relax or vary the standards and criteria in Schedule A, provided that such relaxation or variation shall not constitute a relaxation or variation of those matters referred to in subsection (3).
- (5) The delivery pipeline from the premises concerned to the point of acceptance shall be maintained in a proper condition and free from any leaks.
- (6) Acceptance of the industrial effluent shall be subject to review at any time.

Part 24: Measurement of quantity of effluent discharged to sewage disposal system

115. Measurement of quantity of standard domestic effluent discharged

- (1) The quantity of standard domestic effluent discharged shall be determined by a percentage of water supplied by the municipality; provided that where the municipality is of the opinion that such a percentage in respect of specific premises is excessive, having regard to the purposes for which water is consumed on those premises, the municipality may reduce the percentage to a figure which reflects the proportion between the likely quantity of sewage discharged from the premises and the quantity of water supplied thereto.
- (2) Where a premise is supplied with water from a source other than or in addition to the municipality's water supply system, including abstraction from a river or borehole, the quantity of standard domestic effluent shall be a percentage of the total water used on that premises as may be reasonably estimated by the municipality.

116. Measurement of quantity of industrial effluent discharged

- (1) The quantity of industrial effluent discharged into the sewage disposal system shall be determined—
 - (a) where a measuring device is installed, by the quantity of industrial effluent discharged from a premises as measured through that measuring device; or
 - (b) until such time as a measuring device is installed, by a percentage of the water supplied by the municipality to that premises, according to Part II in Schedule B.
- (2) The municipality may require the owner of any premises to incorporate a control meter or gauge or other device of an approved type in a drainage installation conveying industrial effluent to a sewer to ascertain the tempo, volume and composition of the effluent.
- (3) The municipality may install and maintain a meter, gauge or device referred to in subsection (2) at the expense of the owner of the premises.
- (4) Where premises are supplied with water from a source other than or in addition to the municipality's water supply system, including abstraction from a river or borehole, the quantity of standard industrial effluent will be a percentage of the total water used on that premises as estimated by the municipality.
- (5) Where a portion of the water supplied to the premises forms part of the end product of any manufacturing process or is lost by reaction or evaporation during the manufacturing process or for any other reason, the municipality may, on application, reduce the assessed quantity of industrial effluent.
- (6) The municipality may enter into an agreement with a person discharging industrial effluent into the sanitation system, whereby an alternative method of assessing the quantity and tempo of effluent so discharged is determined.
- (7) Charges relating to the quality of industrial effluent will be based on the formula for industrial effluent discharges as prescribed in the municipality's Tariff Policy.

- (vi) geen standaard huishoudelike uitvloeisel bevat nie;
 - (c) dit voldoen aan enige toepaslike standaarde in terme van die Nasionale Waterwet, Wet 36 van 1998.
- (4) Die munisipaliteit mag die standaarde en kriteria in Bylae A verslap of wysig, met dien verstande dat sodanige verslapping of wysiging nie sal neerkom op 'n verslapping of wysiging van die vereistes in subartikel (3) nie.
- (5) Die geleidingspyp vanaf die betrokke perseel na die punt van aanvaarding moet in 'n goeie toestand en vry van lekkasies onderhou word.
- (6) Aanvaarding van die nywerheidsuitvloeisel sal onderhewig wees aan hersiening soos nodig.

Deel 24: Meting van hoeveelheid uitvloeisel losgelaat in rioolstelsel

115. Meting van hoeveelheid standaard huishoudelike uitvloeisel losgelaat

(1) Die hoeveelheid standaard huishoudelike uitvloeisel wat losgelaat word sal bepaal word deur 'n persentasie water wat deur die munisipaliteit voorsien word; met dien verstande dat waar sodanige persentasie ten opsigte van 'n bepaalde perseel, met inagneming van die doeleindes waarvoor water op daardie perseel verbruik word, buitensporig is, die munisipaliteit die persentasie mag verminder na 'n syfer wat die verhouding tussen die hoeveelheid rioolvuil wat vanaf die perseel losgelaat is en die hoeveelheid water wat aan die perseel voorsien is, weerspieël.

(2) Wanneer water vanaf 'n eksterne bron of 'n bron addisioneel tot die munisipaliteit se watervoorsieningstelsel aan 'n perseel voorsien word, ingesluit die ontrekking van water vanuit 'n rivier of boorgat, sal die hoeveelheid standaard huishoudelike uitvloeisel 'n persentasie wees van die totale waterverbruik op daardie perseel soos wat redelikerwys deur die munisipaliteit vasgestel kan word.

116. Meting van hoeveelheid nywerheidsuitvloeisel losgelaat

- (1) Die hoeveelheid nywerheidsuitvloeisel wat in die rioolvulwegdoenstelsel losgelaat is, sal bepaal word deur—
 - (a) waar 'n meettoestel geïnstalleer is, deur die hoeveelheid nywerheidsuitvloeisel losgelaat vanaf 'n perseel soos deur daardie meettoestel gemeet; of
 - (b) totdat 'n meettoestel geïnstalleer is, deur 'n persentasie van die water wat deur die munisipaliteit aan daardie perseel voorsien is, na aanleiding van gedeelte 2 van Bylae B.
- (2) Die munisipaliteit kan van die eienaar van 'n perseel vereis om 'n perseelrioolininstallasie wat nywerheidsuitvloeisel afvoer na 'n riool, 'n beheermeter, meter of ander toestel van 'n goedgekeurde soort te installeer met die doel om die tempo, volume en samesetting van die uitvloeisel te bepaal.
- (3) Die munisipaliteit kan 'n beheermeter, meter of toestel wat in subartikel (2) bedoel word, installeer op die koste van die eienaar van die perseel waarop dit geïnstalleer word.
- (4) Wanneer water vanaf 'n eksterne bron buiten of 'n bron addisioneel tot die munisipaliteit se watervoorsieningstelsel aan 'n perseel voorsien word, met insluiting van die ontrekking van water vanuit 'n rivier of boorgat, sal die hoeveelheid nywerheidsuitvloeisel 'n persentasie wees van die totale waterverbruik op daardie perseel soos wat redelickerwys deur die munisipaliteit vasgestel kan word.
- (5) Wanneer 'n gedeelte van die water wat aan 'n perseel voorsien word deel uitmaak van die eindprodukt van enige vervaardigingsproses of deur chemiese reaksie of verdamping gedurende die vervaardigingsproses of weens enige ander oorsaak verlore gaan, kan die munisipaliteit op aansoek die vasgestelde hoeveelheid nywerheidsuitvloeisel verminder.
- (6) Die munisipaliteit kan 'n ooreenkoms aangaan met 'n persoon wat nywerheidsuitvloeisel in die sanitasiestelsel uitlaat om 'n alternatiewe metode van skatting van die hoeveelheid en tempo van uitvloeisel wat uitgelaat word, te bepaal.
- (7) Gelde wat met die gehalte van nywerheidsuitvloeisel verband hou, sal gebaseer wees op die formule vir nywerheidsuitvloeiseluitlaat soos in die munisipaliteit se Tarief Beleid bepaal.

- (8) The following conditions apply in respect of the assessment of the quality of industrial effluent discharged—
- each person must conduct the prescribed tests on a regular schedule as provided for in the approval to discharge industrial effluent, and report the results to the municipality;
 - the municipality may conduct random compliance tests to correlate with those used in subsection (a) and, if discrepancies are found, the values of the municipality shall, except for the purpose of criminal proceedings, be presumed to be correct and further tests may be required by the municipality to determine the values for the formula at the cost of the customer;
 - The average of the values of the different analysis results of 24 hourly composite or snap samples of the effluent, taken during the period of charge, will be used to determine the charges payable;
 - in the absence of a complete set of 24 hourly composite or snap samples, the average of not less than two values of the sampled effluent, taken during the period of charge, shall be used to determine the charges payable;
 - in order to determine the strength (chemical oxygen demand, suspended solids concentration, ammonia concentration, and orthophosphate concentration) in the effluent as well as the concentration of Group 1 and 2 metals, pH value and conductivity, the municipality shall use the tests normally used by municipalities for these respective purposes; details of the appropriate test may be ascertained from the municipality or the SANS and test results from a laboratory, accredited by the municipality, will have precedence over those of the municipality;
 - the formula is calculated on the basis of the different analysis results of individual snap or composite samples and the period of treatment for calculation shall not be less than one full 24-hour period; unless evidence is submitted that a lesser period is applicable or where circumstances justify the taking of a spot sample;
 - the terms of the disincentive formula cannot assume a negative value;
 - the total system values for quality charges shall remain constant for an initial period of one month and may be reviewed or amended after twelve months from the date of commencement thereof, provided that the municipality may in any particular case levy the minimum charges prescribed in the municipality's tariff policy without taking any samples;
 - whenever the municipality takes a sample, one half of it must be made available to the customer;
 - for the purpose of calculating the quantity of effluent discharged from each point of discharges of effluent, the total quantity of water consumed on the premises shall be allocated to the several points of discharge as accurately as is reasonably practicable;
 - the costs of conveying and treating industrial effluent shall be determined by the municipality and shall apply with effect from a date determined by it; and
 - the charges for industrial effluent may be levied as a fixed monthly charge by taking into consideration the effluent strengths, the volume and the economic viability of micro and small industries.

117. Reduction in the quantity determined in terms of sections 115 and 116

- A person shall be entitled to a reduction in the quantity determined in terms of sections 115 and 116 where the quantity of water on which the percentage is calculated was measured during a period where water was wasted or a leakage was undetected if the consumer can prove that the said water was not discharged into the sewage disposal system.
- The reduction in the quantity shall be based on the quantity of water loss through leakage or wastage during the leak period.

- (8) Die volgende voorwaardes is toepassing op van die skatting van die gehalte van nywerheidsuitvloeisel uitgelaat—
- elke verbruiker moet die voorgeskrewe toets doen volgens 'n gereelde skedule soos bepaal in die goedkeuring om nywerheidsuitvloeisel uit te laat, en aan die munisipaliteit oor die resultate verslag doen;
 - die munisipaliteit kan steekproewe doen om dit te vergelyk met die toetse wat in subartikel (a) gebruik is en indien teenstrydighede gevind word, word geag dat die waardes van die munisipaliteit juis is, uitgesonderd vir die doeleindes van strafregtelike verryginge, en verdere toetse kan deur die munisipaliteit vereis word om op die koste van die verbruiker die waardes vir die formule vas te stel;
 - die gemiddelde van die waardes van die verskillende ontledingsresultate van 24 uurliks-saamgestelde of los monsters van die uitvloeisel, geneem gedurende die uitlaattydperk, sal gebruik word om die geldte wat betaalbaar is, vas te stel;
 - in die afwesigheid van 'n volledige 24 uurliks-saamgestelde of los monsters, sal die gemiddeld van nie minder nie as twee waardes van die uitvloeisel monsters, geneem gedurende die uitlaattydperk, gebruik word om die geldte wat betaalbaar is vas te stel;
 - ten einde die sterkte (chemiese suurstofbehoefte, gesuspenderde vastestof-konsentrasie, ammoniakkonsentrasie en ortofosfaatkonsentrasie) in die uitvloeisel asook die konsentrasie van die metale, p-waarde en geleivermoë te bepaal, sal die munisipaliteit die toetse gebruik wat normaalweg deur munisipaliteite vir hierdie onderskeie doeleindes gebruik word; en toetsresultate van 'n laboratorium, deur die munisipaliteit geakkrediteer, sal voorrang geniet bo dié van die munisipaliteit.
 - die formule word bereken op die grondslag van die verskillende ontledingsresultate van individuele monsters of saamgestelde monsters en die tydperk van behandeling vir berekening mag nie minder wees nie as een volle 24-uur-tydperk tensy bewys aan die munisipaliteit voorgelê word dat 'n korter tydperk toepaslik is of waar die omstandighede die neem van 'n grypmonster regverdig;
 - die terme van die ontmoedigings formule mag nie 'n negatiewe waarde veronderstel nie;
 - die totale stelselwaardes vir gehaltegelede moet konstant bly vir 'n aanvanklike tydperk van een maand en mag na twaalf maande vanaf die datum van die inwerkingtreding van die geldte, gewysig of hersien word, met dien verstande dat die munisipaliteit in 'n bepaalde geval die minimum geldte wat in die munisipaliteit se tariefbeleid voorgeskryf word, kan hef sonder om enige monsters te neem;
 - wanneer die munisipaliteit 'n monster neem, moet een helfte daarvan aan die verbruiker beskikbaar gestel word;
 - vir die doeleindes van die berekening van die hoeveelheid uitvloeisel wat by elke uitvloeiselsuitlaatpunt uitgelaat word, word die totale hoeveelheid water wat op die perseel verbruik word, so akkuraat as wat redelik prakties is, aan die verskillende uitlaatpunte toegewys;
 - die koste van die afvoer en behandeling van nywerheidsuitvloeisel word deur die munisipaliteit vasgestel en geld vanaf 'n datum wat deur die munisipaliteit vasgestel word; en
 - die geldte vir nywerheidsuitvloeisel mag na 'n vaste maandelikse geld verander word met inagneming van die uitvloeiselsterkte, die volume en die ekonomiese lewensvatbaarheid van mikro- en klein nywerhede.

117. Vermindering van die hoeveelheid bepaal ingevolge artikels 115 en 116

- Waar die hoeveelheid water waarop die persentasie bereken is, in 'n tydperk gemeet is waartydens water verspil is of lekkasies nie ontdek is nie, sal 'n persoon geregtig wees op 'n vermindering van die hoeveelheid ingevolge artikels 115 en 116 bepaal, indien die verbruiker kan bewys dat die voormalde water nie in die rioolvuilwegdoenstsel losgelaat is nie.
- Die vermindering van die hoeveelheid sal gebaseer wees op die hoeveelheid waterverlies weens lekkasie of verspilling tydens die lekkasie tydperk.

(3) The leak period shall be either the measuring period immediately prior to the date of repair of the leak or the measurement period during which the leak is repaired, whichever results in the greater reduction in the quantity.

(4) The quantity of water loss shall be calculated as the consumption for the leak period less an average consumption, based on the preceding three months, for the same length of time. In the event of no previous consumption history being available, the average water consumption shall be determined by the municipality.

(5) There shall be no reduction in the quantity if the loss of water directly or indirectly resulted from the consumer's failure to comply with or is in contravention of this by-law.

118. Charges in respect of on-site sanitation services

Charges in respect of the removal or collection of conservancy tank contents, night soil or the emptying of pits will cover all the operating and maintenance costs arising from the removal of the pit contents, its transportation to a disposal site, the treatment of the contents to achieve a sanitary condition and the final disposal of any solid residues.

Part 25: Drainage installations

119. Construction or installation of drainage installations

(1) An owner must provide and maintain his drainage installation at his own expense, unless the installation constitutes a basic sanitation facility as determined by the municipality, and except where otherwise approved by the municipality, must ensure that the installation is situated within the boundary of his premises.

(2) The municipality may prescribe the point in the sewer, and the depth below the ground, at which any drainage installation is to be connected and the route to be followed by the drain to the connecting point and may require the owner not to commence the construction or connection of the drainage installation until the municipality's connecting sewer has been laid.

(3) A drainage installation that has been constructed or installed must comply with the applicable specifications in terms of the Building Regulations and any standard prescribed in terms of the Act.

(4) No person shall permit the entry of any liquid or solid substance other than clean water for testing purposes, to enter any drainage installation before the drainage installation has been connected to the sewer.

(5) Where premises are situated in the 1 in 50 years flood plain, the top level of all service access holes, inspection chambers and gullies must be above the 1 in 50 years flood level and must be 100% watertight to prevent ingress or egress that can cause pollution of the environment.

(6) After the completion of a drainage installation, or after alteration to a drainage installation is completed, the plumber responsible for the execution of the work must submit to the building inspection section of the municipality a certificate certifying that the work was completed to the standards set out in the building regulations, this by-law and any other relevant law or by-laws.

(7) No rainwater or storm-water, and no effluent other than an effluent that has been approved by the municipality, may be discharged into a drainage installation.

120. Drains

(1) Drains passing through ground which is liable to movement, shall be laid on a continuous bed of river sand or similar granular material not less than 100mm thick under the barrel of the pipe and with a surround of similar material and thickness, and the joints of such drains must be flexible joints approved by the municipality.

(2) A drain or part of it may not be laid within, under or through a building without the approval of the engineer.

(3) A drain or part of it which it is laid in an inaccessible position under a building may not be bent or be laid at a gradient.

(3) Die lekkasie tydperk sal óf die meettydperk onmiddellik voor die herstel van die lekkasie wees óf die meettydperk waartydens die lekkasie herstel is, welke ookal die grootste vermindering tot gevolg sal hê.

(4) Die hoeveelheid waterverlies sal bereken word as die verbruik tydens die lekkasie tydperk minus die gemiddelde verbruik, gebaseer op die voorafgaande drie maande, vir 'n ooreenstemmende tydperk; waar geen vooraf gegewens van waterverbruik beskikbaar is nie, sal die gemiddelde waterverbruik, na oorweging van alle tersaaklike inligting, deur die munisipaliteit vasgestel word.

(5) Daar sal geen vermindering in die hoeveelheid wees nie indien die waterverlies regstreeks van onregstreeks die gevolg is van die verbruiker se versium om aan hierdie verordening te voldoen.

118. Gelde ten opsigte van terrein-sanitasiedienste

Gelde vir die verwydering of insameling van opgaartenkinhou, nagvuil of die leegmaak van putte sal die bedryfs- en instandhoudingskoste dek wat uit die verwydering van die putinhoud, die vervoer daarvan na 'n wegdoeningsterrein, die behandeling van die inhoud om 'n sanitêre toestand te bereik en die finale wegdoening van enige vaste residu spruit.

Deel 25: Perseelrioolinstallasies

119. Bou of installering van perseelrioleringsinstallasies

(1) 'n Eienaar moet 'n perseelrioolinstallasie op sy eie onkoste voorsien en in stand hou, tensy die installasie 'n basiese sanitasiefasiliteit is soos deur die munisipaliteit bepaal, en moet, behalwe waar andersins deur die munisipaliteit goedgekeur, toesien dat die installasie binne die grens van sy perseel geleë is.

(2) Die munisipaliteit mag die punt in die perseelriool asook die diepte onder die grond voorskryf waar 'n perseelrioolinstallasie aangesluit moet word en die roete wat deur die perseelriool tot by die aansluitpunt gevolg moet word, en kan van die eenaar vereis om nie met die konstruksie of aansluiting van die perseelrioolinstallasie te begin voordat die munisipaliteit se aansluitriool gelê is.

(3) 'n Perseelrioolinstallasie wat gebou of geïnstalleer is, moet aan die toepaslike spesifikasies ingevolge die Bouregulasies en enige standaard wat ingevolge die Wet voorgeskryf word, voldoen.

(4) Geen persoon mag toelaat dat enige vloeibare- of vaste stof behalwe skoon water vir toetsdoeleindes, 'n perseelrioolinstallasie binnekomb voordat die perseelrioolinstallasie by die riool aangesluit is nie.

(5) Waar 'n perseel in die 1 in 50 jaar vloedvlakte geleë is, moet die boonste vlak van alle dienstoegangsgate, inspeksiekamers en riuolpunte bo die 1 in 50 jaar vloedvlakte wees en moet 100 % waterdig wees ten einde instroming van uitstroming te voorkom wat die omgewing kan besoedel.

(6) Na die voltooiing van 'n perseelrioolinstallasie, of nadat enige verandering aan 'n perseelrioolinstallasie voltooi is, moet die loodgieter verantwoordelik vir die verrigting van die werk 'n sertifikaat by die Bou-inspeksie Afdeling van die munisipaliteit indien waarin gesertifiseer word dat die werk voltooi is volgens die standaarde wat in die Bouregulasies, hierdie verordening en enige toepaslike Wet of verorderinge uiteengesit word.

(7) Geen reënwater of stormwater en geen uitvloeisel behalwe uitvloeisel wat deur die munisipaliteit goedgekeur is, mag in 'n perseelrioolinstallasie uitgelaat word nie.

120. Perseelriole

(1) Perseelriole wat deur grond loop wat aan verskuwing onderworpe is, moet gelê word op 'n aaneenlopende bed riviersand of soortgelyke korrelige materiaal nie minder nie as 100 mm dik onder die huls van die pyp en met 'n omranding van soortgelyke materiaal en dikte, en die lasse daarvan moet buigsaam wees en deur die munisipaliteit goedgekeur word.

(2) 'n Perseelriool of deel daarvan mag slegs met die goedkeuring van die munisipaliteit binne 'n gebou geïnstalleer word of onder of deur 'n gebou loop.

(3) 'n Perseelriool of deel daarvan wat in 'n ontoeganklike posisie onder 'n gebou geleë is, mag nie buig of teen 'n helling gelê word nie.

(4) If a drain passes through or under a wall, foundation or other structure, adequate precautions shall be taken to prevent the discharge of any substance to the drain.

121. Drains in streets or public places

No person may lay or construct a drain on, in or under a street, public place or other land owned by or under the control of the municipality, except with the written permission of the municipality.

122. Construction by municipality

The municipality may agree with the owner of premises that drainage work which such owner desires, or is required to construct in terms of this by-law or the Building Regulations, may be constructed by the municipality against payment of all costs associated with such construction.

123. Servitudes

A servitude shall be registered at the cost of the owner where a drain is installed across the property of another party.

124. Maintenance of drainage installation

(1) The owner or occupier of any premises must maintain a drainage installation and a sewer connection on such premises at his own cost.

(2) A person who requests the municipality to clear a drainage installation will be liable to pay the prescribed tariff.

(3) A municipality may, on the written application of the owner or occupier of any premises, inspect and test the drainage installation of such premises or any section thereof against payment of the prescribed tariff.

(4) Where any part of a drainage installation is used by two or more owners or occupiers, they shall be jointly and separately liable for the maintenance of the installation and a written agreement to this effect must be drawn up.

(5) The owner of any premises must ensure that all manholes and cleaning eyes on the premises are permanently visible and accessible.

125. Installation of pre-treatment facility

The municipality may require that new premises must be provided with a minimum pre-treatment facility prior to it being connected to the sewage disposal system.

126. Protection from ingress of floodwaters

Where a premise is situated in the 1 in 50 year flood plain, the top level of service access holes, inspection chambers and gullies has to be above the 1 in 50 years flood level, except, in the case of service access holes and inspection chambers of which the cover is secured in place by approved means.

127. Disconnection of drainage installations

(1) Except for the purpose of carrying out maintenance or repair work, no drainage installation may be disconnected from the connection point.

(2) Where any part of a drainage installation is disconnected from the remainder because it will no longer be used, the disconnected part must be destroyed or entirely removed unless the municipality approves otherwise.

(3) When a disconnection has been made in compliance with the Building Regulations the municipality must, upon the request of the owner, issue a certificate certifying that the disconnection has been completed and notify the Director: Financial Services accordingly.

(4) When a drainage installation is disconnected from a sewer, the engineer must seal the opening caused by the disconnection and may recover the cost of doing so from the owner of the premises.

(4) Indien 'n perseelriool deur of onder 'n muur, fondament of ander struktuur loop, moet voorsorgmaatreëls getref word om die uitlaat van enige stof in die perseelriool te voorkom.

121. Perseelriool in strate of openbare plekke

Niemand mag 'n perseelriool op, in of onder 'n straat, openbare plek of ander grond wat behoort aan onder die beheer van die munisipaliteit is lê of bou nie, sonder die skriftelike toestemming van die munisipaliteit nie.

122. Bouwerk deur munisipaliteit

Die munisipaliteit mag met die eienaar van enige perseel ooreenkoms om rioleringswerk wat sodanige eienaar verlang, of ingevolge hierdie verordening of die Bouregulasies verplig is om te bou, deur die munisipaliteit gebou mag word teen betaling van alle koste wat met sodanige bouwerk verband hou.

123. Serwitute

Waar 'n perseelriool gelê word wat die eiendom van 'n ander party kruis, moet 'n serwituit geregistreer word teen die eienaar se koste.

124. Instandhouding van perseelrioleringsinstallasie

(1) Die eienaar of okkuperde van 'n perseel moet 'n perseelrioleringsinstallasie en enige rioolverbinding op sodanige perseel in stand hou op sy eie onkoste.

(2) 'n Persoon wat die munisipaliteit versoek om 'n perseelrioleringsinstallasie skoon te maak sal aanspreeklik wees vir betaling van die voorgeskrewe tarief daarvoor.

(3) Op skriftelike versoek van die eienaar of okkuperde van 'n perseel, mag die munisipaliteit die perseelriolininstallasie of enige gedeelte daarvan inspekteer en toets teen betaling van die voorgeskrewe gelde.

(4) Waar enige deel van 'n perseelriolininstallasie deur twee of meer eienaars of okkuperders gebruik word, is hulle gesamentlik en afsonderlik aanspreeklik vir die instandhouding en 'n geskrewe ooreenkoms ten opsigte hiervan moet opgestel word.

(5) Die eienaar van 'n perseel moet toesien dat alle mangate en skoonmaakoë op die perseel permanent sigbaar en toeganklik is.

125. Installering van voorbehandelingsfasiliteit

Die munisipaliteit mag vereis dat enige nuwe perseel van 'n minimum voorafbehandelingsfasiliteit voorsien wordvoordat daardie perseel aan enige rioolvuilwegdoenstelsel verbind word.

126. Beskerming teen instroming van vloedwater

Waar 'n perseel geleë is in die 1 in 50 jaar-vloedvlakte, moet die boonste hoogte van die dienstoegangsgate, inspeksiekamers en rioolputte bokant die 1 in 50 jaar-vloedvlaktehoogte wees behalwe in die geval van dienstoegangsgate en inspeksiekamers waarvan die deksel op goedgekeurde wyse in posisie vasgeheg is.

127. Ontkoppeling van perseelriolininstallasies

(1) Behalwe met die doel om instandhoudings- of herstelwerk te doen, mag geen perseelriolininstallasie van die aansluitpunt ontkoppel word nie.

(2) Waar 'n deel van 'n perseelriolininstallasie van die res ontkoppel word omdat dit nie meer gebruik gaan word nie, moet die ontkoppelde deel vernietig of heeltemal van die perseel waarop dit gebruik is verwyder word tensy die munisipaliteit andersins goedkeur.

(3) Wanneer 'n ontkoppeling ingevolge die bouregulasies gemaak word moet die ingenieur, op versoek van die eienaar, 'n sertifikaat uitrek waarin gesertifiseer word dat die ontkoppeling ingevolge die Bouregulasies voltooi is en die Direkteur: Finansiële Dienste diooreenkomstig in kennis stel

(4) Wanneer 'n perseelriolininstallasie van 'n riool ontkoppel is, moet die ingenieur die opening wat deur die ontkoppeling veroorsaak is, afdig en die koste verhaal van die eienaar.

(5) Where a drainage system is connected to or disconnected from the sewer system during a month, charges will be calculated as if the connection or disconnection was made on the first day of the month following the month in which the connection or disconnection took place.

128. Technical requirements for drainage installations

All drainage installations shall comply with SANS code 10252 and the Building Regulations.

129. Sewer blockages

(1) No person may cause or permit an accumulation of grease, oil, fat, solid matter, or any other substance in any trap, tank, or fitting that may cause its blockage or ineffective operation.

(2) When the owner or occupier of premises has reason to believe that a blockage has occurred in any drainage installation in or on it, he or she shall take immediate steps to have it cleared immediately inform the municipality.

(3) Where a blockage occurs in a drainage installation, any work necessary for its removal must be done by, or under the supervision of, a plumber.

(4) Should any drainage installation on any premises overflow as a result of an obstruction in the sewer, and if the municipality is reasonably satisfied that the obstruction was caused by objects emanating from the drainage installation, the owner of the premises shall be liable for the cost of clearing the blockage.

(5) Where a blockage has been removed from a drain or portion of a drain which serves two or more premises, the owners are jointly and severally liable for the cost of clearing the blockage.

(6) Where a blockage in a sanitation system has been removed by the municipality and the removal necessitated the disturbance of an owner's paving, lawn or other artificial surface the municipality shall not be obliged to restore them to their previous condition and shall not be responsible for any damage thereto unless caused by the wrongful act or negligence of the municipality.

130. Grease traps

(1) A grease trap of an approved type, size and capacity must be provided in respect of all premises—

- (a) that discharge sewage to on-site sanitation systems;
- (b) where the discharge of grease, oil and fat is likely to cause an obstruction to the flow in municipal or other sewers or drains; or
- (c) that may interfere with the proper operation of any waste-water treatment plant.

(2) The stipulations as described in section 125 applies to all premises that discharge effluent that contains grease, oil, fat, soap.

(3) Grease, oil, fat and other inorganic materials that are removed from the grease trap must be disposed of to a suitable waste disposal site as approved by the municipality, and must under no circumstances be discharged back into the sewer or storm water systems in the municipal area.

131. Industrial grease traps

(1) The owner or manufacturer must ensure that industrial effluent which contains or which is likely to contain, grease, oil, fat or inorganic solid matter in suspension shall, before it is allowed to enter any sewer, is passed through one or more tanks or chambers, of a type, size and capacity designed to intercept and retain such grease, oil, fat or solid matter, and that is approved by the municipality.

(2) The owner or manufacturer must ensure that oil, grease or any other substance which is contained in any industrial effluent or other liquid and which gives off an inflammable or noxious vapour at a temperature of, or exceeding, 20° C be intercepted and retained in a tank or chamber so as to prevent its entry into the sewer.

(3) A tank or chamber referred to in subsection (2) must comply with the following requirements—

- (a) it must be of adequate capacity, constructed of hard durable materials and water-tight when completed;

(5) Waar 'n perseelrioolinstallasie gedurende 'n maand by die riolstelsel aangesluit of daarvan ontkoppel word, sal die gelde bereken word asof die aansluiting of ontkoppeling gedoen is op die eerste dag van die maand wat volg op die maand waarin die aansluiting of ontkoppeling plaasgevind het.

128. Tegniese vereistes vir perseelrioolinstallasies

Alle perseelrioolinstallasies moet aan SANS-kode 0252 en die Bouregulasies voldoen.

129. Rioolverstoppings

(1) Geen persoon mag 'n ophoping van vet, olie, vaste stof of enige ander stof in 'n spender, tenk of toebehore veroorsaak of toelaat wat die verstopping of oneffektiewe werking daarvan kan veroorsaak nie.

(2) Wanneer die eienaar of okkuperdeer van 'n perseel rede het om te glo dat 'n verstopping in of op 'n perseelrioolinstallasie plaasgevind het, moet hy onmiddellik stappe doen om dit oop te maak en die munisipaliteit daarvan in kennis te stel.

(3) Wanneer 'n verstopping in 'n perseelrioolinstallasie plaasvind, moet enige werk wat vir die verwydering daarvan nodig is deur, of onder toesig van 'n loodgieter gedoen word.

(4) Indien enige perseelrioolinstallasie op 'n perseel oorloop as gevolg van 'n verstopping in die riolet, en die munisipaliteit oortuig is dat die verstopping veroorsaak is deur voorwerpe wat van die perseelrioolinstallasie afkomstig is, is die eienaar van die perseel aanspreeklik vir die koste van die oopmaak van die verstopping.

(5) Waar 'n verstopping verwyder is uit 'n perseelriool of deel van 'n perseelriool wat twee of meer persele bedien, is die eienars gesamentlik en afsonderlik aanspreeklik vir die koste van die oopmaak van die verstopping.

(6) Waar 'n verstopping in 'n sanitasiestelsel deur die munisipaliteit verwyder is en die verwydering die versteuring van 'n eienaar se plaveisel, grasperk of ander kunsmatige oppervlak verg, sal die munisipaliteit nie verplig wees om dit in die vorige toestand te herstel nie en sal ook nie verantwoordelik wees vir enige skade daaraan nie, tensy dit deur die onregmatige handeling of nataligheid van die munisipaliteit veroorsaak is.

130. Vetvangers

(1) 'n Vetvanger van 'n goedgekeurde soort, grootte en vermoë moet voorsien word ten opsigte van alle persele—

- (a) wat rioolvuil in terreinsanitasiestelsels uitaat;
- (b) waar die uitaat van vet en olie waarskynlik 'n verstopping in die vloeい van riolet of perseelriole sal veroorsaak; of
- (c) wat met die behoorlike werking van 'n afvalwaterbehandelingsaanleg sal inmeng.

(2) Die vereistes soos beskryf in artikel 125 is ook van toepassing op alle persele wat vet, olie of seep bevat.

(3) Vet olie en ander organiese materiaal wat deur 'n vetvanger opgevang is, moet na 'n toepaslike vaste afval stortingsterrein geneem word en mag nie in die riolet of stormwaterstelsel teruggeplaas word nie.

131. Nywerheidsvetvangers

(1) Die eienaar of vervaardiger moet toesien dat nywerheidsuitvloeisel wat vet, olie, of anorganiese vaste stof in suspensie bevat of waarskynlik bevat, voordat dit toegelaat word om 'n riolet binne te gaan, vloeい deur een of meer tenks of kamers van 'n soort, grootte en inhoudsvermoë wat ontwerp is om sodanige vet, olie of vaste stof te onderskep en terug te hou.

(2) Die eienaar of vervaardiger moet toesien dat olie, vet of enige ander stof wat in nywerheidsuitvloeisel of ander vloeistof vervat is en wat 'n vlambare of skadelike damp teen 'n temperatuur van 20 °C of meer afgee, in 'n tenk of kamer onderskep en teruggehou word om te voorkom dat dit die riolet binnegaan.

(3) 'n Tenk of kamer wat in subartikel (2) bedoel word, moet aan die volgende vereistes voldoen—

- (a) dit moet 'n toereikende inhoudsvermoë hê, van harde duursame materiaal gebou wees en waterdig wees wanneer dit voltooi is;

- (b) the water seal of its discharge pipe may not be less than 300mm in depth; and
- (c) it must be provided with a sufficient number of manhole covers for the adequate and effective removal of grease, oil fat and solid matter.
- (4) Any person discharging effluent to a tank or chamber must remove grease, oil, fat or solid matter regularly from the tank or chamber and must maintain a register recording—
- the dates on which the tank or chamber was cleaned;
 - the name of the persons employed by him to clean the tank or chamber or, if he cleaned it himself, that fact that he did so; and
 - a certificate from the person employed to clean it certifying that the tank or chamber has been cleaned and stating the manner in which the contents of the tank or chamber were disposed of, or, if he or she cleaned it himself, his or her own certificate to that effect.

132. Mechanical appliances for lifting sewage

- (1) The owner of any premise must obtain the approval of the municipality before installing any mechanical appliance for the raising or transfer of sewage in terms of the Building Regulations.
- (2) An application must be prepared by a professional engineer and must be accompanied by drawings prepared in accordance with the relevant provisions of the Building Regulations which must show details of the compartment containing the appliance, the sewage storage tank, the stilling chamber and its position, and the position of the drains, ventilation pipes, rising main and the sewer connection.
- (3) Notwithstanding any approval given in terms of subsection (1), the municipality shall not be liable for any injury, loss or damage to life or property caused by the use, malfunctioning or any other condition arising from the installation or operation of a mechanical appliance for the raising or transfer of sewage unless the injury or damage is caused by a wrongful act or negligence of an employee of the municipality.
- (4) Every mechanical appliance installed for the raising or transfer of sewage shall be designed for the purpose and shall be fitted with a discharge pipe, sluice valves and non-return valves located in approved positions.
- (5) Unless otherwise permitted by the municipality, such mechanical appliances shall be installed in duplicate and each such appliance shall be so controlled that either will immediately begin to function automatically in the event of failure of the other.
- (6) Every mechanical appliance forming part of a drainage installation shall be located and operated so as to not cause any nuisance through noise or smell or otherwise, and every compartment containing any such appliance must be effectively ventilated.
- (7) The maximum discharge rate from any mechanical appliance, and the times between which the discharge may take place, shall be determined by the municipality who may require the owner to install such fittings and regulating devices necessary to ensure that the determined maximum discharge rate shall not be exceeded.
- (8) Except where sewage storage space is incorporated as an integral part of a mechanical appliance, a sewage storage tank must be provided in conjunction with such appliance.
- (9) Every sewage storage tank required in terms of sub section (8) must—
- be constructed of hard, durable materials and must be watertight and the internal surfaces of the walls and floor must be smooth and impermeable;
 - have an emergency storage capacity below the level of the inlet equal to the quantity of sewage discharged into it in 24 hours or 900 litres, whichever is the greater quantity; and
 - be so designed that the maximum of its sewage content shall be emptied at each discharge cycle of the mechanical appliance.
- (10) Every storage tank and stilling chamber shall be provided with a ventilation pipe in accordance with the municipality's specifications.

- (b) die waterslot van die uitlaatpyp moet nie minder as 300 mm diep wees nie; en
- (c) dit moet voorsien wees van 'n toereikende aantal mangatdeksels vir die afdoende en effektiewe verwydering van vet, olievet en vaste stowwe.
- (4) 'n Persoon wat uitzloeisel in 'n tenk of kamer uitlaat, moet vet, olie of vaste stof gereeld uit die tenk of kamer verwijder en 'n register hou waarin aangeteken word—
- die datums waarop die tenk of kamer skoongemaak is;
 - die naam van die persone wat by hom in diens is om die tenk of kamer skoon te maak of, as hy dit self skoongemaak het, die feit dat hy dit gedoen het; en
 - 'n sertifikaat van die persoon in diens om dit skoon te maak, wat sertifiseer dat die tenk of kamer skoongemaak is en die wyse meld waarop daar met die inhoud van die tenk of kamer weggedoen is of, as hy of sy dit self skoongemaak het, sy of haar eie sertifikaat daaromtrent.

132. Meganiese toestelle vir lig van rioolvuil

- (1) Die eienaar van 'n perseel moet die goedkeuring van die munisipaliteit verkry voordat enige meganiese toestel vir die lig van oorplaas van rioolvuil ingevolge die Bouregulasies geïnstalleer word.
- (2) 'n Aansoek moet deur 'n professionele ingenieur voorberei word en vergesel wees van tekeninge wat ooreenkomsdig die toepaslike bepalings van die Bouregulasies opgestel is en besonderhede toon van die kompartement wat die toestel bevat, die rioolvuilopgaartenk, die dempkamer en hulle posisies, asook die posisie van die perseelriole, ventilasiepype, stigleiding en die rioolaansluiting.
- (3) Nieteenstaande enige goedkeuring wat ingevolge subartikel (1) gegee is, is die munisipaliteit nie aanspreeklik vir enige besering, verlies of skade aan lewens of eiendom wat deur die gebruik, wanfunksiowering of enige ander toestand wat uit die installasie of werk van 'n meganiese toestel vir die lig van oorplaas van rioolvuil spruit nie, tensy die besering of skade veroorsaak is deur die onregmatige of natalige handeling van 'n werknemer van die munisipaliteit.
- (4) Elke meganiese toestel wat vir die lig van oorplaas van rioolvuil geïnstalleer word, moet spesifiek vir die doel ontwerp wees en moet toegerus wees met 'n uitlaatpyp, sluiskleppe en terugslagkleppe wat in goedgekeurde posisies geleë is.
- (5) Tensy andersins deur die munisipaliteit toegelaat, moet sodanige meganiese toestelle in duplikaat geïnstalleer word en elke sodanige toestel moet so beheer word dat enige van hulle outomatis sal begin funksioneer in geval die ander een weier.
- (6) Elke meganiese toestel wat deel van 'n perseelrioolininstallasie uitmaak, moet so geleë wees en so werk dat dit nie enige oorlas deur geraas of reuk of andersins veroorsaak nie, en elke kompartement wat so 'n toestel bevat, moet effekief geventileer wees.
- (7) Die maksimum uitlaattempo uit enige meganiese toestel en die tye waartussen die uitlaat mag plaasvind, moet wees soos vasgestel deur die munisipaliteit, wat van die eienaar kan vereis om sodanige toebehore en reguleertoestelle te installeer wat nodig mag wees om te verseker dat die vasgestelde maksimum uitlaattempo nie oorskry word nie.
- (8) Behalwe waar rioolvuilopgaarruimte as 'n integrale deel by 'n meganiese toestel ingesluit is, moet 'n rioolvuilopgaartenk saam met sodanige toestel verskaf word.
- (9) Elke rioolvuilopgaartenk wat ingevolge subartikel (8) vereis word, moet—
- van harde, duursame materiaal gebou wees en moet waterdig wees en die binne-oppervlakte van die mure en vloer moet glad en ondeurlatend wees;
 - 'n opgaarvermoë onder die vlak van die inlaat hê wat gelyk staan aan die hoeveelheid rioolvuil wat in 24 uur daarin uitgelaat word of 900 liter, watter een ook al die grootste hoeveelheid is; en
 - so ontwerp wees dat die maksimum van sy rioolvuinhoud by elke uitlaatsiklus van die meganiese toestel leeggemaak word.
- (10) Elke opgaartenk en dempkamer moet voorsien wees van 'n ventilasiepype ooreenkomsdig die munisipaliteit se spesifikasies.

| | |
|--|--|
| <p><i>Part 26: Other sanitation services</i></p> <p>133. Stables and similar premises The municipality may approve the connection of a drainage installation to stables, cowsheds, dairies, kennels, other premises for the accommodation of animals, and tanneries, subject to the payment of all applicable charges and the fulfilment of any condition that the municipality may impose.</p> <p>134. Mechanical food-waste or other disposal units The municipality may approve the connection or incorporation of a mechanical food-waste disposal unit or other disposal unit or garbage grinder, into a drainage installation that has a capacity in excess of 500W, subject to the payment of all applicable charges and to any condition that the municipality may impose.</p> <p>135. Building over sewerage system (1) No structure may be erected over a municipal service, and no large vegetation or trees may be established over municipal services. (2) A municipal service must remain accessible at all times. (3) The owner or occupier is responsible to report all faults and defects to the municipality.</p> <p><i>Part 27: Installation work</i></p> <p>136. Approval of installation work (1) If an owner wishes to have installation work done, he must first obtain the municipality's written approval. (2) Application for the approval referred to in subsection (1) must be made on the prescribed form and shall be accompanied by— (a) a charge determined by the municipality where applicable; (b) copies of all drawings that may be required by the municipality; (c) a certificate by a professional engineer certifying that the installation has been designed in accordance with any applicable SANS Codes. (3) Approval given in terms of subsection (1) shall lapse after 24 (twenty-four) months. (4) When approval has been given in terms of subsection (1), a complete set of the drawings that have been required and approved by the municipality must be available for inspection at the site at all reasonable times until the work has been completed. (5) If installation work has been done in contravention of subsections (1) or (2), the municipality may require the owner— (a) to rectify the contravention within a specified time; (b) if work is in progress, to cease the work; and (c) to remove all work that does not comply with this by-law.</p> <p>137. Persons permitted to do installation and other work (1) No person who is not a plumber, or working under the control of a plumber, shall be permitted to— (a) do installation work other than the replacement or repair of an existing pipe or sanitation fitting; (b) inspect, disinfect and test a drainage installation, fire installation or storage tank; (c) service, repair or replace a back flow preventer; or (d) install, maintain or replace a meter provided by an owner in a drainage installation. (2) No person shall employ or engage a person who is not a plumber to do the work referred to in subsection (1).</p> | <p><i>Deel 26: Ander sanitasiedienste</i></p> <p>133. Perdestalle en soortgelyke persele Die munisipaliteit mag die aansluiting van 'n perseelrioolinstallasie by perdestalle, koeistalle, melkerye, hondeherberge, ander persele vir die huisvesting van diere en leerlooierye goedkeur, onderworpe aan die betaling van alle toepaslike gelde en op enige voorwaarde wat die munisipaliteit mag stel.</p> <p>134. Meganiese voedselafval- of ander wegdoeneenhede Die munisipaliteit kan die aansluiting of insluiting van 'n meganiese voedselafvalwegdoen-eenheid of afvalmeul by 'n perseelrioolinstallasie met 'n inhoudsvermoë van meer as 500 W goedkeur, onderworpe aan die betaling van alle toepaslike gelde en op enige voorwaarde wat die munisipaliteit mag stel.</p> <p>135. Bouwerk oor rioolstelsel (1) Geen struktuur mag oor 'n munisipale diens opgerig word nie en geen bome of groot plantegroei mag op of oor 'n munisipale diens gevstig word nie. (2) 'n Munisipale diens moet ten alle tye toeganklik wees. (3) Die eienaar of okkuperdeer is verantwoordelik om alle foute en defekte aan die munisipaliteit te rapporteer.</p> <p><i>Deel 27: Installeringswerk</i></p> <p>136. Goedkeuring van installeringswerk (1) Indien 'n eienaar installeringswerk gedoen wil hê, moet hy die munisipaliteit se skriftelike goedkeuring verkry. (2) Aansoek om goedkeuring bedoel in subartikel (1) moet op die voorgeskrewe vorm geskied en vergesel wees van— (a) geldie deur die munisipaliteit vasgestelwaar van toepassing; (b) afskrifte van alle tekeninge wat vereis mag word; en (c) 'n sertifikaat deur 'n professionele ingenieur wat sertificeer dat die installasie ooreenkomsdig enige toepaslike SANS-kodes ontwerp is. (3) Goedkeuring gegee ingevolge subartikel (1) verval na vier-en-twintig (24) maande. (4) Wanneer goedkeuring ingevolge subartikel (1) gegee is, moet 'n volledige stel tekeninge wat deur die munisipaliteit vereis en goedgekeur is, te alle redelike tye by die terrein ter insae beskikbaar wees totdat die werk voltooi is. (5) Indien installeringswerkstrydig met subartikel (1) of (2) gedoen is, kan die munisipaliteit van die eienaar vereis— (a) om die teenstrydigheid binne 'n gespesifiseerde tyd reg te stel; (b) indien werk aan die gang is, om die werk te staak; en (c) om alle werk te verwijder wat nie aan hierdie verordening voldoen nie.</p> <p>137. Persone toegelaat om installerings- en ander werk te doen (1) Geen persoon wat nie 'n loodgieter is of onder die beheer van 'n loodgieter werk nie, mag— (a) installeringswerk doen nie, behalwe die vervanging of herstel van 'n bestaande pyp of sanitasietoebehoersel; (b) 'n perseelrioolinstallasie, brandinstallasie of opgaartenk inspekteer, ontsmet of toets nie; (c) 'n terugvloeisperder versien, herstel of vervang nie; of (d) 'n meter wat deur 'n eienaar van 'n perseelrioolinstallasie verskaf is, installeer, instandhou of vervang nie. (2) Geen persoon mag 'n persoon wat nie 'n loodgieter is nie aanstel, of in diens neem om werk te doen wat in subartikel (1) bedoel word nie.</p> |
|--|--|

(3) Notwithstanding the provisions of subsections (1) and (2), the municipality may permit a person, who is not a plumber, to do installation work at his own premises if they are occupied by himself or his own household, but if permission is given, the work must be inspected and approved by a plumber under the direction of or who has been nominated by the municipality.

138. Testing of drainage installations

(1) No drainage installation, or any part thereof, shall be connected to on-site sanitation services nor shall the municipality's sanitation system be connected to an existing approved installation, unless any one or more of the following tests have been applied in the presence of the engineer before the draining installation is enclosed—

- (a) the interior of every pipe or series of pipes between two points of access shall be inspected throughout its length by means of a mirror and a source of light, and during the inspection, a full circle of light must appear to the observer, and the pipe or series of pipes must be unobstructed;
- (b) a smooth ball having a diameter 12mm less than the nominal diameter of the pipe shall, when inserted at the higher end of the pipe, roll down without assistance or interruption to the lower end;
- (c) after all openings to the pipe or series of pipes have been plugged or sealed and after all traps associated with them have been filled with water, air shall be pumped into the pipe or pipes until a manometric pressure of 38mm of water is indicated, after which the pressure must remain greater than 25mm of water for a period of at least 3 (three) minutes without further pumping; and
- (d) all parts of the installation must subjected to and required to withstand an internally applied hydraulic test pressure of not less than a 3m head of water for a period of not less than 10minutes.

(2) If the municipality has reason to believe that any drainage installation or any part of it has become defective, it may require the owner of any premises to conduct any or all of the tests prescribed in subsection (1) and, if the installation fails to pass any test, or all the tests the municipality may by notice require the owner to take all reasonable measures to enable the installation to satisfy any or all of them.

139. Water demand management

(1) Notwithstanding the provisions of section 32, no flushing urinal that is not user-activated shall be installed or continued to operate in any water installation.

(2) All flushing urinals that are not user-activated installed prior to the commencement of this by-law must be converted to user-activated urinals within two years of the commencement of this by-law.

(3) No cistern, and related pan designed to operate with such cistern, shall be installed with a cistern capacity of greater than 9 litres and all cisterns not intended for public use shall be fitted with flushing devices allowing interruptible or multiple flushes, provided that such flushing device shall not be required in cisterns with a capacity of 4,5 litres or less.

(3) Neteenstaande die bepalings van subartikels (1) en (2), mag die munisipaliteit 'n persoon wat nie 'n loodgieter is nie, toelaat om installeringswerk op sy eie perseel te doen as dit deur hom of sy eie huishouding bewoon word, en indien toestemming gegee word, moet die werk geïnspekteer en goedgekeur word deur 'n loodgieter onder die toesig van, of wat aangestel is deur die munisipaliteit.

138. Toets van perseelrioolinstallasies

(1) Geen perseelrioolinstallasie, of enige deel daarvan, mag by terreinsanitasiedienste aangesluit word nie en die munisipaliteit se sanitasiestelsel mag ook nie by 'n bestaande goedgekeurde installasie aangesluit word nie, tensy een of meer van die volgende toetse in die teenwoordigheid van die ingenieur toegepas is voordat die perseelrioolinstallasie toegemaak is—

- (a) die binnekant van elke pyp of reeks pype tussen twee punte van toegang moet regdeur sy lengte met behulp van 'n spieël en 'n ligbron geïnspekteer word, en gedurende die inspeksie moet 'n volle sirkel lig deur die waarnemer gesien kan word, en die pyp of reeks pype moet as onversper gesien word;
- (b) 'n gladde bal met 'n diameter van 12 mm minder as die nominale diameter van die pyp moet, wanneer dit by die hoë ent van die pyp ingesteek word, sonder hulp of onderbreking tot by die laer ent afrol;
- (c) nadat alle openings na die pyp of reeks pype wat getoets gaan word toegestop of afgedig is en nadat alle sperders wat daarmee gepaard gaan met water gevul is, moet lug in die pyp of pype gepomp word totdat 'n manometriese druk van 38 mm water aangedui word, waarna die druk vir 'n tydperk van ten minste 3 (drie minute) sonder verdere pomp groter moet bly as 25 mm water; en
- (d) alle dele van die installasie moet onderwerp word aan en vereis word om 'n intern toegepaste hidrouliese toetsdruk van nie minder nie as 3 m drukhoogte water vir 'n tydperk van nie minder nie as 10 minute te weerstaan.

(2) Indien die munisipaliteit rede het om te glo dat 'n perseelrioolinstallasie van enige deel daarvan defektief geword het, mag hy van die eienaar van 'n perseel vereis om enige of al die toetse te doen wat in subartikel (1) voorgeskryf word en, indien die installasie enige toets, of al die toetse nie kan slaag nie, mag die munisipaliteit by kennisgewing van die eienaar vereis om alle redelike maatreëls te tref om die installasie aan enige of almal te laat voldoen.

139. Waternaamvraagbestuur

(1) Neteenstaande die bepalings van artikel 32, mag geen spoelurinal wat nie gebruiker geaktiveer is nie, geïnstalleer of toegelaat word om in 'n waterinstallasie bedryf te word nie.

(2) Alle nie-gebruiker geaktiveerde spoelurinale wat voor die inwerkingtreding van hierdie verordening geïnstalleer is, moet binne twee jaar na die inwerkingtreding van hierdie verordening in gebruiker geaktiveerde urinale omskep word.

(3) Geen spoelbak en geen gepaardgaande pan wat ontwerp is om saam met sodanige spoelbak te werk mag met 'n spoelbakvermoë van groter as 9 liter geïnstalleer word nie en alle spoelbakke wat nie vir openbare gebruik bedoel is nie moet toegerus wees met spoeltoestelle wat onderbreekbare of veelvuldige spoele toelaat, met dien verstande dat sodanige spoeltoestel nie vereis word in spoelbakke met 'n inhoudsvermoë van 4,5 liter of minder nie.

CHAPTER 5: OFFENCES

140. Offences

(1) Any person who—

- (a) obstructs or hinders the municipality in the exercising of the powers or performance of functions or duties under this by-law;
- (b) uses, tampers or interferes with municipal equipment;
- (c) uses, tampers or interferes with the water supply system, sanitation system and reticulation network;
- (d) contravenes or fails to comply with a provision of this by-law;

HOOFSTUK 5: MISDRYWE

140. Misdrywe

Enige persoon wat—

- (a) die munisipaliteit verhinder om die magte wat in hierdie verordening verleen is uit te voer;
- (b) munisipale toerusting gebruik, daaraan peuter of daarmee inmeng;
- (c) die watervoorsieningstelsel, rioolstelsel en verspreidingsnetwerk misbruik, daaraan peuter of daarmee inmeng;
- (d) 'n bepaling van hierdie verordening oortree of nie daaraan voldoen nie;

- (e) fails to comply with the terms of a notice served upon him in terms of this by-law; commits an offence and shall on conviction be liable to—
- a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; or,
 - in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
- (f) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

SCHEDULE A: LIMITS OF CONCENTRATIONS OF SUBSTANCES THAT MAY BE DISCHARGED INTO THE SWARTLAND MUNICIPALITY'S SANITATION SYSTEM

1. No person shall discharge effluent into the sewerage system which has—

| Parameter | Allowed Specifications | Units |
|--|------------------------|----------------|
| a temperature at the point of entry in excess of; | 430° | C |
| a pH greater than 10,0 or less than 6,0; | 6,0–10,0 | |
| Chemical oxygen demand (COD) greater than | 4 000 | mg/ℓ |
| Electrical conductivity—not greater than | 250 | m S/m at 25 °C |
| Caustic alkalinity (expressed as CaCO ₃) | 2 000 | mg/ℓ |
| Substance not in solution (including fat, oil, grease waxes and like substances) | 2 000 | mg/ℓ |
| Substances soluble in petroleum ether | 500 | mg/ℓ |
| Sulphides, hydro-sulphides and polysulphides (expressed as S) | 50 | mg/ℓ |
| Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works (expressed as HCN) | 20 | mg/ℓ |
| Formaldehyde (expressed as HCHO) | 50 | mg/ℓ |
| Non-organic solids in suspension | 100 | mg/ℓ |
| All sugars and/or starch (expressed as glucose) | 1 500 | mg/ℓ |
| Available chlorine (expressed as Cl) | 100 | mg/ℓ |
| Sulphates (expressed as SO ₄) | 1 800 | mg/ℓ |
| Fluorine—containing compounds (expressed as F) | 5 | mg/ℓ |
| Anionic surface active agents | 500 | mg/ℓ |

2. No person shall discharge effluent into the sewerage system which contains a substance, either alone or in combination with other substances, having a concentration in excess of those listed below.

(a) Chemical Substances other than metals

| Parameter | Allowed specifications | Units |
|---|------------------------|-------|
| Fats, vegetable oil and like substances | 400 | mg/ℓ |
| Sulphides, or substances from which hydrogen sulphide can be liberated (expressed as S) | 5 | mg/ℓ |
| Cyanides or substances from which hydrogen cyanide can be liberated (expressed as HCN) | 20 | mg/ℓ |

- (e) versuim om te voldoen aan die vereistes van 'n kennisgewing aan hom bedien is in terme van hierdie verordening, pleeg 'n misdryf en kan by skuldig bevinding—
- 'n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; of
 - in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende typerk van gevangenisstraf of sodanige bykomende gevangenisstraf sonder die opsie van 'n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en
 - 'n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die munisipaliteit aangegaan is weens sodanige oortreding

BYLAE A: BEPERKINGS VIR KONSENTRASIES VAN STOWWE WAT IN DIE SANITASIESTELSEL VAN SWARTLAND MUNISIPALITEIT GESTORT MAG WORD

1. Geen persoon mag uitzloeiel in die riolstelsel stort waarvan die volgende beperkings oorskry word nie—

| (a) Chemiese stowwe anders as metale | | |
|--|-------------------------|----------------|
| Parameter | Toegelate Spesifikasies | Eenhede |
| die temperatuur by die inlaatpunt meer is as | 43° | C |
| die pH groter is as 10,0 of minder is as 6,0; | 6,0–10,0 | |
| Chemiese suurstof behoeft (CSB) groter is as | 4 000 | mg/ℓ |
| Elektriese geleidingsvermoë groter is as | 250 | m S/m by 25 °C |
| Bytende alkaliniteit (as CaC ₃) | 2 000 | mg/ℓ |
| Stowwe nie in oplossing (insluitend vet olie, ghries, was en soortgelyke stowwe) | 2 000 | mg/ℓ |
| Stowwe oplosbaar in petroleum eter | 500 | mg/ℓ |
| Sulfiedes, hidro- sulfiedes en polisulfiedes (uitgedruk as S) | 50 | mg/ℓ |
| Stowwe vanwaar waterstofsianied in die dreineringsinstallasie, riool of rioolsuiweringswerke vrygestel kan word (uitgedruk as HCN) | 20 | mg/ℓ |
| Formaldehied (uitgedruk as HCHO) | 50 | mg/ℓ |
| Nie-organiese vastestowwe in suspensie | 100 | mg/ℓ |
| Alle suikers en/of stysel (uitgedruk as glukose) | 1 500 | mg/ℓ |
| Beskikbare chloor (uitgedruk as Cℓ) | 100 | mg/ℓ |
| Sulfaat (uitgedruk as SO ₄) | 1 800 | mg/ℓ |
| Fluoried-bevattende verbindings (uitgedruk as F) | 5 | mg/ℓ |
| Anioniese oppervlak aktiewe reagense | 500 | mg/ℓ |

2. Geen persoon sal uitzloeiel in die riolstelsel aflaat wat 'n stof bevat, het sy alleen of in kombinasie met ander stowwe, wat 'n hoër konsentrasie het as die wat hieronder gelys is nie.

(b) Chemiese stowwe anders as metale

| Parameter | Toegelate Spesifikasies | Eenhede |
|---|-------------------------|---------|
| Vette, groenteolie en soortgelyke stowwe | 400 | mg/ℓ |
| Sulfiedes, of bestanddele waaruit waterstof sianied vrygestel kan word (uitgedruk as HCN) | 5 | mg/ℓ |
| Sianiedes of bestanddele waaruit waterstof sianied vrygestel kan word (uitgedruk as HCN) | 20 | mg/ℓ |

| | | |
|--|-------|------|
| Sulphates (expressed as SO ₄) | 500 | mg/ℓ |
| Suspended solids | 1 000 | mg/ℓ |
| Tar products and distillates | 50 | mg/ℓ |
| Chloride (expressed as Cl) | 1 000 | mg/ℓ |
| (b) Metals | | |
| Group 1 | | |
| Chromium (hexavalent) | 0 | mg/ℓ |
| Chromium (trivalent)(expressed as CrO ₃) | 10 | mg/ℓ |
| Copper (expressed as Cu) | 10 | mg/ℓ |
| Manganese | 20 | mg/ℓ |
| Nickel (expressed as Ni) | 5 | mg/ℓ |
| Zinc (expressed as Zn) | 20 | mg/ℓ |
| Iron (expressed as Fe) | 20 | mg/ℓ |
| Silver | 5 | mg/ℓ |
| Cobalt | 5 | mg/ℓ |
| Tungsten | 5 | mg/ℓ |
| Titanium | 5 | mg/ℓ |
| Cadmium | 5 | mg/ℓ |
| Total collective concentration of all metals in Group 1 | 50 | mg/ℓ |
| Group 2 | | |
| Arsenic (expressed as As) | 5 | mg/ℓ |
| Boron (expressed as B) | 5 | mg/ℓ |
| Lead (expressed as Pb) | 5 | mg/ℓ |
| Selenium (expressed as Se) | 5 | mg/ℓ |
| Mercury (expressed as Hg) | 5 | mg/ℓ |
| Cadmium (expressed as Cd) | 5 | mg/ℓ |
| Total collective concentration of all metals in Group 2 | 10 | mg/ℓ |
| (c) Radio-active wastes | | |
| Any radio-active waste or isotopes: such concentration as may be laid down by the Atomic Energy Corporation or any State Department. | | |

3. No person shall discharge effluent into the sewerage system which—
- whether or not it is listed in the Effluent standards or which either alone or in combination with other matter, may—
 - generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system;
 - be harmful to the sewerage system, or
 - adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
 - is in the form of steam at the point of entry into the sewerage system;
 - contains any substance likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
 - shows any visible signs of oil, tar or associated products or distillates, bitumen's or asphalts or their emulsions, or emulsions of oil or grease or fats
 - contains any solids which may have an effect on the sewerage system;
 - contains any solvent immiscible in water;
 - contains dye or dye residues;
 - contains any substances in such concentration as may interfere with the sewerage system or adversely affect the quality of reclaimed water;
 - contains any non-biodegradable substance (e.g. blood); or
 - contains storm water or ground water.

| | | |
|---|-------|------|
| Sulfate (uitgedruk as SO ₄) | 500 | mg/ℓ |
| Gesuspendeerde vastestowwe | 1 000 | mg/ℓ |
| Teer produkte en distillate | 50 | mg/ℓ |
| Chloried (uitgedruk as Cl) | 1 000 | mg/ℓ |
| (c) Metale | | |
| Groep 1 | | |
| Chroom (hexavalent) | 0 | mg/ℓ |
| Chroom (trivalent) (uitgedruk as CrO ₃) | 10 | mg/ℓ |
| Koper (uitgedruk as Cu) | 10 | mg/ℓ |
| Mangaan | 20 | mg/ℓ |
| Nikkel (uitgedruk as Ni) | 5 | mg/ℓ |
| Sink (uitgedruk as Zn) | 20 | mg/ℓ |
| Yster (uitgedruk as Fe) | 20 | mg/ℓ |
| Silwer | 5 | mg/ℓ |
| Kobalt | 5 | mg/ℓ |
| Tungsten | 5 | mg/ℓ |
| Titanium | 5 | mg/ℓ |
| Kadmium | 5 | mg/ℓ |
| Totale gesamentlike konsentrasie van alle metale in Groep 1 | 50 | mg/ℓ |
| Groep 2 | | |
| Arseen (uitgedruk as As) | 5 | mg/ℓ |
| Boor (uitgedruk as B) | 5 | mg/ℓ |
| Lood (uitgedruk as Pb) | 5 | mg/ℓ |
| Selenium (uitgedruk as Se) | 5 | mg/ℓ |
| Kwik (uitgedruk as Hg) | 5 | mg/ℓ |
| Cadmium (uitgedruk as Cd) | 5 | mg/ℓ |
| Totale gesamentlike konsentrasie van alle metale in Groep 2 | 10 | mg/ℓ |
| (d) Radio-aktiewe afvalstowwe | | |
| Enige radio-aktiewe afval of isotope: sodanige konsentrasie soos neergelê mag word deur die Atoom-Energie Korporasie of enige Staatsdepartment. | | |

3. Geen persoon mag uitvloeisel in 'n riool stort wat—
- of dit in die uitvloeisel standarde gelys is of nie ñof wat ñof alleen in kombinasie met ander stowwe—
 - bestaan uit of toksiese stowwe kan genereer wat gevaarlik is vir die gesondheid van persone wat aangestel is om die onderhou en werking van die rioolstelsel te behartig;
 - skadelik kan wees vir die rioolstelsel, of
 - enige proses waarmee rioolvuil normaalweg behandel word nadelig beïnvloed nie, of wat die hergebruik van die uitvloeisel benadeel of die wegdoening van vastestowwe wat uit die behandelingsproses voortspruit, benadeel nie
 - wat in die vorm van stoom is waar dit die riool binnegaan nie;
 - enige stof bevat wat plosbare, ontvlambare of afstootlike gasse in sodanige rioolstelsel kan afgee nie;
 - enige sigbare tekens toon van olie, teer of geassosieerde produkte of distillate, bitumens of asfals of hul emulsies, of emulsies van olie, ghries of vette;
 - enige vastestof bevat 'n effek op die rioolstelsel sal hê nie;
 - enige oplosmiddel bevat wat onvermengbaar is met water nie;
 - enige kleurmiddel of kleurmiddel residu's bevat nie;
 - enige stof in sodanige konsentrasie bevat dat dit sal inmeng met die rioolstelsel of die kwaliteit van die herwonne rioolwater sal benadeel nie;
 - nie enige biologies- afboubare material (bv bloed); of
 - stormwater of grondwater bevat nie;

Provided that, notwithstanding the requirements set out in this Schedule, the municipality reserves the right to limit the total mass of any substance or impurity discharged per 24 hours into the sanitation system from any premises

SCHEDULE B: APPLICATION FORM FOR THE DISCHARGE OF INDUSTRIAL EFFLUENT INTO THE SWARTLAND MUNICIPALITY'S SANITATION SYSTEM



SWARTLAND MUNICIPALITY
DEPARTMENT OF CIVIL ENGINEER SERVICES

PERMIT APPLICATION

TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM

ISSUED IN TERMS OF THE SWARTLAND MUNICIPALITY WATER SERVICES BY-LAWS

(Please complete application in block letters)

I (name):
the undersigned, duly authorised to set on behalf of and hereinafter referred to as the applicant, hereby apply in terms of the Water Services By-laws of the municipality for approval to discharge industrial effluent into the municipality's sanitation system in accordance with the information provided herein.

Part 1: nature of the business or industry concern

1. Business

| | | | |
|--------------------------------------|----------------|---------|----------------|
| REGISTERED NAME OF THE BUSINESS | | | |
| | | | |
| STREET NAME | POSTAL ADDRESS | ERF NO. | ALLOTMENT AREA |
| AUTORISED PROCESSES FOR THE PREMISES | | | |

2. If the business or industry is conducted by a company or closed corporation, state the name of the secretary, and if it is a partnership state the names of the partners:
.....

3. IS THIS A NEW OR ESTABLISHED BUSINESS?

4. DESCRIPTION OF INDUSTRIAL OR TRADE PROCESS BY WHICH THE EFFLUENT WILL BE PRODUCED:
.....
.....

5. INFORMATION RELATING TO EMPLOYEES:

| Description | Office | Factory |
|--|--------|---------|
| (1) Total number of daily employees (not included in (4)): | | |
| (2) Number of shifts worked per day: | | |
| (3) Number of days worked per day: | | |
| (4) Number of persons resident on the premises: | | |
| (5) Is a canteen provided? | | |

Met dien verstaande dat, nieteenstaande die vereistes uiteengesit in hierdie Bylae, die munisipaliteit die reg voorbehou om die totale massa van enige stof of onsuwerheid wat oor 24 uur afgelaat word in die sanitasiestelsel vanaf enige perseel, te beperk.

BYLAE B: AANSOEKVORM VIR DIE STORT VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTELSEL VAN SWARTLAND MUNISIPALITEIT



SWARTLAND MUNISIPALITEIT
DEPARTEMENT VAN SIVIELE INGENIEURSDIENSTE

PERMIT AANSOEK

VIR DIE STORT VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTELSEL

UITGEREIK IN TERME VAN DIE SWARTLAND MUNISIPALITEIT WATERDIENSTE VERORDENINGE

(Voltooi asb in hoofletters)

Ek (naam):
die ondergetekende, behoorlik gemagtig om namens hiernaa genoem die applikant, doen hiermee aansoek in terme van die Waterdienste Verordeninge van die munisipaliteit vir die goedkeuring om nywerheidsuitvloeisel soos beskryf in die inligting hiermee verskaf, in die munisipale riool stort.

Deel 1: Aard van die besigheid of nywerheid

1. Besigheid

| | | | |
|-----------------------------------|----------|---------|-----------------|
| GEREGISTREERDE NAAM VAN BESIGHEID | | | |
| | | | |
| STRAATNAAM | POSADRES | ERF NR. | TOEWYSINGSGBIED |
| | | | |
| GEMAGTIGDE PROSESSE VIR PERSEL | | | |
| | | | |

2. Indien die besigheid of nywerheid bedryf word deur 'n maatskappy of beslote korporasie voorsien die naam van die sekretaris, en as dit 'n vennootskap is die name van die vennote.
.....

3. IS HIERDIE 'N NUWE OF GEVESTIGDE BESIGHEID?:

4. BESKRYWING VAN DIE NYWERHEIDSPROSES WAARDEUR DIE UITVLOEISEL GELEWER SAL WORD:
.....
.....

5. INLIGTING AANGAANDE WERKNEMERS:

| Beskrywing | Kantoor | Fabriek |
|--|---------|---------|
| (1) Totale aantal daaglikske werknemers (nie ingelsuit in (4)):..... | | |
| (2) Aantal skofte per dag gewerk:..... | | |
| (3) Aantal dae gewerk per week:..... | | |
| (4) Aantal persone wate op terrein woon:..... | | |
| (5) Word daar 'n kantien voorsien?:..... | | |

Part 2: Information relating to water consumption

1. Average number of kilolitreS per month of water purchased from the municipality the past six months

| WATER CONSUMPTION | TOTAL |
|---------------------------------------|--------------|
| WATER PURCHASED FROM THE MUNICIPALITY | |
| WATER FROM BOREHOLE OR OTHER SOURCES | |
| WATER ENTERING WITH RAW MATERIALS | |
| TOTAL A | |

2. Effluent Discharge rate

| CONNECTION POSITION | EFFLUENT DISCHARGE RATE | | |
|---------------------|-------------------------|---------|----------|
| | MAXIMUM RATE IN kl | | |
| | PER MONTH | PER DAY | PER HOUR |
| | | | |

3. Effluent Discharge factor

| EFFLUENT DISCHARGE FACTOR | |
|---|--|
| FRACTION OF METERED WATER NOT DISCHARGED TO SEWER | |
| FRACTION OF METERED WATER TO SEWER | |

In the event that no effluent meter is installed on the premises, the estimated volume of un-metered effluent discharge will be calculated as follows—

90% of Total A, except if otherwise agreed with the municipality

Part 3: Information regarding the composition of the industrial effluent

Information relating to the chemical and physical characteristics of the effluent to be discharged

| Parameter | Discharge characteristics | Units |
|--|------------------------------|---------------|
| Temperature at the point of entry in excess of; | | °C |
| pH | | |
| Chemical oxygen demand (COD) | | mg/ℓ |
| Electrical conductivity | | mS/m at 25 °C |
| Caustic alkalinity (expressed as CaCO ₃) | | mg/ℓ |
| Substance not in solution (including fat, oil, grease waxes and like substances) | | mg/ℓ |
| Substances soluble in petroleum ether | | mg/ℓ |
| Sulphides, hydro-sulphides and polysulphides (expressed as S) | | mg/ℓ |
| Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works (expressed as HCN) | | mg/ℓ |
| Formaldehyde (expressed as HCHO) | | mg/ℓ |
| Non-organic solids in suspension | | mg/ℓ |
| All sugars and/or starch (expressed as glucose) | | mg/ℓ |
| Available chlorine (expressed as Cl) | | mg/ℓ |
| Sulphates (expressed as SO ₄) | | mg/ℓ |
| Fluorine— containing compounds (expressed as F) | | mg/ℓ |
| Anionic surface active agents | | mg/ℓ |
| Arsenic (expressed as As) | | mg/ℓ |
| Boron (expressed as B) | | mg/ℓ |
| Lead (expressed as Pb) | | mg/ℓ |
| Selenium (expressed as Se) | | mg/ℓ |

Deel 2: Inligting aangaande waterverbruik

1. Gemiddelde hoeveelheid kiloliters per maand aangekoop van die munisipaliteit oor die afgelope ses (6) maande

| WATERVERBRUIK | TOTAAL |
|--|---------------|
| WATER AANGEKOOP BY MUNISIPALITEIT | |
| WATER VANAF BOORGAT OF ANDER BRONNE | |
| WATER WAT SAAM MET ROU MATERIALE INGEBRING WORD | |
| TOTAAL A | |

2. Uitvloeisel Afvoertempo

| UITVLOEISELAFVOERTEMPO | | | |
|------------------------|----------------------|-----------|---------|
| VERBINDINGSPUNT | MAKSIMUM TEMPO IN kl | PER MAAND | PER DAG |
| | | | PER UUR |
| | | | |

3. Uitvloeisel Afvoerfaktor

| UITVLOEISELAFVOERFAKTOR |
|---|
| GEDEELTE VAN GEMETERDE WATER WAT NIE NA RIOOLSTELSEL GAAN NIE |
| GEDEELTE VAN GEMETERDE WATER NA RIOOLSTELSEL |

Ingeval daar nie 'n meter op die terrein geïnstalleer is wat die hoeveelheid uitvloeisel kan meet nie, sal die hoeveelheid wat afgelaat word as volg bereken word—

90% van Totaal A, behalwe indien anders ooreengekom met die munisipaliteit

Deel 3: Inligting aangaande die samestelling van die nywerheidsuitvloeisel

Inligting aangaande die chemiese en fisiese eienskappe van die uitvloeisel wat gestort word

| Parameter | Aflaat eienskappe | Eenhede |
|--|----------------------|-----------------|
| Temperatuur by punt van aflaat meer as; | | °C |
| pH | | |
| Chemiese Suurstof Behoefte (CSB) | | mg/ℓ |
| Elektriese geleidingsvermoë | | mS/m teen 25 °C |
| Bytende alkaliniteit (uitgedruk as CaCO ₃) | | mg/ℓ |
| Stowwe nie in oplossing (insluitende olie, gries, was en soortgelyk stowwe) | | mg/ℓ |
| Stowwe oplosbaar in petroleum eter | | mg/ℓ |
| Sulfiedes, hidro-sulfiedes en polisulfiedes (uitgedruk as S) | | mg/ℓ |
| Stowwe vanwaar waterstofseaniëd in die dreineringssinstallasie of rioolsuiweringswerke vrygestel kan word (uitgedruk as HCN) | | mg/ℓ |
| Formaldehied (uitgedruk as HCHO) | | mg/ℓ |
| Nie-organiese vastestowwe in suspensie | | mg/ℓ |
| Alle suikers en/of stysel (uitgedruk as glukose) | | mg/ℓ |
| Beskikbare chloor (uitgedruk as Cl) | | mg/ℓ |
| Sulfaat (uitgedruk as SO ₄) | | mg/ℓ |
| Fluoried—bevattende verbindings (uitgedruk as F) | | mg/ℓ |
| Anioniese oppervlak aktiewe reagense | | mg/ℓ |
| Arseen (uitgedruk as As) | | mg/ℓ |
| Boor (uitgedruk as B) | | mg/ℓ |
| Lood (uitgedruk as Pb) | | mg/ℓ |

| | | |
|---|--|------|
| Mercury (expressed as Hg) | | mg/ℓ |
| Cadmium (expressed as Cd) | | mg/ℓ |
| Total collective concentration of all metals in Group 2 | | mg/ℓ |
| Radio-active wastes | | |

Part 4: Conditions Relating to the Acceptance of Industrial Effluent

1. The applicant shall attach descriptions and a statement of the dimensions of grease and oil traps, screens, dilution and neutralising tanks and any other provision made for the treatment of the effluent prior to discharge to the sanitation.
2. The applicant shall submit to the municipality, if requested, plans showing the reticulation systems on his premises for water and industrial effluent.
3. The applicant shall, in addition to complying with the provisions of this by-law aimed at the protection of its employees, sewers and treatment plant from damage, comply with any directive/instructive/guideline concerned with such protection given by the engineer verbally or in writing for the purpose of ensuring the applicant's compliance with the said by-law.
4. The applicant shall notify the municipality, as soon as possible after he becomes aware thereof, or at least 14 days before anything is done to cause material alteration in the nature or quantity of the industrial effluent specified in this application or in any of the facts stated by him.
5. The applicant shall, within 30 days from the date of signature of this application, procure an accurately representative sample of not less than 5 litre of the industrial effluent to be discharged into the sewer, which sample shall be free of domestic sewage, and shall submit one half thereof to the municipality for analysis and also submit to the engineer a report on the sample made by an analyst appointed by him: Provided that in the case of a newly established industry the period specified may be extended by the municipality for a period not exceeding six months or such further extended periods as the municipality may approve.
6. The applicant hereby declares and warrants that the information given by him in this form, is to the best of his knowledge and belief, correct in all respects.
7. The applicant agrees that the said information shall form the basis on which this application is granted by the municipality.

Thus done at on day of20

.....
Signature and capacity of the applicant

| | | |
|---|--|------|
| Selenium (uitgedruk as Se) | | mg/ℓ |
| Kwik (uitgedruk as Hg) | | mg/ℓ |
| Cadmium (uitgedruk as Cd) | | mg/ℓ |
| Totale gesamentlike konsentrasie van alle metale in Groep 2 | | mg/ℓ |
| Radio-aktiewe afvalstowwe | | |

Deel 4: Voorwaardes met betrekking tot die aanvaarding van nywerheidsuitvloeisel

1. Die applikant moet beskrywings en afmetings aanheg van die afmetings van ghries en olievangers, roosters, verdunnings en neutralisasietens en enige ander voorsiening wat gemaak word vir behandeling van die uitvloeisel voordat dit in die riool afgelaat word.
2. Die applikant moet, wanneer versoek, planne aan die munisipaliteit voorlê wat die retikulasie-stelsels ten opsigte van water en nywerheidsriool op sy perseel aandui.
3. Die applikant moet, bykomend tot voldoening aan die voorwaardes van hierdie verordening wat gemik is op die beskerming van sy werknemers, riole en suikeringswerke teen enige skade, ook voldoen aan enige riglyn/instruksie/opdrag wat mondelings of skriftelik deur die ingenieur gegee is om te verseker dat die verordeninge nagekom word.
4. Die applikant moet die munisipaliteit daarvan in kennis stel, so gou hy daarvan bewus word, of minstens veertien (14) dae voordat enigiets gedoen word om die aard of kwaliteit van die nywerheidsuitvloeisel soos gespesifieer in hierdie aansoek of enige feite wat deur hom gestel is, te verander.
5. Die applikant moet, binne dertig (30) dae vanaf die datum wat hierdie aansoek onderteken is, 'n verteenwoordige monster verkry, nie minder as 5 liter van die nywerheidsuitvloeisel wat afgelaat gaan word in die rioolstelsel nie, en wat geen huishoudelike uitvloeisel bevat nie, en die helfte daarvan aan die munisipaliteit voorsien vir analise, en ook aan die ingenieur 'n verslag voorsien van die resultate van 'n analise deur 'n analis wat deur hom aangestel is om die ander helfte van die monster te ontleed; met dien verstande dat in geval van 'n nuutgestigte industrie die tydperk verder uitgestel kan word vir 'n tydperk nie langer as ses maande nie of sodanige tydperk as wat die munisipaliteit mag goedkeur.
6. Die applikant verklaar hiermee en waarborg dat die inligting wat in hierdie vorm deur hom verskaf is, in alle opsigte korrek is.
7. Die applikant stem saam dat die gemelde inligting, synde in alle opsigte korrek, die basis sal vorm waarop hierdie aansoek deur die munisipaliteit goedgekeur is.

Aldus gedoen te.....

Deur die applikant hierdiedag van20

.....
Handtekening en hoedanigheid van die applikant

SCHEDULE C: PERMIT ISSUED TO ALLOW THE DISCHARGE OF TRADE OR INDUSTRIAL EFFLUENT INTO THE SEWERAGE

| |
|------------|
| DATE/DATUM |
|------------|



| |
|----------------|
| PERMIT NO./NR. |
|----------------|

SWARTLAND MUNICIPALITY

DEPARTMENT OF CIVIL ENGINEERING SERVICES

PERMIT

TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT INTO THE SEWERAGE SYSTEM

Valid for three years after issue

ISSUED IN TERMS OF THE SWARTLAND MUNICIPALITY WATER SERVICES BY-LAWS

PERMIT TO DISCHARGE INDUSTRIAL EFFLUENT INTO THE SEWERAGE SYSTEM

| |
|------------|
| DATE/DATUM |
|------------|



| |
|----------------|
| PERMIT NO./NR. |
|----------------|

Nature of the Business or Industry Concern

| | | | |
|---|--|--|--|
| REGISTERED NAME OF THE BUSINESS | | | |
| STREET NAME POSTAL ADDRESS ERF NO. ALLOTMENT AREA | | | |
| AUTORISED PROCESSES FOR THE PREMISES | | | |

Effluent Discharge rate

| CONNECTION POSITION | EFFLUENT DISCHARGE RATE | | |
|---------------------|-------------------------|---------|----------|
| | MAXIMUM RATE IN kl | | |
| | PER MONTH | PER DAY | PER HOUR |
| | | | |

Effluent Discharge factor

| EFFLUENT DISCHARGE FACTOR | |
|---|--|
| FRACTION OF METERED WATER NOT DISCHARGED TO SEWER | |
| FRACTION OF METERED WATER TO SEWER | |

PRE-TREATMENT REQUIRED BEFORE ACCEPTANCE

- ! Removal of settleable solids
- ! Fat, oil and grease removal
- ! Any further treatment as may be deemed necessary when more information on the composition of the effluent being discharged is available after sampling and analysis
- ! Special steps should be taken to ensure that no sea water can enter the municipal sewerage system.

BYLAE C: PERMIT UITGEREIK OM DIE STORTING VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTELSEL TOE TE LAAT

| |
|-------|
| DATUM |
|-------|



| |
|------------|
| PERMIT NR. |
|------------|

SWARTLAND MUNISIPALITEIT

DEPARTEMENT VAN SIVIELE INGENIEURSDIENSTE

PERMIT

VIR DIE AFLAAT VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTEL

Geldig vir drie jaar na uiteiking

UITGEREIK IN TERME VAN DIE SWARTLAND MUNISIPALITEIT WATERDIENSTE VERORDENINGE

BYLAE C: PERMIT VIR DIE AFLAAT VAN NYWERHEIDSUITVLOEISEL IN DIE RIOOLSTELSEL

| |
|-------|
| DATUM |
|-------|



| |
|------------|
| PERMIT NR. |
|------------|

Aard van Besigheid of Nywerheid

| | | | |
|-----------------------------------|--|---------|-----------------|
| GEREGISTREERDE NAAM VAN BESIGHEID | | | |
| STRAATNAAM POSADRES | | ERF NR. | TOEWYSINGSGBIED |
| GEMAGTIGDE PROSESSE VIR PERSEL | | | |

Uitvloeisel Afvoertempo

| VERBINDINGSPUNT | UITVLOEISELAFVOERTEMPO | | |
|-----------------|------------------------|---------|---------|
| | MAKSIMUM TEMPO IN kl | | |
| | PER MAAND | PER DAG | PER UUR |
| | | | |

Uitvloeisel Afvoerfaktor

| UITVLOEISELAFVOERFAKTOR | |
|--|--|
| GEDEELTE VAN GEMETERDE WATER NIE NA RIOOLSTELSEL | |
| GEDEELTE VAN GEMETERDE WATER NA RIOOLSTELSEL | |

VOORAFBEHANDELING VEREIS VOOR AANVAARDING

- ! Verwydering van besinkbare vastestowwe
- ! Vet-, olie- en ghries verwydering
- ! Enige verdere behandeling wat nodig mag wees wanneer meer inligting van die uitvloeisel wat afgelaat word beskikbaar is na monsterneming en analises
- ! Spesiale maatreëls moet getref word om te verseker dat geen seewater die munisipale riolstelsel binnedring nie.

| PHYSICAL AND CHEMICAL CONDITIONS REQUIRED BEFORE EFFLUENT ACCEPTANCE | | |
|---|------------------------|----------------|
| SUBSTANCES ACCEPTABLE IN LIMITED CONCENTRATIONS ONLY | | |
| No person shall discharge effluent into the sewerage system which has— | | |
| Parameter | Allowed Specifications | Units |
| a temperature at the point of entry in excess of; | 43° | C |
| a pH greater than 10,0 or less than 6,0; | 6,0–10,0 | |
| Chemical oxygen demand (COD) greater than | 4 000 | mg/ℓ |
| Electrical conductivity—not greater than | 250 | m S/m at 25 °C |
| Caustic alkalinity (expressed as CaCO ₃) | 2 000 | mg/ℓ |
| Substance not in solution (including fat, oil, grease waxes and like substances) | 2 000 | mg/ℓ |
| Substances soluble in petroleum ether | 500 | mg/ℓ |
| Sulphides, hydro-sulphides and polysulphides (expressed as S) | 50 | mg/ℓ |
| Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works (expressed as HCN) | 20 | mg/ℓ |
| Formaldehyde (expressed as HCHO) | 50 | mg/ℓ |
| Non-organic solids in suspension | 100 | mg/ℓ |
| All sugars and/or starch (expressed as glucose) | 1 500 | mg/ℓ |
| Available chlorine (expressed as Cl) | 100 | mg/ℓ |
| Sulphates (expressed as SO ₄) | 1 800 | mg/ℓ |
| Fluorine-containing compounds (expressed as F) | 5 | mg/ℓ |
| Anionic surface active agents | 500 | mg/ℓ |
| No person shall discharge effluent into the sewerage system which contains a substance, either alone or in combination with other substances, having a concentration in excess of those listed below. | | |
| (a) Chemical Substances other than metals | | |
| Parameter | Allowed specifications | Units |
| Fats, vegetable oil and like substances | 400 | mg/ℓ |
| Sulphides, or substances from which hydrogen sulphide can be liberated (expressed as S) | 5 | mg/ℓ |
| Cyanides or substances from which hydrogen cyanide can be liberated (expressed as HCN) | 20 | mg/ℓ |
| Sulphates (expressed as SO ₄) | 500 | mg/ℓ |
| Suspended solids | 1 000 | mg/ℓ |
| Tar products and distillates | 50 | mg/ℓ |
| Chloride (expressed as C ₋) | 1 000 | mg/ℓ |
| (b) Metals | | |
| Group 1 | | |
| Chromium (hexavalent) | 0 | mg/ℓ |
| Chromium (trivalent)(expressed as CrO ₃) | 10 | mg/ℓ |
| Copper (expressed as Cu) | 10 | mg/ℓ |
| Manganese | 20 | mg/ℓ |
| Nickel (expressed as Ni) | 5 | mg/ℓ |
| Zinc (expressed as Zn) | 20 | mg/ℓ |
| Iron (expressed as Fe) | 20 | mg/ℓ |
| Silver | 5 | mg/ℓ |
| Cobalt | 5 | mg/ℓ |

| FISIESE EN CHEMIESE TOESTANDE VEREIS VOOR AANVAARDING VAN UITVLOEISEL | | |
|--|-------------------------|----------------|
| STOWWE ALLEENLIK IN BEPERKTE KONSENTRASIES AANVAARBAAR | | |
| Geen persoon mag uityvloeisel in die rioolstelsel aflaat waarvan die volgende limiete oorskry word nie — | | |
| Parameter | Toegelate Spesifikasies | Eenhede |
| die temperatuur by die inlaaptuut meer is as | 43° | C |
| die pH groter is as 10 of minder is as 6,0; | 6,0–10,0 | |
| Chemiese suurstof behoeft (CSB) groter is as | 4 000 | mg/ℓ |
| Elektriese geleidingsvermoë groter is as | 250 | m S/m at 25 °C |
| Bytende alkaliniteit (as CaC ₃) | 2 000 | mg/ℓ |
| Stowwe nie in oplossing (insluitend vet olie, ghries, was en soortgelyke stowwe) | 2 000 | mg/ℓ |
| Stowwe oplosbaar in petroleum eter | 500 | mg/ℓ |
| Sulfiedes, hidro-sulfiedes en polisulfiedes (uitgedruk as S) | 50 | mg/ℓ |
| Stowwe vanwaar waterstofsianied in die dreineringssinstallasie, riol of rioolsuiweringswerke vrygestel kan word (uitgedruk as HCN) | 20 | mg/ℓ |
| Formaldehied (uitgedruk as HCHO) | 50 | mg/ℓ |
| Nie-organiese vastestowwe in suspensie | 100 | mg/ℓ |
| Alle suikers en/of styzel (uitgedruk as glukose) | 1 500 | mg/ℓ |
| Beskikbare chloor (uitgedruk as Cl) | 100 | mg/ℓ |
| Sulfaat (uitgedruk as SO ₄) | 1 800 | mg/ℓ |
| Fluoried-bevattende verbindings (uitgedruk as F) | 5 | mg/ℓ |
| Anioniese oppervlak aktiewe reagense | 500 | mg/ℓ |
| Geen persoon sal uityvloeisel in die rioolstelsel aflaat wat 'n stof bevat, het sy alleen of in kombinasie met ander stowwe, wat 'n hoër konsentrasie het as die wat hieronder gelys is nie. | | |
| (a) Chemiese stowwe anders as metale | | |
| Parameter | Toegelate Spesifikasies | Eenhede |
| Vette, groenteolie en soortgelyke stowwe | 400 | mg/ℓ |
| Sulfiedes, of bestanddele waaruit waterstof sianied vrygestel kan word (uitgedruk as HCN) | 5 | mg/ℓ |
| Sianiedes of bestanddele waaruit waterstof sianied vrygestel kan word (uitgedruk as HCN) | 20 | mg/ℓ |
| Sulfate (uitgedruk as SO ₄) | 500 | mg/ℓ |
| Gesuspendeerde vastestowwe | 1 000 | mg/ℓ |
| Teer produkte en distillate | 50 | mg/ℓ |
| Chloried (uitgedruk as Cl) | 1 000 | mg/ℓ |
| (b) Metale | | |
| Groep 1 | | |
| Chroom (hexavalent) | 0 | mg/ℓ |
| Chroom (trivalent) (uitgedruk as CrO ₃) | 10 | mg/ℓ |
| Koper (uitgedruk as Cu) | 10 | mg/ℓ |
| Mangaan | 20 | mg/ℓ |
| Nikkel (uitgedruk as Ni) | 5 | mg/ℓ |
| Sink (uitgedruk as Zn) | 20 | mg/ℓ |
| Yster (uitgedruk as Fe) | 20 | mg/ℓ |
| Silwer | 5 | mg/ℓ |
| Kobalt | 5 | mg/ℓ |

| Tungsten | 5 | mg/ℓ |
|--|------------------------|-------|
| Titanium | 5 | mg/ℓ |
| Cadmium | 5 | mg/ℓ |
| <i>Total collective concentration of all metals in Group 1</i> | 50 | mg/ℓ |
| Parameter | Allowed specifications | Units |
| Group 2 | | |
| Arsenic (expressed as As) | 5 | mg/ℓ |
| Boron (expressed as B) | 5 | mg/ℓ |
| Lead (expressed as Pb) | 5 | mg/ℓ |
| Selenium (expressed as Se) | 5 | mg/ℓ |
| Mercury (expressed as Hg) | 5 | mg/ℓ |
| Cadmium (expressed as Cd) | 5 | mg/ℓ |
| <i>Total collective concentration of all metals in Group 2</i> | 10 | mg/ℓ |
| (c) Radio-active wastes | | |
| Any radio-active waste or isotopes: such concentration as may be laid down by the Atomic Energy Corporation or any State Department. | | |

PROHIBITED EFFLUENTS

No person shall discharge effluent into the sewerage system which

- (a) whether or not it is listed in the effluent standards or which either alone or in combination with other matter, may—
 - (i) generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system;
 - (ii) be harmful to the sewerage system, or
 - (iii) adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
- (b) is in the form of steam at the point of entry into the sewerage system;
- (c) contains any substance of whatever nature likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
- (d) shows any visible signs of oil, tar or associated products or distillates, bitumens or asphalts or their emulsions, or emulsions of oil or grease or fats
- (e) contains any solids which may in the opinion of the local authority have an effect on the sewerage system;
- (f) contains any solvent immiscible in water;
- (g) contains dye or dye residues;
- (h) contains any substances in such concentration as may in the opinion of the local authority interfere with the sewerage system or adversely affect the quality of reclaimed water;
- (i) contains any non-biodegradable substance (e.g. blood) or
- (j) Contains stormwater or ground water.

SPECIAL CONDITIONS FOR THIS PERMIT

The permit holder shall install and maintain at his or her own cost a suitable flow measuring device, on all lines discharging industrial effluent to the municipality's sewer system, to measure the volumes. The proposed flow measuring device shall be to the satisfaction and approval of the Senior Manager: Civil Engineer services.

INDEMNIFICATION OF THE LOCAL AUTHORITY

A permit holder shall indemnify the local authority against all claims which may be brought or instituted against it for damage to property or injury or death of persons as a result of the discharge of effluent.

CONDITIONS OF ISSUE

This permit is issued in terms of the Swartland municipality's Water Services By-Laws and is subject to the conditions stated therein.

DATE

SENIOR MANAGER:
CIVIL ENGINEERING SERVICES

51343

11 July 2014

| Tungsten | 5 | mg/ℓ |
|---|-------------------------|---------|
| Titanium | 5 | mg/ℓ |
| Kadmium | 5 | mg/ℓ |
| Totale gesamentlike konsentrasie van alle metale in Groep 1 | 50 | mg/ℓ |
| Parameter | Toegelate Spesifikasies | Eenhede |
| (b) Metale | | |
| Groep 2 | | |
| Arseen (uitgedruk as As) | 5 | mg/ℓ |
| Boor (uitgedruk as B) | 5 | mg/ℓ |
| Lood (uitgedruk as Pb) | 5 | mg/ℓ |
| Selenium (uitgedruk as Se) | 5 | mg/ℓ |
| Kwik (uitgedruk as Hg) | 5 | mg/ℓ |
| Cadmium (uitgedruk as Cd) | 5 | mg/ℓ |
| Totale gesamentlike konsentrasie van alle metale in Groep 2 | 10 | mg/ℓ |
| (c) Radio-aktiewe afvalstowwe | | |
| Enige radio-aktiewe afval of isotope: sodanige konsentrasie soos neergelê mag word deur die Atoom-Energie Korporasie of enige Staatsdepartment. | | |

VERBODE UITVLOEISELS

Geen persoon mag uitvloeisel in 'n riool stort—

- (a) of dit in die uitvloeisel standarde gelys is of nie ðf wat ðf alleen of in kombinasie met ander stowwe —
 - (i) bestaan uit of toksiese stowwe kan genereer wat gevaelik is vir die gesondheid van persone wat aangestel is om die onderhou en werking van die riuolstelsel te behartig;
 - (ii) skadelik kan wees vir die riuolstelsel, of
 - (iii) enige proses waarmee die riuolwater normaalweg behandel word nadelig beïnvloed nie, of wat die hergebruik van die uitvloeisel benadeel of die wegdoening van vastestowwe wat uit die behandelingsproses voortspruit benadeel nie;
- (b) wat in die vorm van stoom is waar dit die riuol binnegaan nie;
- (c) enige stof bevat van watter aard ookal, wat plofbare, ontvlambare of afstootlike gasse in sodanige riuolstelsel kan afgee nie;
- (d) enige sigbare tekens toon van olie, teer of geassosieerde produkte of distillate, bitumens of asfals of hul emulsies, of emulsies van olie, ghries of vette;
- (e) enige vastestof bevat wat volgens mening van die plaaslike owerheid 'n effek op die riuolstelsel sal hê nie;
- (f) enige oplosmiddel bevat wat onvermengbaar is met water nie;
- (g) enige kleurmiddel of kleurmiddel residu's bevat nie;
- (h) enige stof in sodanige konsentrasie bevat dat dit volgens die mening van die plaaslike owerhede sal inmeng met die riuolstelsel of die kwaliteit van die hervonne riuolwater sal benadeel nie;
- (i) nie enige biologies-afboubare material (bv bloed) of
- (j) stormwater of grondwater bevat nie

SPESSIALE VOORWAARDES VIR HIERDIE PERMIT

Die permithouer moet op eie koste in geskikte vloeimeettoestel installeer en onderhou op alle lyne wat nywerheidsuitvloeisel in die munisipale riuolstelsel uitlaat, ten einde die volumes te meet. Die voorgestelde vloeimeettoestel moet tot bevrediging en goedkeuring van die Senior Bestuurder: Siviele Ingenieursdienste wees.

VRYWARING VAN DIE PLAASLIKE OWERHEID

'n Permithouer moet die plaaslike owerheid vrywaar van enige eise wat ingebring of ingestel word vir skade aan eiendom of besering of dood van persone as gevolg van die aflaat van die uitvloeisel.

VOORWAARDES VAN UITREIKING

Hierdie permit word uitgereik in terme van die Waterdienste Verordeninge van Swartland munisipaliteit en is onderworpe aan die vereistes wat daarin gestel word.

DATE

SENIOR BESTUURDER:
SIVIELE INGENIEURSDIENSTE

51343

11 Julie 2014

