



KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

GAZETTE EXTRAORDINARY — BUITENGEWONE KOERANT — IGAZETHI EYISIPESHELI

(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)
(Irejistiwee njengephephandaba eposihhovisi)

PIETERMARITZBURG

Vol. 10

10 JUNE 2016
10 JUNIE 2016
10 KUNHLANGULANA 2016

No. 1684

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DEPARTMENT OF HEALTH

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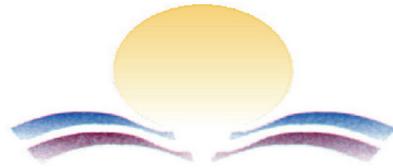
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MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

MUNICIPAL NOTICE 69 OF 2016



UGU DISTRICT MUNICIPALITY



UGU DISTRICT MUNICIPALITY DISASTER MANAGEMENT**BY-LAWS**

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PREAMBLE

The Council of UGU District Municipality has in terms of Section 156 of the Constitution, 1996 (Act No 108 of 1996, read in conjunction with Section 11-13 of the Municipal Systems Act, 2000 (Act No 32 of 2000) and the Disaster Management Act (Act 57 of 2002), made the following by-law:

These disaster management by-laws are prepared in terms of section 55 (2) of the Disaster Management Act (Act 57 of 2002) to ensure public safety before, during and or after the occurrence of a catastrophic event. Where there is a conflict between these by-laws and a Provincial or National Legislation/ statutory document, the Provincial and National legislation shall take precedence over these by-laws. These by-laws shall be applied concurrently with the Major Hazard Installations Regulations as per Government Gazette No 22506 where applicable.

UGU District municipality therefore recognises that:

- that everyone has the constitutional right to an environment that is not harmful to their safety or well-being;
- that losses due to disasters and the subsequent economic and social impact on people, property and infrastructure causes unnecessary hardship;
- that the protection of all sectors of the community against disasters is an important aspect in the development and sustainability of the economy;
- that certain aspects of the daily existence need to be controlled in such a manner as to prevent and reduce the effects of disasters on the community
- as a whole; that the community has a vital role to play in achieving the objectives of this By-law, and
- that the benefits of a disaster-safe and responsive environment should be accessible to all.

Purpose and scope of this By-law:-

- to promote the achievement of a disaster-safe environment for the benefit of all persons within the area of jurisdiction of the Municipality;
- to repeal all existing relevant by-laws of the Municipality;
- to provide for procedures, methods and practices to regulate disaster within the area of jurisdiction of the Municipality.

Application of this By-law:-

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.

CHAPTER ONE: DEFINITION OF TERMS

Act: shall mean the Disaster Management Act (Act 57 of 2002)

Competent Person: means a person that has the relevant qualifications or is a high ranking person and familiar with procedures of the particular organization.

Council: shall mean the UGU District Municipality Council.

Disaster – means a progressive or sudden, widespread or localized, natural or human- caused occurrence which:

- a) Causes or threatens to cause;
 - i) Death, injury or disease
 - ii) Damage to property, infrastructure or the environment or
 - iii) Disruption of the life of a community and
- b) Is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effects using their own resources.

Local disaster – for the purposes of these by-laws shall mean a disaster that, affect the area of jurisdiction of the UGU District municipality, including 100 meters from the boundary of a neighbouring municipality that, the UGU District municipality is able to deal with using its own resources.

Disaster Management- means a continuous and integrated multi-sectoral, multi-disciplinary process of planning and implementation of measures aimed at:

- Preventing or reducing the risk of disasters;
- Mitigating the severity or consequences of disasters;
- Ensuring emergency preparedness;
- Ensuring rapid and effective response to disasters;
- Ensuring post-disaster recovery and rehabilitation.

Disaster Management Memorandum of Understanding- for the purposes of these bylaws shall mean an agreement entered into between the UGU District Municipality with its neighbouring Municipalities ensuring a joint effort during a

disaster/ catastrophic event that to ensure a well-coordinated assessment and provision of disaster relief measures during such catastrophe.

Emergency Preparedness- means a state of readiness, which enables organs of state and other institutions involved in disaster management, the private sector, communities, and individuals to mobilize, organize and provide relief measures to deal with an impending or current disaster or the effects of a disaster.

Local Municipality: means a municipality that has municipal executive and legislative authority in its area with a district municipality within whose area it falls and which described in section 155 (1) of the Constitution as a category B municipality.

Municipality: for the purpose of these by-laws shall mean the Ugu District Municipality.

Mitigation: in relation to a disaster, means measures aimed at reducing the impact or effects of a disaster.

Municipal Disaster Management Centre: means a centre established in the administration of a municipality in terms of section 43 of the disaster management act.

NGO: shall mean None Governmental Organizations

Person: means a natural or a juristic person.

Post Disaster Recovery: means efforts, including development, aimed creating a situation where:

- Normality in conditions caused by a disaster is restored.
- The effects of a disaster are mitigated or
- Circumstances are created that will reduce the risk of a similar disaster from occurring.

Prevention: in relation to a disaster means measures aimed at stopping a disaster from occurring or preventing an occurrence from becoming a disaster.

Response: in relation to a disaster means measures taken during or immediately after a disaster in order to bring relief to people and communities affected by the disaster.

Statutory Function: means a person performing a function assigned to that person by National, Provincial and municipal legislation.

Vulnerability: means the degree to which an individual, a household, community or an area may be adversely affected by a disaster.

CHAPTER 2: DISASTER RISK PROFILE

2.1 INTRODUCTION

The Act's requirements for priority setting with respect to disasters likely to affect South Africa are set out in sections 20, 33 and 47. These sections emphasize the importance of disaster risks assessment to guide the Municipal Disaster Risk reduction efforts including the disaster risk management planning.

The Municipal Disaster Management should involve the following general process for assessing disaster risk:

- (a) Stage 1: Identification of the specific disaster risk to be assessed.*
- (b) Stage 2: Analysing the disaster risk*
- (c) Stage 3: Evaluation of disaster risk*
- (d) Stage 4: Monitoring disaster risks and the effectiveness of disaster risk reduction initiatives.*

The Act recognises the wide-ranging opportunities in South Africa to avoid and reduce disaster losses through the concerted energies and efforts of all spheres of government, civil society and the private sector. It also acknowledges the crucial need for uniformity in the approach taken by such a diversity of role players and partners.

2.2 BACKGROUND OF UGU DISTRICT

(a) Ugu District Municipality is flanked by uMgungundlovu District Municipality (DC 22) on the north-western side, the Sisonke District Municipality (DC 43) on the western side and the eThekweni Metropolitan Municipality on the northern side. The District Municipality shares national provincial borders with the Eastern Cape Province on the southern and south-western side. Thus, in the case of a cross-border incident where Eastern Cape Province is involved and although a cross-border Incident Management Committee (IMC) would be established to manage the incident on the ground, the Provincial Disaster Management Centre must be informed for the purpose of inter provincial liaison. The specific policy statement and framework applicable for these types of incidents fall outside the ambit of this

sector plan and should be developed as part of the provincial and national disaster management plans respectively. See Figure 1 for a locality map of the District Municipality's relative position.

- (b) The Ugu District Municipality (DC21) is 5866 km² in extent and it is one of the ten districts of KwaZulu-Natal. The IsiZulu word "Ugu" means "coast". The area is bordered on the north by the eThekweni Municipality and on the western side by the uMgungundlovu and Sisonke Municipalities and the Eastern Cape Province. The eastern boundary is the Indian Ocean. The district consists of eighty-one municipal wards, which culminate to six local municipalities. The district municipal area also enjoys a coastline of some 112 kilometres and a total of 39 traditional authorities.
- (c) The area of jurisdiction of the Ugu District Municipality (DC21) is divided into six local municipal areas defined in terms of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) as a category B municipality. These are:
- Vulamehlo Municipality (KZ 211)
 - Umdoni Municipality (KZ 212)
 - Umzumbe Municipality (KZ 213)
 - uMuziwabantu Municipality (KZ 214)
 - Ezinqoleni Municipality (KZ 215)
 - Hibiscus Coast Municipality (KZ 216)

2.3 Disaster Risk Profile

The hazard identified in the district includes a wide range of natural, technological and environmental hazards which may impact on the members of the public, property and the environment.

The stories and information (illustrated in the table below) were collected and analysed in only the most commonly known disasters within the Ugu District. The disasters are subdivided into four categories –

- I. Natural Hazards,*
- II. Biological Hazards,*

III. *Environmental Hazards and*

IV. *Technological Hazards.* **CHAPTER 3: COMMUNITY AWARENESS**

3.1 Introduction

Section 15 and 20(c) of the Disaster Management Act Specify the encouragement of broad-based culture of risk avoidance, the promotion of education and training throughout and the promotion of research into all aspects of disaster risk management. It is the Responsibility of the Ugu District to undertake a District education, training and research needs and resources analysis.

The Purpose of Community Awareness

- (a) To promote a culture of risk avoidance among stakeholders by capacitating role players through integrated education, training and public awareness programmes informed by scientific research and the Ugu District Ward Based Risk Assessments.
- (b) The stakeholder participation in disaster risk management in the Municipal Disaster Management Centre must be executed through a consultative process, education and public awareness, initiated by the Disaster Management Centre. These processes must include the development of disaster risk management information leaflets, training programmes, media and local-level meetings with disaster risk management role players, including non-governmental institutions (to be preferably invited / co-opted on the Advisory Forum) and the local community leaders, schools, clinics and communities.

3.2 Education and Training

- (a) Training on disaster risk management in the district must be in accordance with the National Disaster Management Framework and National Guidelines in this regard. Training can be of an accredited or non-accredited nature. Practical, 'hands-on' training of Disaster Management Centre officials need to be executed to ensure that at least the following capabilities have been efficiently established in the Disaster Management Centre:

- I. Human resource management;
- II. Business process management;
- III. Equipment management;
- IV. Co-ordination and communication;
- V. Client liaison and customer care;
- VI. Situational awareness;
- VII. Response management;
- VIII. Integrating all of the above into an effective DISASTER MANAGEMENT CENTRE operation.

- (b) Training Program for communities must focus on disaster risk awareness, disaster risk reduction, volunteerism and preparedness. Local Indigenous knowledge need to be incorporated into training programs aim at local community.

Where appropriate, communities must be given the opportunity to modify and enhance training programs through the inclusion of indigenous knowledge, practices and values, and the incorporation of local experience of disasters and disaster risk management.

Indigenous knowledge must also be harnessed and incorporated into need analysis.

- (c) Special Training programmes must be developed for persons interested in volunteering their services.
- (d) Training Programs for Government officials and policy makers must cover risk reduction and other relevant areas. Such training programmes must embrace the multidisciplinary and interdisciplinary dimensions of disaster risk reduction and should be informed by relevant indicative risk profile.

3.3 Information Management and Communication

The following functions are applicable to information management by the Disaster Management Centre:

- Communication links with disaster risk management role players.
- The establishment and management of the disaster risk management Information System and inclusive of the information mentioned in sections 17(2) (a) to (m) of the Act.

- Dissemination of information gathered from any organ of state, body or person.
- A repository of disaster risk management plans for all levels of government, incorporating their status in terms of the disaster plan review process and relevant KPIs.

- High level information to be included in periodic reports to the Minister (e.g. the Annual Report).

- Contact details of all disaster risk management role-players

3.3.1 Pre-disaster information

Information relating to pre-disaster activities is typically that which is assimilated and/or exchanged prior to the occurrence of disasters and is generally aimed at mitigating the effects of disasters or in some cases preventing disasters altogether.

This type of information relates to:

- a) Strategies, guidance and methodologies on prevention and mitigation of disasters, including the components listed in sections 20, 33 and 47 of the Act.
- b) Conditions which may lead to environmental disasters e.g. impending weather phenomena, oil tanker activity, fire hazards etc.
- c) The recruitment, training and participation of volunteers.
- d) Capacity building of disaster risk management role-players.
- e) Contingency plans

Fig. 3.1 Typical disaster risk management information and communication process

The above figure shows a conceptual layout of a typical environment in which disaster risk management information is processed.

3.3.2 The essential elements of disaster risk information management

Information needs identification and information collection

Information from all sources within the disaster risk management realm must be sourced and collected.

Actions relating to disaster information communication and management in the Municipal Disaster Management Centre is summarised below.

3.3.3 General information

Information falling into this category is typically that which is not specific to any disaster phase, but relates to the disaster risk management effort as a whole. This information is generally the realm of the management echelon of disaster risk management structures.

This type of information is related to:

- i. Disaster and disaster risk information (collection and dissemination)
- ii. Advice and recommendations on disaster risk management to the Municipal Council, via the Head of the Disaster Management Centre.
- iii. Consultations, co-ordination with other spheres of government, recommendations and advices via the Advisory Forum.

CHAPTER 4: PUBLIC SAFETY

- 4.1 Where a disaster has occurred within the area of jurisdiction of the UGU District municipality, also affecting the boundaries of a neighbouring municipality, the UGU District municipality shall release any available resources of the municipality, including stores, equipment, vehicles and facilities to deal with such a disaster in an effective and prompt manner. The UGU District municipality shall extend its services within 100 meters from the boundary of a neighbouring municipality of which the neighbouring municipality shall do the same.
- 4.2 The UGU District municipality shall release its emergency personnel as required to effectively render emergency services during a disaster/ catastrophic event.
- 4.3 During a state of a disaster the UGU District municipality shall implement all or any of the provisions of its disaster management plan, framework as well as these bylaws that will be applicable in the circumstances at the point in time to effectively deal with the effects of such catastrophic event.
- 4.4 Where a disaster/ catastrophic event has occurred and the UGU District municipality is of the opinion that the safety of its residents is at stake or compromised in any way and circumstances require the evacuation to temporal accommodation or shelter of all or part thereof of the population from the disaster stricken or threatened area for the purposes of preserving life, the municipality shall evacuate all the affected people to a place of safety.
- 4.5 Where the UGU District municipality is of no doubt that before, during or after the occurrence of a disaster or catastrophic event, the flow of traffic, including people to and from the disaster stricken area poses danger the municipality shall ensure the regulation of such traffic, people/ persons and goods to, from or within the disaster stricken or threatened area in order to preserve life or ensure safety.

4.6 Once the UGU District municipality is of the opinion that, occupation of premises believed to be vulnerable to an impending disaster or already stricken by the disaster and such occupancy pose a high risk to occupiers, the Municipality shall prohibit occupation of such premises and where necessary people will be evacuated to ensure their safety.

4.7 Preparation, Hosting Of Public Events

4.7.1 When a public event is organized either by the UGU District municipality, Provincial, National Government, private company within the area of jurisdiction of the UGU District municipality and as a result of the event members of the public more than 250 are expected to partake in such event, the following conditions shall apply in order to ensure the safety of the public during the proceedings of such. The application must be forwarded to the legal services 14 days before the event shall take place.

4.7.2 Once the application of the event has been lodged to the municipality, the legal services in the municipality shall convene a section 4 planning meeting at a date convenient enough to allow proper planning of the event and such meeting shall consist of all relevant stakeholders to plan for the event and / or where an application to erect a marquee has been lodged such information shall be also provided to the disaster management section.

The following must be adhered to:

4.7.3 The person assigned as Event Co-ordinator must be a competent person.

4.7.4 Proof must be given that the applicant provides sufficient public liability insurance to cover the costs of any claims that may arise due to any accidents/incidents that may occur at this event.

4.7.5 An estimate of expected number of people to attend the event must be provided in the application to allow for proper planning by all role-players. i.e. Fire & Rescue Services, Ambulance Services, S.A.P.S., Traffic Department, Health Department. etc.

4.7.6 Refuse bins and skips for waste collection and removal.

4.7.7 The number of marshals at the ration of 50: 1 must be provided to assist during the proceedings of the event.

4.7.8 Security personnel for crowd control must be made available.

4.7.9 Where a marquee has been erected to accommodate more than 250 people, the convener of the event shall be liable of producing an Engineer's Structural Certificate that certifies the facility safe for utilization failing which no member of the public shall be allowed inside the facility.

4.7.10 Where a stage more than one (1) meter has been erected either inside and/or outside the marquee, an Engineer's Compliance Certificate must be produced.

4.7.11 The Chief Disaster Management Officer of the UGU District municipality or somebody acting on his behalf shall be the authorized Officer to ensure that, the contents of these by-laws are enforced diligently.

4.7.12 The convener of the event must make sure that, a layout plan indicating all permanent and/or temporal structures where the event is going to be held. This shall as well clearly indicate the emergency exit routes, assembly area and parking arrangements.

Disaster Management requirements:

4.7.13 The time-span of the event must be provided, i.e. starting time and expected closing time of the event.

4.7.14 An emergency plan, including a complete lay-out map, indicating all the emergency entrances and exits, the Joint Operations Centre, the Forward Command Post & Triage area and Medical Station must be provided along with all the names and contact numbers of all emergency, security and safety roll players.

4.7.15 The Fire Brigade emergency telephone numbers must be available at the Joint Operations Centre. The telephone number of the Venue Co-ordinator and his delegated subordinate must be provided to the Fire Brigade Control Room.3.16 Banks of Dry Chemical Powder type fire extinguishers are to be provided at all marquees, stage area and any stall/buildings being utilised during this event and

these extinguishers must be either new or have undergone a service (calibration) within the last twelve months.

4.7.16 The Fire Prevention Officer will carry out a full inspection to ensure that the area is in compliance with applicable fire requirements, at which time the positioning of all fire extinguishers will be specified.

4.7.17 No open fires will be allowed except for food preparation in the designated food sale/preparation areas.

4.7.18 Gas cylinders on any designated food sale/preparation areas must be kept to a maximum of 2 x 48Kg cylinders on a manifold and the Fire Prevention Officer must be satisfied with the location and installation of the said cylinders.

4.7.19 All fire-fighting equipment and emergency exits must be kept unobstructed at all times.

4.7.20 No vehicles, with the exception of VIP's, emergency, security and organising official's vehicles will be allowed inside the premises.

4.7.21 The Joint Operations Centre must be provided with all the necessary office equipment (tables, chairs, etc) layout map, emergency plan, contact numbers, communications equipment, etc.

4.7.22 All functionaries representing their departments at the Joint Operations Centre shall remain at the JOC at all times until told otherwise by the person in charge of the JOC.

4.7.23 The Fire Brigade will have on duty in this area, one Disaster Management Officer, one Senior Fire Brigade Officer, four Fire fighters and one medium fire tender.

4.7.24 All functionaries present at the JOC shall confirm the number of resources available at the JOC from their respective departments.

4.7.25 The Venue Co-ordinator must arrange for final fire prevention inspection 2-hours before the gates open for the event.

4.7.26 An account for the stand-by service performed by the Fire Brigade will be forwarded to the applicant as per Councils tariff of charges.

4.7.27 A compulsory Disaster Management meeting must be held on site whereby all the emergency, safety and security personnel can liaise and co-ordinate the final arrangements for the event.

4.7.28 The UGU District Municipality does not accept any responsibility for any claims of damage, loss, injury or death of any person or property that may arise as a result of the permission granted for the presentation of the above event/s.

CHAPTER 5: RESPONSE, RECOVERY AND RECONSTRUCTION

A pro-active rather than re-active approach to disaster preparation is the best means of mitigating damage from natural disasters or other forms of destruction. However, despite systematic planning efforts, when emergencies do occur, whether they are small scale or catastrophic — they can be overwhelming.

The Act requires an integrated and coordinated policy that focuses on rapid and effective response to disasters and post-disaster recovery and rehabilitation. When a significant event or disaster occurs or is threatening to occur, it is imperative that there should be no confusion as to roles and responsibilities and procedures to be followed.

- (a) Early Warnings*
- (b) Dissemination of early warnings*
- (c) Assessment, classification, declaration and review of a disaster.*
- (d) Assessment of a disaster*
- (e) Classification of a disaster and the declaration of a state of disaster*
- (f) Disaster reviews and reports*
- (g) Integrated response and recovery*
- (h) Co-ordination of response and recovery Efforts*
- (i) District Incident Management System compliant with Provincial/National Standard response management system.*

5.1 Approach

1. Early warning mechanisms assist the authorities in taking timely preventive measures and thereby, reduce the damage caused by disasters. Wherever possible the relevant authorities within the municipal jurisdiction, the Disaster Management centre and various Government Departments, shall set up early warning mechanisms to give advance warning for hazards like veld-fires, floods and other weather related hazards etc. This must include setting up of Regional Response Centres where necessary for providing key early warning

information and preparing for a response in the event of a disaster occurrence.

2. The Disaster Management Centre shall ensure that these early warnings are aligned with the disaster management plans (DMPs) within the municipal jurisdiction. Early warning are designed to alert areas, communities households and individuals to an impending or imminent significant event or disaster so that they can take the necessary steps to avoid or reduce the risk and prepare for an effective response.
3. The Disaster Management Centre shall identify communication links and mechanisms for the dissemination of early warnings through the media (television, radio, print media and electronic links where possible.
4. To ensure immediate and appropriate response and relief actions when significant events or disasters occur or are threatening to occur, clear guidelines for the measures that have to be taken need to be established.
5. On-sites assessments of both damaged and needs are very important during a disaster occurrence. This must include resources required for response and relief measures to affected areas and communities and to facilitate business continuity.
6. UGU District municipality shall ensure that relief resources supplied to the communities are effective and safe for community use with no additional incidents or risks caused. It is essential for the Disaster Management Centre in conjunction with all relevant government departments to ensure that chaotic situations and haphazard response are avoided during a disaster as this behaviour may worsen the negative impacts experienced. Information must be disseminated to relevant role players in communities and/or areas at risk and must be complemented by training and capacity building to ensure their correct application.

5.2 Key Considerations

(a) The Head of the municipal DISASTER MANAGEMENT CENTRE is responsible for strategic coordination in responding to district disasters and significant events which occur or threaten to occur. The Head of the DISASTER MANAGEMENT CENTRE must therefore:

- Make recommendations to the appropriate organ of state on whether a state of disaster should be declared in terms of section 27 of the Act
- Establish uniform mechanisms and develop guidelines to facilitate the rapid and effective processing of disaster classifications and declarations
- Ensure declarations of disaster areas are done timeously to allow proper preparations and capacitating of such areas for response and relief purposes
- Ensure comprehensive reports and reviews are conducted routinely after all significant events and events classified as disasters
- Ensure specific known significant events and disaster are allocated to specific organs of state (government departments) to bear primary responsibilities for response and recovery,

-Flood response and recovery efforts = Department of Water Affairs

-Drought = Department of Agriculture

-Extreme weather events = MDISASTER MANAGEMENT CENTRE with the assistance of the PROVINCIAL DISASTER MANAGEMENT CENTRE and the NATIONAL DISASTER MANAGEMENT CENTRE depending on the magnitude of the event / disaster.

(b) Mechanisms for the deployment of volunteers must be outlined in operational plans. Incidents and emergencies handled on a daily basis by the emergency and essential services personnel continue to be routinely managed by the Incident Commander of a particular agency. However, in the event of significant events and disasters occurring or threatening to occur, a response management system must be implemented. This is to ensure a systematic approach to the effective

utilisation of facilities, personnel, equipment, resources, procedures and communication.

Specific roles and responsibilities of each response and recovery activity included in the operational plans of various agencies participating in response and recovery efforts must be identified and communicated to each agency. Each agency will need a standard operating protocol or procedures (SOPs) for coordinating response and recovery operations and ensuring continuity in business.

5.3 DECLARATION OF A STATE OF DISASTER AND DISASTER CLASSIFICATION

(a) INCIDENT

An incident is a relatively minor occurrence or event that can lead to a public crisis;

(b) DISASTER

A disaster is a progressive or sudden, widespread or localised, natural or human-caused occurrence which causes or threatens:

- i. Death, injury or disease;
- ii. Damage to property, infrastructure or the environment;
- iii. Disruption of the life of a community; and is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effect using only their own resources.

(c) When a disastrous event occurs or is threatening in the area of the municipality, the Disaster Management Centre will determine whether the event is a disaster in terms of the Act, and, if so, the Head of the Centre will immediately

- initiate efforts to assess the magnitude and severity or potential magnitude and severity of the disaster;
- alert Disaster Management role players in the municipal area that may be of assistance in the circumstances;

- initiate the implementation of the disaster response plan or any contingency plans and emergency procedures that may be applicable in the circumstances; and
- Inform the National Disaster Management Centre and the KZN Provincial Disaster Management Centre of the disaster and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster.

CHAPTER 6: MUNICIPALITY DISASTER MANAGEMENT CENTRE IS RESPONSIBLE FOR:

6.1 Municipality Disaster Management Centre is responsible for the implementation of the communication strategy to ensure sustainable utilization of communication systems for disaster management. The Municipality Disaster Management must:-

- 6.1.1 Examine the existing communication systems.
 - 6.1.2 Conduct a user analysis study within the district.
 - 6.1.3 Provide high standards of communication and information system throughout the district.
 - 6.1.4 Identify and utilize the most appropriate communication channels to transmit key messages to each strategic audience.
 - 6.1.5 These channels must be sufficient and appropriate and in line with communication strategy.
- 6.2 The design & development of the communication support system will bring the desired outcomes in disaster management. There is a number of a model or systems that can be employed by the municipality to improve communication.
- 6.2.1 The existing Near Radio system to be assessed.
 - 6.2.4 Radios will be relocated and reactivated.
 - 6.2.5 Mapping all the Near Radios within the district.
 - 6.2.6 Updating the radios.
 - 6.2.7 Integrate the system with the existing systems.
 - 6.2.8 Local media- print and broadcast.
 - 6.2.9 Market materials – leaflets, newsletters etc.
 - 6.2.10 IT -Information technologies (Websites of government, stake holders and partner organizations).
 - 6.2.11 Unmediated processes like Imbizos awareness programs, public meetings etc.
 - 6.2.12 Suggestion box, as a complimentary process of Public participation
 - 6.2.13 Community Empowerment Processes (Workshop - Life skills and disaster management etc)

CHAPTER 7: ROLES AND RESPONSIBILITIES

7.1 The Municipal Disaster Management Advisory Forum

The Municipality must establish a municipal disaster advisory forum.

7.2 The Municipal Disaster Advisory Forum must be made up of the following individuals;

- (a) the head of the municipal disaster management centre:
- (b) a senior representative of each department or component within the management advisory forum consisting of administration of the municipality designated by the executive mayor or mayor, as the case may be;
- (c) Representatives of the local municipalities within the jurisdiction of the Municipality.
- (d) representatives of other disaster management roleplayers in the municipality designated by the executive mayor, as the case may be, which may include-
 - organised business in the municipality;
 - organised labour in the municipality;
 - relevant community-based organisations;
 - the insurance industry in the municipality;
 - representatives of the agricultural sector in the municipality;
 - religious and welfare organisations in the municipality;
 - medical, paramedical and hospital organisations in the municipality;
 - institutions of higher education
 - institutions that can provide scientific and technological advice or
 - other relevant non-governmental organisations and relief agencies in the
 - experts in disaster management designated by the executive mayor. As the case may be and

- persons co-opted by the forum in question for a specific period or specific discussion.

7.3 A forum envisaged by subsection (1) is a body in which the municipality and relevant disaster management role-players in the municipality consult one another and co-ordinate their actions on matters relating to disaster management in the municipality.

7.4 Head of municipal disaster management centre

A municipal council must, subject to the applicable provisions of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), appoint a person as head of its municipal disaster management centre.

The head of a municipal disaster management centre:

(a) is responsible for the exercise by the centre of its powers and the performance of its duties; and

(b) in accordance with the directions of the council, takes all decisions of the centre in the exercise of its powers and the performance of its duties, except decisions taken by another person in consequence of a delegation by the head of the centre.

The head of a municipal disaster management centre performs the functions of office subject to section 44(3).

7.5 Responsibilities of Head Disaster Management Centre

The Head of the Disaster Management Centre-

(a) is responsible for the exercise by the Disaster Management Centre of its powers and the performance of its duties; and

(b) takes all decisions of the Disaster Management Centre in the exercise of its powers and the performance of its duties,

The Head of the Disaster Management Centre performs the functions of office subject to section 44 of the Act

7.6 Responsibilities of the UGU District Municipality Council

- 7.6.1 Consider and approve all departmental disaster management plans
- 7.6.2 Co-ordinate and management all local disasters management plans that occur within the Municipality as per section 55 of the Act.
- 7.6.3 May declare an occurrence as a disaster as per section 55 of the Act
- 7.6.4 Create by-laws and or issue directions and or authorise the issue of directions.
- 7.6.5 Request the national and provincial governments contributions to alleviate the effects of a local disaster.

7.7 Responsibilities of the Community

- 7.7.1 Adhere to the instructions or orders issued by the Municipality.
- 7.7.2 voluntarily participate in the municipal disaster management advisory forum.

7.8 Responsibilities of Councilors and Traditional leaders.

- 7.8.1 Adhere to the provisions of this by-law, with a specific mention of section 7.6 of this by-law.

7.9 Responsibilities of government agencies and NGO's

- 7.9.1 Adherence to the Disaster Management Act.
- 7.9.2 To provide assistance, where applicable, to the municipality to deal with a disaster and its consequences.

CHAPTER 8: ENFORCEMENT

8.1 Declaration of a state of disaster

8.1.1 In the event of a local disaster the council of a municipality having primary responsibility for the co-ordination and management of the disaster may, by notice in the provincial gazette, declare a local state of disaster if-

(a) existing legislation and contingency arrangements do not adequately provide for that municipality to deal effectively with the disaster; or

(b) other special circumstances warrant the declaration of a local state of disaster

8.1.2 If a local state of disaster has been declared in terms of subsection (9.1.1), the municipal council concerned may, subject to subsection (3), make by-laws or issue directions, or authorise the issue of directions, concerning-

- the release of any available resources of the municipality, including stores,
- equipment, vehicles and facilities;

- the release of personnel of the municipality for the rendering of emergency
- services;

- the implementation of all or any of the provisions of a municipal disaster
- management plan that are applicable in the circumstances;

- the evacuation to temporary shelters of all or part of the population from the
- disaster-stricken or threatened area if such action is necessary for the
- preservation of life;

- the regulation of traffic to, from or within the disaster-stricken or threatened
- area;

- the regulation of the movement of persons and goods to, from or within the
- disaster-stricken or threatened area;

- the control and occupancy of premises in the disaster-stricken or threatened area;
- the provision, control or use of temporary emergency accommodation;
- the suspension or limiting of the sale, dispensing or transportation of alcoholic beverages in the disaster-stricken or threatened area.
- the maintenance or installation of temporary lines of communication to, from or within the disaster area.
- the dissemination of information required for dealing with the disaster;
- emergency procurement procedures;
- the facilitation of response and post-disaster recovery and rehabilitation: or
- other steps that may be necessary to prevent escalation of the disaster, or to alleviate, contain and minimise the effects of the disaster.

8.1.3 The powers referred to in subsection (2) may be exercised only to the extent that this is necessary for the purpose of--

- (a) assisting and protecting the public;
- (b) providing relief to the public;
- (c) protecting property;
- (d) preventing or combating disruption; or
- (e) dealing with the destructive and other effects of the disaster.

8.3.4 A municipal state of disaster that has been declared in terms of subsection (8.1.1)--

- (a) lapses three months after it has so been declared; 20
- (b) may be terminated by the council by notice in the provincial gazette before it lapses in terms of paragraph (a): and

(c) may be extended by the council by notice in the provincial gazette for one month at a time before it lapses in terms of paragraph (4a) or the existing extension to expire.

8. 2. Communication Programme:

- (a) Deployment of relevant political heads such as the Mayors, ward councillors of the affected areas.
- (b) Show government to be in charge of the country: Show SA's ability to quickly
- (c) organise any relief effort in the face of an emergency. Need to work closely with
- (d) Provincial Government. Civil society to be encouraged to support humanitarian assistance programmes - blankets, clothes, food etc.
- (e) Mobilise faith-based organisations for assistance and relief methods: leaders to take messages to their followers.
- (f) Community outreach plan: Visibility by regular ongoing visits by Municipal officials (Mayors) and the Province to affected communities - door to door, walk about, workshops, Izimbizo to engage communities and empower them regarding preventative measures and disaster management.
- (h) Intensive media plan: Press statements, advisories, opinion pieces by experts in government, partners and observers. This must include daily/regular media briefings.
- (l) SABC African Language Stations (ALS) and Community radio: Radio programmes and talk to your mayor community radio programme targeting affected communities
- (j) Speeches and statements: Use of key messages intensively in humanitarian events, and other communication opportunities

8.3 The issuing of directions.

8.3.1 Whenever a local state of disaster has been declared by notice in the Provincial Gazette, and subject to the provisions of section 55(3) of the Act, Council may issue directives or authorise the issue of directions in terms of section 55(2) of the Act:

- (a) Instructing all or part of the population to evacuate the disaster-stricken or threatened area by the means prescribed in the directions if such action is necessary for the preservation of life;
- (b) Prescribing the time within which the evacuation referred to in paragraph (a) must be completed;
- (c) Indicating the temporary shelters where evacuees or groups of evacuees are to be transported and housed, and the time for which they must be so housed;
- (d) Regulating traffic to, from or within the disaster-stricken or threatened area;
- (e) Regulating of the movement of persons and goods to, from or within the disaster-stricken or threatened area;
- (f) Controlling the occupancy of premises in the disaster-stricken or threatened area;
- (g) Relating to the identification, provision, control and use of temporary emergency accommodation;
- (h) Suspending or limiting the sale, dispensing or transportation of alcoholic beverages in, to or from the disaster-stricken or threatened area;
- (i) Establishing emergency procurement procedures; or
- (j) Any other steps that may be necessary to prevent an escalation of the disaster, or to alleviate, contain and minimise the effects of the disaster.

8.4 The directions issued in terms of subsection(1) will be properly issued if they are issued according to the disaster management plan.

CHAPTER 9: GENERAL

It is important that the following points are clarified before the event in the interest of safety and security planning:

- 9.1.1 Will members of the public be allowed to bring alcoholic beverages onto the site and if not how will such a situation be dealt with in the event of a member of the public attempting to do so.
- 9.1.2 Will members of the public be allowed to enter the premises in possession of any dangerous weapons (fire-arms, knives, etc.
- 9.1.3 Will any age limit be enforced on entry or is the event open to people of all ages.
- 9.1.4 Will there be a certified stand-by electrician on site in the event of power failure.
- 9.1.5 It is recommended from Disaster Management that, preferably, the S.A.P.S. helicopter be negotiated to do air support and observations of the event. (Only if necessary)
- 9.1.6 If the designated event area is full, how will the rest of the public be notified and turned away.
- 9.1.7 A competent person (Structural Engineer) shall inspect and certify the marquee and/ or stage safe and shall provide a certificate of compliance to relevant authorities before the commencement of the event.
- 9.1.8 Proper identification tags inclusive of the job designation must be provided to all personnel working at the event.
- 9.1.9 If food is provided / prepared they must comply with environmental bylaws and a Certificate of Acceptability must be submitted.
- 9.1.10 Adequate provision of toilets must be made that are in line with the health bylaws.

CHAPTER 10 Offences and penalties

10.1 Any person that fails to comply with an oral or written instruction by the municipality issued in terms of the directions issued under this by-law, commits an offence.

10.2 A person is guilty of an offence if that person fails to comply with a request made by the National Centre in terms of section 18(1) or by a provincial or municipal disaster management centre.

10.3 A person convicted of an offence is liable on conviction to a fine or to imprisonment not exceeding six months or to both a fine and such imprisonment.

CHAPTER 11: SHORT TITLE AND COMMENCEMENT

This by-law may be cited as the UGU District Municipality Disaster Management By-Law.

Except for the directions issued in terms of section 5, this by-law commences on the date of publication thereof in the Provincial Gazette.

The directions issued under section 5 shall commence on the date when it is issued in terms of section 5(2).

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.
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Publications: Tel: (012) 748 6053, 748 6061, 748 6065