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# **LOCAL AUTHORITY NOTICES**

## **LOCAL AUTHORITY NOTICE 2478**

### **WEST RAND DISTRICT MUNICIPALITY: STREET AND MISCELLANEOUS BY-LAWS**

The Municipal Manager hereby, in terms of the provisions of section 13 of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000) publishes, the by-laws passed by the West Rand District Municipality in terms of section 12 of the aforesaid Act to provide for –

- o an integrated, standardized, approach to municipal law enforcement by all municipalities in the district; and
- o to empower all authorized officials in the district to effectively assert law enforcement with the view to improve and sustain a peaceful and safe environment.

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### *1. Definitions*

In this by-law, unless the context otherwise indicates -

**"abnormal vehicle"** means any vehicle which is operated under a written exemption granted in terms of section 81 of the National Road Traffic Act, 1996, and any motor vehicle accompanying such abnormal vehicle as a condition of operation;

**"air-gun or air-pistol"** means a device designed to discharge a projectile by means of compressed gas as defined in section 1 of the Firearms Control Act, 2000 (Act No 60 of 2000);

**"authorized official"** means a person who is duly appointed as peace officer in terms of section 334 of the Criminal Procedures Act, 1977 (Act No 51 of 1977);

**"breakdown vehicle"** means a vehicle designed or adapted solely for the purpose of recovering or salvaging vehicles and which is registered as a breakdown vehicle;

**"chief fire officer"** means the employee appointed to such position by the West Rand District Municipality in terms of the provisions of the Fire Brigade Services Act, 1987;

**"district"** means the defined area of jurisdiction of the West Rand District Municipality which includes defined local municipalities;

**"firearm"** means a device designed to propel a bullet or projectile as defined in section 1 of the Firearms Control Act, 2000 (Act No 60 of 2000);

**"fireworks"** means objects as defined in the regulations to the Explosives Act, 2003 (Act No 15 of 2003);

**"municipality"** means the local municipalities as well as the district municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) within the demarcated area of jurisdiction of the West Rand District Municipality;

**"occupier"** means any person in actual occupation or control of any land, premises, or building, or any portion thereof, without regard to the title under which he/she occupies or controls such land, premises, building or portion thereof;

**"owner"** means the person in whose name the property is registered;

**"person"** means any individual, company or body corporate or partnership or any other association of persons;

**"police officer"** means a member of the South African Police Service as defined in section 1 of the South African Police Service Act, 1995 (Act No 68 of 1995);

**"public place"** means any road, street, thoroughfare, bridge, overhead bridge, subway, foot pavement, foot path, sidewalk, lane, park or garden and open space to which the public could gain unrestricted access as well as enclosed space vested in a municipality which the public has the conditional right to use;

**"head of department of public safety"** means the official appointed by the relevant local municipality as functional departmental head;

**"municipal law enforcement officer"** means a person duly appointed as a peace officer in accordance with the provisions of the Criminal Procedures Act, 1977;

**"local municipality"** means any local municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998), as amended, within the area of jurisdiction of the West Rand District Municipality;

**"road"** means the same as street for the purposes of this by-law;

**"street"** means any road or thoroughfare, including the road surface, road reserve or pavement, shown on the general plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way;

**"towing vehicle"** means the same as breakdown vehicle for the purposes of this by-law;

**"traffic officer"** means a person duly appointed by the municipality in accordance with the provisions of the National Road Traffic Act, 1996 and who is also an appointed peace officer in terms of the provisions of the Criminal Procedures Act, 1977;

**"vehicle"** means any vehicle designed or adapted for propulsion by means of fuel, gas or electricity or haulage and designed or adapted mainly to travel on wheels or crawler tracks on a road or off-road, including a trailer, caravan, an agricultural or any other implement designed or adapted to be drawn by such a vehicle.

## *2. Obtaining of municipal approval*

- (1) In this by-law, any reference to the obtaining of the consent or approval from a municipality refers to the approval granted, as required in the specific section in concurrence with any other by-laws or statutory requirements, by the head of the department of public safety of the relevant local municipality, unless otherwise indicated.

## *3. General conduct*

- (1) No person may through his/her individual or collective conduct, be that intentional or non-intentional, pose a risk or danger to the safety or well being of any other person or property.
- (2) No person may through his/her individual or collective conduct, be that intentional or non-intentional, compromise or threaten the best interests, safety and well being, or peaceful societal functioning of communities.
- (3) No person may through his/her individual or collective conduct, be that intentional or non-intentional, obstruct an authorized official, employee or agent of a municipality to perform his/her assigned duties in relation to a street, public place or any municipal service.

- (4) No person may through his/her individual or collective conduct, be that intentional or non-intentional, obstruct access to a fire hydrant.
- (5) Any person who fails to comply with the provisions of section 3 shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (6) Any person contravening the foregoing subsections may admit guilt by paying a fine not exceeding R1000-00.

#### *4. Obstruction of vehicular traffic*

- (1) No person shall through his/her individual or collective conduct, be that intentional or non-intentional, cause an obstruction in any street and/or access to any public place.
- (2) No person shall through his/her individual or collective conduct be that intentional or non-intentional, limit access to parking areas or loading bays or other facilities for vehicular traffic.
- (3) No person shall through his/her individual or collective conduct, be that intentional or non-intentional, obscure any road traffic sign or road marking, notice or sign displayed or made in terms of this or any other by-laws or statutory provisions.
- (4) No person shall through his/her individual or collective conduct, be that intentional or non-intentional obscure or impede the view of any road user whilst such road user is driving a vehicle.
- (5) No person shall sell or trade, or permit the selling or trading of any goods or services in any street whilst being on the street or road surface and no person shall approach any motorist with the view to distribute pamphlets, notices, goods, articles or advertisements of what ever nature or to collect goods, articles or money whilst being on the street or road surface; any person or persons requiring other persons, be that employees or volunteers, to conduct such action as forbidden in this subsection shall be deemed to be a transgressor.
- (6) No person shall sell or trade any goods, article or services at any street intersection and no person shall approach any motorist with the view to distribute pamphlets, notices, goods, articles or advertisements of what ever nature or to collect goods, articles or money at any intersection; any person or persons requiring other persons, be that employees or volunteers, to conduct such action as forbidden in this subsection shall be deemed to be a transgressor.
- (7) No person shall sell or trade any goods, article or services in any area within the jurisdiction of any local municipality unless such area has been duly designated and demarcated by the municipality for the purpose of hawking by means of appropriate road signs; any person or persons requiring other persons, be that employees or volunteers, to conduct such action as forbidden in this subsection shall be deemed to be a transgressor.
- (8) Any person who fails to comply with the provisions of section 4 shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (9) Any person contravening any of the foregoing subsections may admit guilt by paying a fine not exceeding R1, 000-00.

#### *5. Obstruction of and interfering with pedestrians*

- (1) No person shall through his/her individual or collective conduct, be that intentional or non-intentional obstruct the movement of pedestrians making use of sidewalks, public places or when crossing a street or designated parking or loading area.



- (2) No person shall through his/her individual or collective conduct, be that intentional or non-intentional, obstruct access of pedestrians to or from public places and buildings or business premises.
- (3) No person shall through his/her individual or collective conduct, be that intentional or non-intentional, cause a nuisance or harassment to pedestrians for any purpose whatsoever.
- (4) No person shall park any vehicle on the sidewalk of any street for any purpose whatsoever without obtaining the prior written consent of the municipality.
- (5) Any person who fails to comply with the provisions of section 5 shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (6) Any person contravening any of the foregoing subsections may admit guilt by paying a fine not exceeding R500-00.

#### *6. Removal, confiscation and impoundment*

- (1) An authorized official may give a verbal or written notice to any person to remove any goods, article, vehicle or structure from a specified street or public place or to forthwith terminate any prohibited activity as described in sections 4 and 5 of these by-laws failing which the authorized official may remove, confiscate or impound such goods or articles, vehicle or structure.
- (2) The owner of such goods, article, vehicle or structure removed, confiscated or impounded as contemplated in sub-section (1) shall be liable for the payment of any expenditure incurred by the municipality in connection with such removal, impounding and disposal of the said goods, article, vehicle or structure.
- (3) All removed, confiscated or impounded goods, articles, vehicles or structures as contemplated in sub-section (1) above, excluding perishable goods, shall be kept by the municipality in a facility which shall ensure the reasonable protection thereof.
- (4) Confiscated perishable goods shall be destroyed by the municipality after a period of 24-hours where after the owner of such destroyed perishable goods shall have no claim against the municipality for the loss of such perishable goods.
- (5) The owner of removed, confiscated or impounded goods, articles, vehicles or structures may claim from the municipality such goods, articles, vehicles or structures following due proof of ownership to the municipality and following payment of any issued fines and cost claims as contemplated in sub-section (2) above.
- (6) The municipality shall diligently keep record of all goods, articles, vehicles or structures removed, confiscated or impounded and of all payments received in lieu of fines and cost claims payable and such goods, articles, vehicles and structures subsequently released to the rightful owners.
- (7) The municipality responsible for the removal, confiscating or impounding of goods, articles, vehicles or structures shall within 90 days following the removal, confiscating or impounding of the goods, articles, vehicles or structures publish a notice in English in a newspaper circulated in the area of jurisdiction of the municipality whereas such notice shall contain the following information –
  - (i) a description of the object, the address or location where the object was removed, confiscated or impounded, the address or location where the object is being kept, and, if known to the municipality, the name of the owner of the object;

- (ii) notification that the owner may claim the object from the municipality on receipt of proof of ownership and payment of relevant fines and costs incurred by the municipality; and
  - (iii) notification that any object removed, confiscated or impounded and not being claimed by the rightful owner within a period of 14 days following date of publication of the notice referred to in subsection (7), shall be appropriately be disposed of by the municipality.
- (8) The municipality responsible for the removal, confiscating or impounding of the goods, article, vehicle or structure shall not be liable for compensation to any person for damages to or the loss of any object so removed, confiscated or impounded.

*7. Use of vehicle for purpose of advertising*

- (1) No person may operate or park in any street or public place any vehicle, be that self propelled or not, for the purpose of advertising such vehicle, goods, events, business or activity without obtaining the prior written consent of the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*8. Affixing of ropes and other objects across streets*

- (1) No person shall affix any rope, wire, pole or other object across any street or hang or attached anything whatsoever thereto without obtaining the prior written consent of the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*9. Damage to or advertising on trees*

- (1) No person shall climb into or break or damage or in any way mark or paint on any tree in any street or public place and no person shall without obtaining the prior written consent of the municipality, lop, top, trim, cut down or remove any tree from any street or public place.
- (2) No person shall display an advertisement in any format on any tree in any street or public place without obtaining the prior written consent of the municipality.
- (3) Any person who fails to comply with the provisions of subsections (1) and (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person contravening subsections (1) or (2) may admit guilt by paying a fine not exceeding R1, 000-00.

*10. Dangerous fencing*

- (1) No owner or occupier of any property or land in the municipal area shall along any street or public place erect or cause, permit or suffer to be erected, or shall after 60 days



following the promulgation of this by-law, have along such street or public place barbed or raiser fencing or any railing, paling, wall or other barrier which by way of spikes or other sharp or pointed protrusions or otherwise by way or nature of its construction or design, is or may be a danger to any member of the public lawfully using such street or public place.

- (2) Without prejudice to the duties and liabilities imposed by subsection (1), the municipality may by notice, in writing, require the owner or occupier of property or land on which a fence, railing, paling, wall or other barrier which exists in contravention of subsection (1) of these by-laws, to remove it within such period being not less than four weeks as the notice may specify.
- (3) Any person who fails to comply with a notice contemplated in subsection (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

#### *11. Protection of street and sidewalk surface*

- (1) No person shall place upon, off-load on, or convey across a street surface or sidewalk any materials, vehicles or goods unless adequate precautions to protect the surface against damage had been taken and should any damage be caused as a result of the lack of such precautions having been taken, the municipality may recover all costs incurred to have the damage so caused repaired, from the person responsible.

#### *12. Cleanliness of streets and public places*

- (1) No person shall spill, drop or place or permit to be spilled, dropped or placed, in or on any street or public place any matter, object or substance that may pollute such street or public place or which may cause annoyance, danger, risk or accident to persons, animals or vehicles using such street or public place, without removing it or causing it to be removed forthwith from such street or public place.
- (2) No person, be that the driver of or passenger in or on any vehicle, or a pedestrian, shall drop any cigarette or cigar bud or stub and no person may clear or empty a smoking pipe unto the street surface or indiscriminately in public places whereas all cigarette or cigar buds and stubs and tobacco remains must be duly placed in containers provided for such purposes in streets and public places or containers provided for such purposes in vehicles.
- (3) No person may spit or urinate upon any street or in any public place.
- (4) No person may by himself/herself or his/her employee wash, repair, maintain or clean any vehicle or part thereof, in any street or public place.
- (5) No person may by himself/herself or his/her employee in any street or public place, shoe any animal except in the case of accident or clean, dress, train, break-in or turn loose any animal.
- (6) Any person who fails to comply with the provisions of subsections (1), (2), (3), (4) and (5) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (7) Any person contravening subsections (1), (2), (3), (4) and (5) may admit guilt by paying a fine not exceeding R500-00.

*13. Holding of auction sale, morning market, rubble sale or flee market in street or public place*

- (1) No person shall without obtaining prior written consent from the municipality hold any auction sale, rubble sale, morning market or flee market in any street or public place.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*14. Slaughtering of livestock in street or public place prohibited*

- (1) No person shall put down or slaughter any livestock in any street or public place.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

*15. Exposure of any article for sale in street or public place*

- (1) No person other than a licensed hawker or peddler shall expose any article, objects or goods whatsoever in or upon any street, area or public place without such area being duly designated and demarcated as a hawking area by the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*16. Displaying of articles and goods in windows and on superstructures facing streets*

- (1) No person shall place any article or object likely to cause injury or damage to any person or property if it were to fall, in any window or other superstructure near any street, sidewalk or public place, without sufficiently safeguarding it against from falling into the street or public place.
- (2) An authorized official of the municipality may order the removal of articles or objects referred to in subsection (1) whereas any person failing to adhere to such order shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

*17. Playing in streets forbidden*

- (1) No person shall use any street for the purposes of any sport or game and no person shall roll any hoop or fly any kite or throw any objects or use any bow and arrow or by

any means discharge any missile upon, over or across any street or shall use any pushcart other than in the course of and for the purpose of a licensed business.

- (2) No person shall organize any race or competition in streets or in public places without obtaining the prior written approval of the municipality.
- (3) Any person who fails to comply with the provisions of subsections (1) and (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.
- (5) Any person contravening subsection (2) may admit guilt by paying a fine not exceeding R1000-00.

*18. Extinguishing lights and damaging of public property*

- (1) No person shall willfully or negligently extinguish the light of any lamp being the property of the municipality, or in any manner interfere with such lamp, or deface, damage, remove or in any way interfere with any municipal signs or property in streets and public places.
- (2) No person may attach, tie or affix any object in any manner whatsoever to a street light pole or municipal sign without obtaining the prior written consent of the municipality.
- (3) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R5, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (4) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R2, 000-00.
- (5) Any person contravening subsection (2) may admit guilt by paying a fine not exceeding R500-00.

*19. Excavations in streets*

- (1) No person or institution shall make or cause to be made any hole, trench, pit or excavation in any street or remove any soil, metal or macadam there from without obtaining the prior written consent of the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R5, 000-00.

*20. Defacing, marking or painting of streets*

- (1) No person shall, except in the execution of his official duty, in any way deface, mark or paint any street or part thereof without obtaining the prior written consent of the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

*21. Sweeping and cleaning of and on premises near streets*

- (1) The occupier of premises adjoining any street shall not cause or permit –
- (i) any part of the sidewalk adjacent thereto to be swept unless and until such part shall have been adequately sprinkled with water;
  - (ii) any dirt or refuse so swept and collected, to be thrown or in any way be deposited in or upon any street; and
  - (iii) any waste water resulting from the cleaning of any object on the premises or part of the premises itself, to be discharged unto the street surface or public place.
- (2) Any contravention of subsection (1) by any employee, agent or representative of the occupier shall be deemed to be a contravention by the occupier.
- (3) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person, including such person as defined in subsection (2), contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*22. Discharging of a firearm, air-gun or air-pistol*

- (1) No person shall without lawful cause discharge a firearm, air-gun or air-pistol within the area of jurisdiction of the municipality provided that such provision shall not apply in the case of –
- (i) the discharging of a firearm during a bisley or target practice or training on a recognized indoor or outdoor shooting range;
  - (ii) the discharging of a firearm for the purpose of an approved sports meeting; and
  - (iii) the discharging of a firearm, air-gun or air-pistol on land which is mainly used for agricultural or recognized game reserve purposes.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R5, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R2, 000-00.

*23. Words and behaviour likely to cause a breach of peace*

- (1) No person shall use any threatening, abusive or insulting words or gestures or behaviour in any street or public place whereby the breach of the peace is likely to occur.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*24. Singing or playing of musical or noisy instrument for profit or income*

- (1) No person shall for profit or income purposes sound or play upon any musical or noisy instrument or sing in any street or public place, without obtaining the prior consent of the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*25. Disturbance of public peace*

- (1) No person shall disturb the public peace in a street or public place or on private premises by making noises or causing such to be made by shouting, quarreling, fighting, singing or playing any type of musical or noise-creating instrument or by means of a sound system or similar device, or by riotous violent or immoral behaviour.
- (2) Apart from the provisions of subsection (1), no person shall disturb the peace by making any kind of noises or causing such to be made whilst or as a result of the conducting of repair and maintenance work of any kind on private property before 07:30 daily and after 22:00 at night and between 13:00 and 16:00 on Sundays.
- (3) Any person who fails to comply with the provisions of subsections (1) and (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person contravening subsections (1) and (2) may admit guilt by paying a fine not exceeding R500-00.

*26. Keeping animals and birds from disturbing the public peace*

- (1) No person shall keep any animal or bird which disturbs the peace.
- (2) Any animal causing undue disturbance of the peace shall be deemed to be a contravention of subsection (1) by the owner and such owner shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*27. Dangerous animals, reptiles and insects*

- (1) No person shall without a permit issued by the chief fire officer keep any wild or dangerous animal, reptile or insect which has an inherent propensity to attack human beings or the keeping of which is likely to become a nuisance or a threat to public health or is fraught with risk to any person.
- (2) Any animal, reptile or insect the keeping of which is prohibited in terms of subsection (1) may, if found at large outside of the confines of the property of the owner, be destroyed by any police officer or authorized official of the municipality.

- (3) No person may permit any dog to leave the confines of the property of the owner without such dog being secured to a leash and being accompanied by the owner or a capable mature representative of the owner.
- (4) Any person who fails to comply with the provisions of subsections (1) and (3) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (5) Any person contravening subsection (1) and (3) may admit guilt by paying a fine not exceeding R500-00.

*28. Advertising by loudspeaker or other device*

- (1) No person shall without obtaining prior written consent from the municipality, apply any sound system or other audible device for the purpose of advertising on or adjacent to, or which may be heard, in any street or public place.
- (2) Any person after having been required to desist by a police officer or authorized official of the municipality but fail to comply shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*29. Advertising by means of advertising vehicles, sandwich boards or other devices*

- (1) No person shall without obtaining prior written consent from the municipality, display or cause or allow to be displayed any advertisement by means of advertising vehicles, sandwich boards, lanterns, flags, screens or other movable advertising devices in or along any street or within any public place.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1000-00.

*30. No flyer or advertisement on vehicles without permission*

- (1) No person shall deposit or leave any circular, dodger, flyer or other advertisement on any vehicle in any street or public place without having obtained permission to do so from the person in charge of such vehicle.
- (2) For the purposes of this section any person found depositing or leaving any circular, dodger, flyer or other advertisement on a vehicle in a street or public place shall be presumed to have done so without the said permission unless he/she produces satisfactory evidence of such permission failing which he/she shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*31. Loitering in streets and public places*

- (1) No person shall lie or sit on any street nor shall any person stand, congregate, loiter or walk, or otherwise act in such manner as to cause obstruction to traffic or jostle or



otherwise annoy any person using such street or public place or loiter at or within 20 metres from the entrance of any place of worship or public building, including schools, and any person performing any of the aforementioned prohibited acts shall, upon request of a police officer or duly authorized official of the municipality, discontinue to do so, failing which he/she shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

- (2) No person shall, except when forming part of a queue, loiter or congregate in any street or public place or in any shopping mall within 10 metres of the entrance to any place of entertainment, library, automatic banking machine or banking institution.
- (3) Any person who fails to comply with the provisions of subsection (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (4) Any person contravening subsection (1) or (2) may admit guilt by paying a fine not exceeding R500-00.

### *32. Landing of aircraft in street or public place*

- (1) No person shall land, or attempt to land, in any street or public place, any aircraft, including a hot air balloon, of any description make or type, unless such aircraft is being used for official policing or emergency services duties, without obtaining the prior written approval of the chief fire officer.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R5, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R2, 000-00.

### *33. Using of road reserves, sidewalks and public places for off-road vehicle activities prohibited*

- (1) No person shall use any street, road reserve, sidewalk or public place for any off-road activities involving vehicles of any make type or description provided that the municipality may grant permission to any person, organization or group of persons, to utilize an identified and defined public place for a specified purpose and duration at a cost determined by the municipal council.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

### *34. Consuming of alcohol in streets and public places prohibited*

- (1) No person shall consume any alcoholic beverage in public in a street or public place unless attending an approved event or function being held with the explicit approval of the municipality in such street or public place and no person shall be drunk, violent or disorderly as a result of the consumption of alcohol in any street or public place.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*35. Camping or temporarily residing on road reserves or in public places prohibited*

- (1) No person shall, for whatever reason or purpose, camp or reside in any structure on any road reserve or in any public place and no person shall park any caravan or erect any tent, camping equipment or structure on any road reserve or in any public place, unless explicitly authorized to do so by the municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

*36. Public gatherings and processions*

- (1) No person shall hold, convene, address or organize any public gathering or procession of whatever nature in any street or public place or premises under the control of or being the property of the municipality without complying with the requirements of the Regulation of Gatherings Act, 1993, as amended, (Act No 205 of 1993).
- (2) The responsible official, contemplated in section 2(4) of the Regulation of Gatherings Act, 1993, as amended, for purposes of regional and integrated coordination and planning, shall be the head of the department of public safety of the West Rand District Municipality or his/her assigned representative.
- (3) The defining of offences and penalties relevant to sub-section (1) shall be that contained in section 12 of the Regulation of Gatherings Act, 1993.

*37. Making of fire in any street or public place prohibited*

- (1) No person shall in any street or public place make or cause to be permitted the making of a fire of any type or description unless so explicitly permitted in writing by the chief fire officer.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R1, 000-00.

*38. Discharging of fireworks prohibited*

- (1) No person shall in any street or public place or on any private property in any municipal area within the West Rand district, discharge any fireworks without the explicit written approval of the chief fire officer.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R2, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R500-00.

### *39. Operating of breakdown or towing services*

- (1) No person shall operate a breakdown or towing vehicle of any description or shall conduct a vehicle recovery, salvaging or towing business in the area of jurisdiction of the West Rand District Municipality without such vehicle and such business being duly registered with the West Rand Towing and Recovery Association or any other organization duly established for the purposes of regulating and organizing the rendering of breakdown or towing services in the area of jurisdiction of the West Rand District Municipality, within six months following the promulgation of this by-law.
- (2) The West Rand Towing and Recovery Association or any other organization established for the purposes of regulating and organizing the rendering of breakdown or towing services in the district shall be established and shall submit proof of such establishment and information relating to its membership and/or any other information as may be required, to the head of public safety of the West Rand District Municipality within six months following the promulgation of this by-law.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R5, 000-00.

### *40. Conveying of abnormal loads*

- (1) No person shall convey or escort any abnormal vehicle or abnormal load in any part of the district without –
  - (b) submitting proof in writing of the approval of and the requirements determined by the MEC in accordance with the provisions of section 81 of the National Road Traffic Act, 1996, to the head of public safety of the West Rand District Municipality;
  - (c) a conveyance certificate issued for the purposes of such intended conveying and subject to any additional requirements determined by the head of public safety of the West Rand District Municipality at a cost to be determined by the West Rand District Municipality.
- (2) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (3) Any person contravening subsection (1) may admit guilt by paying a fine not exceeding R5, 000-00.

### *41. Identification of law enforcement and traffic officers*

- (1) All municipal law enforcement officers shall at all times, whilst actively performing their duties in public, wear clearly identifiable reflective jackets with at least the following clearly printed thereon –
  - (a) the name of the municipal law enforcement officer;
  - (b) the name of the municipality; and
  - (c) the name of the department, directorate and service unit within such municipality;
- (2) Subsection (1) above shall be applicable to all municipal law enforcement officers, including uniformed and non-uniformed staff members;

- (3) All municipal law enforcement officers, including traffic officers, shall at all times whilst on duty, be in possession of a valid appointment identity card clearly reflecting the functional appointment of such officer as well as his or her appointment as peace officer as contemplated in the Criminal Procedures Act, 1977.
- (4) All municipal vehicles used primarily for public law enforcement purposes shall prominently reflect the insignia approved by the West Rand District Municipality on at least the two front doors of such vehicles and each vehicle shall be equipped with blue emergency lights and prescribed siren.
- (5) Any municipal law enforcement officer contravening subsection (1) or (3) may admit guilt by paying a fine not exceeding R500-00.
- (6) Any person purporting to be an appointed municipal law enforcement officer shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

## LOCAL AUTHORITY NOTICE 2479

### WEST RAND DISTRICT MUNICIPALITY: AMENDMENT OF BY-LAWS RELATING TO FIRE BRIGADE SERVICES AND THE USE AND HANDLING OF FLAMMABLE LIQUIDS AND SUBSTANCES

The Municipal Manager hereby publishes in terms of the provisions of section 13 of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000) amendments to the by-laws passed by the Municipality in terms of section 12 of the aforesaid Act.

#### GENERAL EXPLANATORY NOTE

[ ] Words in **bold italic** typed in square brackets indicate omissions from existing by-laws.

\_\_\_\_\_ Words in *italic* and underlined with a solid line indicate insertions into the existing by-laws.

1. Section 4 of the by-laws is hereby amended as follows –
  - (1) In case of fire or for the purpose of the protecting of life and property from other threatening danger within any area for which a fire brigade service has been established or in respect of which a neighbouring municipality has in terms of an agreement undertaken to render fire fighting services –
    - (a) the chief fire officer or any other delegated official shall immediately and with utmost speed, with such members of the fire brigade service and ***[fire appliances] resources*** as he may deem necessary, go to the place where a fire or other situation is reported to him to have, or where he has reason to believe that it has, broken out or arisen;
  - (4) The chief fire officer or any member of the fire brigade service may out of own motion, close off any street, passage, building, moveable or immoveable property or place if he deems it necessary and for so long as he deems necessary, for the effective fighting or preventing of a fire, the investigation of a fire or in dealing with or preventing any emergency situation and may remove, using no more force than is reasonably necessary, any person who refuses to leave any street, passage, building, moveable or immovable property or place so closed after having been ordered to do so.
  - (5) Any person who fails to obey any order given to him in terms of subsection (4) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
2. Section 6 of the by-laws is hereby amended as follows –
  - (4) Any person who fails to comply with any notice contemplated by subsection (3) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment. [Provided that in the event of the person mentioned in the notice as contemplated by subsection (3), failing to comply with such notice, the Council may remove or cause to be removed such material, weeds, or rubbish, or take such other reasonable precautions as it may deem necessary and recover all expenses with regard thereto from such person.]
  - (5) In the event of the person mentioned in the notice as contemplated by subsection (3) failing to comply with such notice and notwithstanding the provisions of subsection (4), the Council may remove or cause to be removed such material, weeds, or rubbish, or take such other reasonable precautions as it may deem necessary and recover all expenses with regard thereto from such person.

Section 7 of the by-laws is hereby amended as follows –

- (4) Any person who fails to obey any order given to him in terms of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

3. Section 8 of the by-laws is hereby amended as follows –

- (4) Any person who fails to obey any order given to him in terms of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

4. Section 9 of the by-laws is hereby amended as follows –

- (4) Any person who fails to comply with the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.

5. Section 10 of the by-laws is hereby amended as follows –

No owner or occupier of a building shall willfully or negligently allow soot or any other combustible substance to accumulate in any chimney, flue or duct of such building in such quantities or in such a manner as to create a fire hazard: any such owner or occupier failing to comply with this provision shall be guilty of an offence and liable on conviction to a fine not exceeding R5, 000 or in default of payment to imprisonment for a period not exceeding three months.

6. Section 11 of the by-laws is hereby amended as follows –

- (3) No construction of any new building, structure or addition to a building or structure other than a dwelling house, shall be commenced with prior to the proof of receipt of such approved building plans by the chief fire officer.
- (4) Any person who fails to comply with the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.
- (5) Any person who fails to comply with the provisions of subsection (3) and fails to terminate construction of any new building, structure or addition to a building or structure other than a dwelling house after having received a formal written cessation notice from the chief fire officer, shall, notwithstanding the provisions of subsection (4) above, be guilty of an offence and liable on conviction to a fine not exceeding R1, 000 per m<sup>2</sup> of completed construction or in default of payment to imprisonment for a period not exceeding twenty four months or both such fine and imprisonment.

7. Section 12 of the by-laws is hereby amended as follows –

No person shall use or cause to be used any building ~~[or]~~, structure ~~or~~ land for any purpose other than that indicated on the approved plans of such building or structure ~~or as reflected in the title deeds applicable to such land~~, which use of the building, structure or land will result in the change of the class of occupation thereof, unless ~~such use of the building [or] structure or land~~ complies with ~~[the requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and any regulations promulgated there under, for such other use or]~~ **all statutory requirements and provisions for such changed class of occupancy failing which such person using or causing to be used such building, structure or land shall be guilty of an offence and liable on conviction to a fine not exceeding R1, 000 m<sup>2</sup> of the occupied building, structure or land so used or occupied or in default of payment to imprisonment for a period not exceeding twenty four months or both such fine and imprisonment.**



8. Section 13 of the by-laws is hereby amended as follows –

(7) Any person who fails to comply with the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.

9. Section 14 of the by-laws is hereby amended as follows –

(1) No person shall within the area of the Council use or occupy for whatever purpose or permit to be used or to be occupied for whatever purpose any building or structure or addition to a building or structure other than a dwelling house, unless it complies with the conditions and requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and any regulations promulgated in terms thereof as well as applicable zoning and consent use requirements and a certificate of occupancy has been issued by the chief fire officer or his delegated official as well as the building control officer (as defined in section 5 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) of the local municipality concerned or any other approbation authority within the area of the Council.

(2) Any person who fails to comply with the provisions of subsection (1) and fails to terminate the use or occupation of such building, structure or addition to a building or structure other than a dwelling house after having received a formal written cessation notice from the chief fire officer, shall, be guilty of an offence and liable on conviction to a fine of R1, 000 per m<sup>2</sup> of the used or occupied building or structure or addition to a building or structure or in default of payment to imprisonment for a period not exceeding twenty four months or both such fine and imprisonment.

11. Section 16 of the by-laws is hereby amended as follows –

(5) Notwithstanding the provisions of subsection (4), any person who receives a direction in terms of subsection (1)(b) or subsection (2), and who fails to comply therewith within a reasonable time as stipulated by the chief fire officer, or any person on whom a notice is served in terms of subsection (3) and who fails to comply therewith within the time specified therein, shall be guilty of an offence and liable on conviction to a fine of not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.

12. Section 17 of the by-laws is hereby amended as follows –

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment

13. Section 18 of the by-laws is hereby amended as follows –

Every door which affords an escape route from a public building to a place of safety shall be kept unlocked and shall be clearly indicated with approved exit signs; Provided that such door may be locked by means of an approved device installed in such a manner as to enable such door at all times to be opened from the inside of such building and whereas any person failing to comply with the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

14. Section 20 of the by-laws is hereby amended as follows –

Any person who –

- (a) willfully interferes with or hinders any official or member of the service or other person acting under orders of such official or member in the execution of his duties under these by-laws; or
- (b) willfully or negligently drives a vehicle over any fire hose, or damage, tamper with or interfere with any such fire hose or any appliance or apparatus of the service

shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

15. Section 21 of the by-laws is herewith amended as follows –

Any person who willfully gives to the fire brigade any notice or any information relating to an outbreak of fire or any other situation requiring the attendance of the fire brigade which is to his knowledge false or inaccurate shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

16. Section 25 of the by-laws is herewith amended as follows –

- (3) Any person who fails to comply with the provisions of subsections (1) and (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

17. Section 26 of the by-laws is herewith amended as follows –

Any person, not an official of the fire brigade service, who wears an uniform or protective clothing of the fire brigade or any uniform, rank markings or insignia intended to convey the impression that he is such an official or who in any manner represents himself to be such an official, shall be guilty of an offence and liable on conviction to a fine not exceeding R3, 000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

18. Section 27 of the by-laws is herewith amended as follows –

- (6) Any person who contravenes or fails to comply with any provisions in subsections (1), (2), (3), (4) or (5) shall be guilty of an offence and liable on conviction to a fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

19. Section 28 of the by-laws is herewith amended as follows –

[Any person who contravenes or fails to comply with any provision of this chapter shall be guilty of an offence and liable on conviction to a fine not exceeding R3000,00 or in default of payment, to imprisonment for a period not exceeding three months or to both such fine and imprisonment.]

# LOCAL AUTHORITY NOTICE 2480

## DETERMINATION OF CHARGES PAYABLE TO THE WEST RAND DISTRICT MUNICIPALITY WITH REGARD TO THE EXAMINATION AND APPROVAL OF BUILDING PLANS AND RELATED MATTERS

In terms of section 75A (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended, it is hereby made known that the West Rand District Municipality determined the charges payable to the Municipality with regard to the examination and approval of building plans and related matters, as set out in the SCHEDULE below, with effect from the date of publication of this Notice.

### SCHEDULE

#### PART A

#### CHARGES PAYABLE TO THE WEST RAND DISTRICT MUNICIPALITY FOR THE EXAMINATION AND APPROVAL OF BUILDING PLANS:

1(a)

DESCRIPTION	BUILDING PLAN FEE	SEWER PLAN FEE	STRUCTURAL PLAN FEE
Minimum for any application	R190.00	R190.00	190.00
Area exceeding 100m <sup>2</sup>	R15.00/m <sup>2</sup> or portion thereof	R15.00/m <sup>2</sup> or portion thereof	R15.00/m <sup>2</sup> or portion thereof
Structural steel, reinforced concrete or structural wood	R 2.00/ m <sup>2</sup> or portion thereof		R 2.00/ m <sup>2</sup> or portion thereof
Advertising	R170.00	R170.00	R170.00

(b) Amended plans: R 7.00 per m<sup>2</sup> or part thereof, applicable to that part of the building where amendments are made/take place, subject to a minimum levy of R 190.00 per application.

(c) New Proposals/re-design: R 7.00 per m<sup>2</sup> or part thereof subject to a minimum levy of R 190.00 per application.

(d) Renewal of plans where the approval of such plan has lapsed in terms of Section 7(4) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended: R 7.00 per m<sup>2</sup> or part thereof subject to a minimum levy of R 190.00 per application.

(e) Examination of preliminary building sketch plans, as contemplated in Regulation A (3) of the National Building Regulations: R 2.00 per m<sup>2</sup> or part thereof subject to a minimum levy of R 190.00 per application.

(f) Courtesy Building Plans (Government and Local Authority): No fee, but to comply fully with Section 2, Applications of Act, of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977) with notable reference to Section 2(4).

(g) Low cost housing projects by Government and/or Local Authority: No fee.

(h) Consideration of an application to commence or proceed with the erection of a building before the granting of approval, as contemplated in Section 7(6) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended: R 2.00/m<sup>2</sup> or part thereof, subject to a minimum levy of R 190.00.

(i) Consideration of an application to use a building before the certificate of occupancy has been issued, as contemplated in Section 14(1A) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended: R 2.00/m<sup>2</sup> or part thereof, subject to a minimum levy of R 190.00.

(j) Consideration of an application to demolish or cause or permit to demolish a building as contemplated in Regulation E1 (1) of the National Building Regulations: R 3.50/m<sup>2</sup> or part thereof, subject to a minimum levy of R 190.00.

(k) Construction of a swimming-pool: R 190.00 per application.

(l) Authorization to carry out minor building work as contemplated in Section 13 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended: R 190.00 for each item in any application.

- (m) Re-roofing: R 190.00 per application.
- (n) Erection antennae and/or masts: R190.00
- (o) Erection of free standing and/or boundary walls: R 190.00 per application.

2. The minimum charges payable for any examination or approval shall be R 190.00.

3. In calculating the area referred to in items 1(a), 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(j), 1(k) and 1(l), the total dimensions of the building at each story, excluding the area of an external staircase, chimney breast, buttress, eaves projection to a maximum of 1 m and other projections, shall be taken into account, provided that basement floors, mezzanine floors and galleries shall be calculated as separate floor levels.

4. The area of the work as referred to in item 1(a), 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(j), 1(k) and 1(l), shall be determined by the Building Control Officer and such determination shall be final.

#### PART B

CHARGES PAYABLE TO THE WEST RAND DISTRICT MUNICIPALITY, OTHER THAN THOSE FOR THE EXAMINATION AND APPROVAL OF BUILDING PLANS:

1. The charges payable, other than those for the examination and approval of building plans, shall be as follows:

(a) Consideration of an application to use municipal property to erect a hoarding on it: R 300.00 per application together with a levy of R 1.00/m<sup>2</sup> or part thereof.

Provided that -

- an application may only be for a period of maximum 26 weeks, whereupon an application for renewal may be made.

- a minimum charge R 100.00 per week or part thereof, shall be applicable.

(b) Re-inspection, owing to defective work or any negligence on the part of the applicant, or if it is found that the building work is not ready for the inspection after such an inspection has been requested: R 10.00 in respect of each re-inspection.

(c) Copy of a notice of approval or inspection certificate: R 10.00 per copy.

(d) Certification of additional copies of building plans submitted for approval: R 7.00 per copy.

(e) Certified paper copy of an approved building plan:

(i) A 4-Size: R 2.00 per copy.

(ii) A 3-Size: R 7.00 per copy.

(iii) A 2-Size: R 14.00 per copy.

(iv) A 1-Size: R 28.00 per copy;

(v) A 0-Size: R 56.00 per copy.

(h) Administrative charge for submission of building plan applications regarding unauthorized work after a Notice has been served in terms of the of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), as amended: Two (2) x Plan Fee (Additional to plan fee).

2. The area of the work as referred to in item 1(a) and 1(b) shall be determined by the Building Control Officer and such determination shall be final.

#### PART C

CHARGES PAYABLE TO THE WEST RAND DISTRICT MUNICIPALITY, OTHER THAN THOSE FOR COPIES OF PLANS, DRAWINGS, DIAGRAMS OR SIMILAR DOCUMENTS:

1. The fees for black on white copies of plans and documents supplied by the applicant are as follows:

(a) Charges payable for paper copies are as follows:

(i) A 4-Size: R 1.00

(ii) A 3-Size: R 2.00

(iii) A 2-Size: R 7.00

(iv) A 1-Size: R 14.00

(v) A 0-Size: R 28.00

PART D

**FINES RELATED TO THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS (ACT 103 OF 1977)**

Offence Code	Number Of Section/ Regulation	Description Of Offence	Fine
	4(4)	Building without approved building plan.	R1000
	10(2)	Building in contravention of a notice prohibiting any building work.	R1000
	12(6)	Failure to demolish, alter or safeguard.	R500
	14(3)	Submit false certificate or issuing thereof.	NAG
	14(4) (a)	Occupy or use of building without occupation certificate.	R1000
	15(2)	Preventing a building control officer in the execution of his/her duties.	R1500
	19(2)	Prohibition on the use of certain building methods and materials.	R500
	A2 (3) (f)	Submit false or misleading information.	NAG
	A15 (5)	Failure to maintain, safeguard or service installation.	R500
	A17 (4)	Illegal or withdrawn certificate of identity.	NAG
	A18 (5)	Failure to supervise and/or control plumbing work.	R500
	A22 (4)	Failure to give notice of intention to commence erection or demolition of a building.	R1000
	A25 (2)	Use of a building for a purpose other than the purpose shown on approved plans.	R1000
	A25 (5)	Deviation from approved building plan.	R1000
	A25 (11)	Failure to comply with any provision of or any notice issued in terms of Regulation A25 General Enforcement.	R1000
	D4 (2)	Failure to safeguard a swimming pool.	R1000
	E1 (1)	Failure to apply for written permission for demolition.	R1000
	E1 (3)	Failure to safeguard demolition work.	R1500
	F1 (6)	Failure to comply with any provision of or any notice issued in terms of Regulation F1 Protection of the public.	R1500
	F6 (3)	Failure to control dust and noise.	R500
	F7 (5)	Failure to comply with any provision of or any notice issued in terms of Regulation F6 regarding the Cutting into, laying open and demolishing certain work.	R500
	F8 (2)	Failure to comply with a notice to remove waste material on site.	R500
	F9 (2)	Failure to comply with any provision of or any notice issued in terms of Regulation F9 Cleaning of site.	R500
	F10 (7)	Failure to comply with any provision of or any notice issued in terms of Regulation F10	R1000

Offence Code	Number Of Section/ Regulation	Description Of Offence	Fine
		Builder's sheds.	
	F11 (2)	Failure to comply with any provision of or any notice issued in terms of Regulation F11 Sanitary facilities.	R500
	P1 (5)	Failure to comply with any provision of or any notice issued in terms of Regulation P1 Compulsory drainage building.	R500
	P3 (5)	Failure to comply with any provision of or any notice issued in terms of Regulation P3 Control of objectionable discharge.	R500
	P4 (2)	Failure to comply with any provision of or any notice in terms of Regulation P4 Industrial effluent.	R1000
	P5 (4)	Failure to comply with any provision of or any notice in terms of Regulation P5 Disconnections.	R500
	P6 (2)	Failure to comply with any provision of or any notice issued in terms of Regulation P6 Unauthorized drainage work.	R1000
	P7 (4)	Failure to comply with any provision of or any notice issued in terms of Regulations P7 Inspection and testing of drainage installations.	R1000
	T2 (1)	Failure to make and maintain adequate provision in terms of the requirements of Regulation T1 (1) (e) or failure to comply with relevant SABS specifications.	R1000
	T2 (2)	Obstructing or causing to be obstructed of an escape route.	R1000