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DEPARTMENT OF HEALTH

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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
297	Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000): Credit Control and Debt Collection By-law, 2023/24; Rates By-law, 2023/24; Tariff By-Law, 2023/24; and Chief Albert Luthuli Municipality Final Tariff Structure for 2023/2024.....	3553	4
PROCLAMATIONS • PROKLAMASIES			
182	Chief Albert Luthuli Spatial Planning and Land Use Management By-Law, 2016: Rezoning of application and permanent departure on the Remaining Extent of Erf 311 Carolina.....	3553	94
183	Msukaligwa Spatial Planning and Land Use Management By-law, 2016: Notice of approval of Ermelo Town Planning Scheme, 1982 and Msukaligwa Local Municipality Land Use Scheme, 2021: Amendment Schemes Nos. 722, 794 & 48-2021.....	3553	95
PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS			
308	Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016: Erf 13179, Middelburg	3553	96
308	Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016: Erf 13179, Middelburg	3553	97
309	Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016: Remaining extent of Erf 305, Middelburg	3553	98
309	Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016: Resterende gedeelte van Erf 305, Middelburg	3553	98
LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS			
328	Mbombela By-law on Spatial Planning and Land Use Management, 2019: Rezoning of Portion 63 (Portion of Portion 4) of the farm Weltevreden 455-JT	3553	99
329	Local Government: Municipal Property Rates Act (6/2004): Dr Pixley ka Isaka Seme Local Municipality: Resolution levying property rates for the Financial Year 1 July 2023 to 30 June 2024.....	3553	100
330	Mbombela By-Law on Spatial Planning and Land Use Management, 2019: Rezoning of Erf 181 Sonheuwel Township	3553	101

Closing times for **ORDINARY WEEKLY** 2023

MPUMALANGA PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- 29 December, Thursday for the issue of Friday 06 January 2023
- 06 January, Friday for the issue of Friday 13 January 2023
- 13 January, Friday for the issue of Friday 20 January 2023
- 20 January, Friday for the issue of Friday 27 January 2023
- 27 January, Friday for the issue of Friday 03 February 2023
- 03 February, Friday for the issue of Friday 10 February 2023
- 10 February, Friday for the issue of Friday 17 February 2023
- 17 February, Friday for the issue of Friday 24 February 2023
- 24 February, Friday for the issue of Friday 03 March 2023
- 03 March, Friday for the issue of Friday 10 March 2023
- 10 March, Friday for the issue of Friday 17 March 2023
- 16 March, Thursday for the issue of Friday 24 March 2023
- 24 March, Friday for the issue of Friday 31 March 2023
- 31 March, Friday for the issue of Friday 07 April 2023
- 05 April, Wednesday for the issue of Friday 14 April 2023
- 14 April, Friday for the issue of Friday 21 April 2023
- 20 April, Thursday for the issue of Friday 28 April 2023
- 26 April, Wednesday for the issue of Friday 05 May 2023
- 05 May, Friday for the issue of Friday 12 May 2023
- 12 May, Friday for the issue of Friday 19 May 2023
- 19 May, Friday for the issue of Friday 26 May 2023
- 26 May, Friday for the issue of Friday 02 June 2023
- 02 June, Friday for the issue of Friday 09 June 2023
- 09 June, Friday for the issue of Friday 16 June 2023
- 15 June, Thursday for the issue of Friday 23 June 2023
- 23 June, Friday for the issue of Friday 30 June 2023
- 30 June, Friday for the issue of Friday 07 July 2023
- 07 July, Friday for the issue of Friday 14 July 2023
- 14 July, Friday for the issue of Friday 21 July 2023
- 21 July, Friday for the issue of Friday 28 July 2023
- 28 July, Friday for the issue of Friday 04 August 2023
- 03 August, Thursday for the issue of Friday 11 August 2023
- 11 August, Friday for the issue of Friday 18 August 2023
- 18 August, Friday for the issue of Friday 25 August 2023
- 25 August, Friday for the issue of Friday 01 September 2023
- 01 September, Friday for the issue of Friday 08 September 2023
- 08 September, Friday for the issue of Friday 15 September 2023
- 15 September, Friday for the issue of Friday 22 September 2023
- 21 September, Thursday for the issue of Friday 29 September 2023
- 29 September, Friday for the issue of Friday 06 October 2023
- 06 October, Friday for the issue of Friday 13 October 2023
- 13 October, Friday for the issue of Friday 20 October 2023
- 20 October, Friday for the issue of Friday 27 October 2023
- 27 October, Friday for the issue of Friday 03 November 2023
- 03 November, Friday for the issue of Friday 10 November 2023
- 10 November, Friday for the issue of Friday 17 November 2023
- 17 November, Friday for the issue of Friday 24 November 2023
- 24 November, Friday for the issue of Friday 01 December 2023
- 01 December, Friday for the issue of Friday 08 December 2023
- 08 December, Friday for the issue of Friday 15 December 2023
- 15 December, Friday for the issue of Friday 22 December 2023
- 20 December, Wednesday for the issue of Friday 29 December 2023

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

GENERAL NOTICE 297 OF 2023

Chief Albert Luthuli Municipality

*The transparent, innovative and developmental municipality
that improves the quality of life of its people*



**CREDIT CONTROL
AND DEBT COLLECTION BY-LAW
2023/24**

CONTROL SHEET	
By-law Number	01/2023-24
By-law Name	Credit Control & Debt Collection By-Law
By-law Status	Reviewed
Date of last Approval	2023
By-law review / Development	By-law to be reviewed annually
Date of next review	This by-law shall remain effective until such time approved otherwise by Council and may be reviewed whenever it is necessary to align it with changes of relevant legislation or operations
Purpose	<ul style="list-style-type: none"> To ensure that all monies due and payable to the municipality are collected and used to deliver municipal services in the best interest of the community, residents and ratepayers and in a financially sustainable manner; To outline the procedures that will ensure that the members of the local community are afforded the opportunity to contribute in the decision-making processes of the municipality and that they are informed of the decisions and affairs of the municipality;
Aims and objectives	<ul style="list-style-type: none"> The by-law's objective is to provide a framework within which the municipal council can exercise its executive and legislative authority with regard to credit control and debt collection;
By-law custodian	Chief Financial Officer
Related Policies and Legislations	<ul style="list-style-type: none"> <i>National Treasury Regulations</i> <i>Municipal Financial Management Act</i> <i>Municipal Systems Acts</i>
Approving authority	Council
Applicability	This by-law applies to all municipal accounts and the customers.
Amendments to the By-law	<p>Page 25 number (10) Pre-payment meter system The following conditions are applicable where a prepayment has been installed at premises:</p> <p>(i) The total current account must be paid in full on or before the end of the month for which the account has been issued.</p> <p>(ii) No prepaid electricity may be sold before the current account has been paid in full irrespective of the name of the account holder.</p> <p>(iii) An account which is 90 days arrears shall be blocked for pre-paid electricity purchase.</p> <p>(iv) An authorized official from the Credit control section can authorize the selling of electricity or unblocked the prepaid meter once payment has been made, and formal acknowledgement of debt is made.</p>
By-law Benchmark and References	STLM / Thaba Chewu Local Municipality
Stakeholders Consulted	CALM Finance department

Accountability	The Municipal Manager is accountable for the proper implementation of this by-law in terms of the Systems Act.
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PREAMBLE

WHEREAS it is an object of Local Government under the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996), to ensure the provision of services to communities in a sustainable manner;

AND WHEREAS every municipal Council must, under section 98(1) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), adopt policies to give effect to the Municipality's credit control and debt collection, its implementation and enforcement;

Explanatory Note: This By-law is applicable to Chief Albert Luthuli Municipality (hereinafter referred to as "the Municipality") only. In terms of Section 80 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000); the Municipality may enter into service delivery agreements with service providers to provide municipal services to customers. In such instances the internal Credit Control and Debt Collection Policies of those entities may differ from this By-law, but shall be subject to the promulgated Credit Control and Debt Collection By-laws.)

NOW THEREFORE the following is adopted as the "Credit Control and Debt Collection by-law":

1.	Objectives	4
2.	Definitions	5-6
3.	Principles	7-8
4.	Indigent Subsidy	8-9
5.	Customer Care and Management	10-11
6.	Accounts and Billing	11-12
7.	Account Correction and Interest Reversal	12-13
8.	Metering	13
9.	Right of Access to Premises	13
10.	Payment Facilities and Methods	14
11.	Enquiries, Appeals and Services	14
12.	Business Tendering With Municipality	15
13.	Customer Assistance Programmes	15-17
14.	Indigent Subsidy	17-18
15.	Debt Collection	19-24
16.	Performance Evaluation	25
17.	Reporting to Council	25-26
18.	Structures of Department of Finance	26
19.	Short Title	26
20.	Procedures	26
21.	Legal Requirements	26-29
22.	Enforcement/Implementation	29

1. Objectives

The objectives of these policies are to:

- (i) Provide a framework within which the municipal council can exercise its executive and legislative authority with regard to credit control and debt collection;
- (ii) Ensure that all monies due and payable to the municipality are collected and used to deliver municipal services in the best interest of the community, residents and ratepayers and in a financially sustainable manner;
- (iii) Outline the procedures that will ensure that the members of the local community are afforded the opportunity to contribute in the decision-making processes of the municipality and that they are informed of the decisions and affairs of the municipality;
- (iv) Set realistic targets for debt collection;
- (v) Outline credit control and debt collection by-law procedures and mechanisms;
- (vi) Recognize the municipality's constitutional obligations to develop the local economy and to provide affordable and acceptable services to all its residents, consumers of services and ratepayers;
- (vii) Acknowledges the fact that it cannot fulfil these constitutional obligations unless it exacts payment for the services which it provides and for the assessment rates which it legitimately levies complete and in full from those residents who can afford to pay, and in accordance with its indigence relief measures for those who qualify as indigents in terms of the council's approved and adopted indigence management policy; and
- (viii) Describe credit control measures and sequence of events.
- (ix) provide for matters relating to the unauthorised consumption of services, theft and damages

2. **Definitions**

In this By-law, unless the context indicates otherwise:

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

“Arrears” Amount due, owing and payable in respect of fees, charges, surcharges on fees, property rates and other municipal taxes and services, levies, penalties and duties and not paid by the due date.

“Charges” means surcharges on fees, penalties, property rates, taxes, levies and duties;

“Council” means –

- (a) *the Municipal Council of Chief Albert Luthuli Local Municipality established by Provincial Notice No 299 dated 1 October 2000, as amended, or its successor in title and any committee or person to which or to whom an instruction has been given or any power has been delegated in terms of, or as contemplated in, Section 59 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), or*
- (b) *a service provider in respect of any power, function or duty of the Council as contemplated in paragraph (a), assigned by it for the purposes of this By-law to that service provider in terms of Section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) .*

“Customer” means the owner of any premises upon which charges are levied as well as a person to whom a service provider supplies services, and the occupier thereof, where applicable;

“Day” means a calendar day and a period of days are calculated by excluding the first day of the period and including the last day, unless the last day falls on a Saturday, Sunday or public holiday in which event the period is calculated with the exclusion of the first day and also of the Saturday, Sunday or public holiday;

“Debtor” means a person owing an amount of money to the Municipality for a reason other than through the provision of municipal services;

“Default” in relation to the Municipality means any person owing money to the Municipality regardless of the reason for the debt arising

“Defaulter” means any customer in arrears in his/her municipal rates and taxes account;

“Due Date” means the date on which something falls due, especially the payment of a bill or the municipal rates and taxes account;

“Employer” means an employer as defined in Paragraph 1 of the Seventh Schedule of the Income Tax Act, 1962 (Act No 58 of 1962);

“Habitual Defaulter” means a consumer who defaults on more than one occasion during any six month period on any payment owing to the Municipality;

“Implementing authority” means the Municipal Manager of the Municipality or any other Official delegated by the Municipal Manager to implement and enforce the Council’s Credit Control and Debt Collection By-law;

“Insolvent Debtor” means any person declared to be insolvent in terms of the insolvency Act 43 of 1936 (as amended);

“Municipal account” means any municipal service charge, tax or other fees, interest and charges due in terms of a contract or approved tariff or rate, which is outstanding after the due date, normally appearing on the consolidated account, or overdue in terms of the contract or any other due date that has passed;

“Municipality” means the Chief Albert Luthuli Local Municipality;

“Occupier” includes any person in actual occupation of premises without regard to the title under which they occupy, if any;

“Overdue” in respect of an amount, means an amount that remains unpaid after the due date;

“Owner” in relation to premises means:

- (a) a person who from time to time is registered as such in a deeds registry as defined in the Deeds Registries Act, 1937 (Act No 47 of 1937); or
- (b) where the person is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of their property is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative; or
- (c) where a Sectional Title Register has been opened under Section 8 of the Titles Act, 1971 (Act No 66 of 1971), the body corporate as defined in that Act, and includes any person receiving rent for the premises whether for their own account or as agent for a person entitled to it.

“Person” means any natural person, local government body or similar authority, a company or close corporation incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

“Premises” means any piece of land which is situated in the area of jurisdiction of the Council, the external surface boundaries of which are delineated on:

- (a) A General Plan or Diagram registered under the Land Survey Act, 1927 (Act No 9 of 1927), or under the Deeds Registries Act, 194(3)7 (Act No 47 of 1937); or
- (b) A Sectional Title Register opened under Section 8 of the Sectional Titles Act, 1971 (Act No 66 of 1971).

“Service” means any service rendered by or on behalf of the Council, in respect of which an account may be rendered, excluding any service rendered by the Council as an agent for another principal; and

“services” has a corresponding meaning;

“Standard rate of interest” means the interest rate as determined by the Minister of Finance from time to time under Section 89 of the Income Tax Act, 1962 (Act No 58 of 1962) and published in the Gazette; interest rate i.t.o. the budget is prime rate plus 1%.

“Supervisory authority” means the Municipality’s Mayoral Committee

3. Principles

- (a) The administrative integrity of the Municipality must be maintained at all costs. The democratically elected officials (councillors) are responsible for by-law making, while it is the responsibility of the Municipal Manager or any other Official delegated by the Municipal Manager to execute these policies.
- (1) Prospective consumers must complete an official municipal application form formally requesting the Municipality to provide them with electricity and water.
 - (2) Copy of the official municipal application form, conditions of services and applicable extracts from the adopted Council’s Credit Control and Debt Collection policy and By-laws must be handed to every consumer on request.
 - (3) Monthly Billing of municipal accounts is to be accurate, timeous and understandable.
 - (5) The Consumer is entitled to have access to all municipal cashier or pay points and to a variety of reliable payment methods, including third party payments i.e. the South African Post Office (SAPO).
 - (6) The Consumer is entitled to an efficient, effective and reasonable response to appeals, and should suffer no disadvantage during the processing of such a reasonable appeal.
 - (7) Enforcement of payment must be prompt, consistent and effective at all time and applicable to all ratepayers or consumers of services rendered by the municipality.
 - (8) Fraud and/or criminal offences can lead to the loss of rights and heavy penalties and/or public prosecution could be instituted by the municipality on the perpetrator if he or she should be found guilty.
 - (9) Payment Incentives and disincentives may be used in collection procedures and during the collection process.
 - (10) The collection process must at all times be cost-effective and within the approved budget of the Municipality/Council.
 - (11) Debt Collection “Best Practices” will be pursued at all time during the execution of the by-law.

- (12) Depending on payment patterns, the Municipal Manager or delegated official may provide reduced levels of service to manage the debt growth.
- (13) Debt Collection and Credit Control Results will be regularly monitored and efficiently reported to the Municipal Manager or any other Official delegated by the Municipal Manager as well as the Municipal Council.
- (14) Although customer care and debt collection are inter-related issues, they should be performed by two separate divisions of the Income Section of the Department Finance.
- (15) There must be legal cause between the Municipality and its consumers/debtors and consumer/debtor debt must arise out of a legal framework and must be legally collectable.
- (16) Indigent households will be identified and supported as required by legislation. Welfare is to be separated from tariff and debt collection and credit control issues and will be supported by appropriate, affordable and adopted policies and practices.
- (17) Indigent support will be introduced within the Council's financial ability and in accordance with the applicable legislation.
- (18) Performance Targets for customer care, debt collection and credit control will be set and pursued at all times and remedies will be implemented for non-performance.

4. Indigent Subsidy

- (a) The source of funding of the indigent subsidy is that portion of the equitable share contribution to the Municipality made from the national government's fiscus and as provided for in the Annual approved Budget of the Municipality. In exceptional circumstances this can be supplemented from other revenues if Council approval to that effect is obtained.
- (b) The subsidy amount is to be crudely calculated by dividing the portion of the equitable share as budgeted by the estimated number of qualifying households per area and tariff type. These figures are the approximate average subsidy per household.
- (c) The Municipal Council shall annually, as part of its budgetary process, determine the municipal services and levels thereof that will be subsidised in respect of indigent customers in accordance with national policy, subject to the principles of sustainability and affordability.
- (d) The Municipal Council shall, in the determination of municipal services that will be subsidised for indigents, follow the Free Basic Services Policy of the Municipality.
- (e) Where electricity is to be subsidised under the Free Basic Services Policy of the Municipality, such households may be required to convert to prepaid electricity meters when implemented, the cost of which can be met either by:

- (a) the equitable share fund, if sufficient;
 - (b) a surcharge on the electricity coupon cost; or
 - (c) cash payment by the indigent household.
- (f) If an indigent customer's consumption or use of a municipal service is less than the subsidised service, the unused portion may not be accrued by the indigent customer and will not entitle the customer to cash or a rebate in respect of the unused portion.
- (g) If an indigent customer's consumption or use of a municipal service is in excess of the subsidised service, the indigent customer will be obliged to pay for such excess consumption at the applicable rate.
- (h) The Council may cause inspectors to visit indigent households to audit the veracity of the data in the application form and to record any changes in circumstances and make recommendations on the continuation, variation or discontinuation of the subsidy.
- (i) Indigent households subsidised under the Free Basic Services Policy whose consumption has exceeded the limits set out in that by-law, and who are in arrears on payment for these services, may be restricted in respect of electricity and/or water.
- (j) The disqualification process asset out in the Indigent policy should be followed if –
 - (a) the application was filled in dishonestly;
 - (b) audits indicate improvements in the financial circumstances of the indigent household above the qualifying income.
- (k) Arrears accumulated in respect of the municipal accounts of customers prior to their first registration as indigent customers, will be suspended and interest shall not accumulate on such arrears for the period that a customer remains registered as an indigent customer.
- (l) Arrears suspended in terms of Section 5(11) shall become due and payable by the customer on de-registration as an indigent customer.
- (m) In special individual cases, a report may be submitted to the Mayoral Committee to decide if Section 5(12) should be implemented or not.

- (n) Consumers found tampered with Electricity Pre-paid Meters will be disqualified from receiving free basic services

5. Customer Care and Management

[I] Communication and Feedback

- (a) The Municipality will communicate and give feedback to communities, ratepayers and residents in accordance with its Policy on Public Participation.
- (b) The Council will establish:
- (i) *A separate, centrally controlled, telephone, with a logged call registers facility, available to receive all unresolved customer complaints and to receive feedback regarding the quality of services provided by the Council.*
 - (ii) *A system to monitor response times and time taken for corrective action shall be installed. Copies of all logged complaints and feedback received will be submitted to the Municipal Manager at the end of each day for the necessary action and attention.*
 - (iii) *Appropriate training for officials dealing with the public to enhance communications and effective service delivery; and*
 - (iv) *A communication mechanism to give the Council feedback on the implementation of this By-law and other issues of concern*

[II] Service Application and Agreements

- (a) All consumers of services will be required to sign an application and agreement form for new consumer services governing the supply, and cost of municipal services. Owners may allow a tenant to sign a separate agreement with the Municipality, which the Municipality may accept, provided that the written consent of the owner is provided. On default by a tenant, the owner is the debtor of last resort, except in respect of the Council's own property.
- (b) Prior to signing these agreements, owners and/or tenants will, on request, be entitled to receive the Credit Control and Debt Collection By-law Document of the Council.
- (c) On the signing of the agreement, owners and/or tenants will receive a copy thereof.

- read and the relevant municipal accounts will be rendered.
- (e) In the agreement, customers/consumers/ratepayers will acknowledge liability for costs of collection, interest and charges, in the event of a delayed payment or payments.
 - (f) Financial and other special incentives for both employers and employees may be considered where employers enter into an agreement with the Council, with the consent of the employee, where the employee is the customer, for the deduction of any outstanding amounts due by the customer to the Council, or any regular monthly amounts as may be agreed, from the salary or wage of the customer.
 - (g) "Good payer" status, for example, may be awarded to such customers with specific benefits attached thereto, such as special queues for faster service. Customers who are employed whether as an employee or Councillor are not permitted to arrange to pay off their debt, unless they sign a stop order that provides for deductions from salary of arrears as well as the current account over the agreed period.

[III] Customer Screening and Securities

- (a) All applicants for municipal services must produce a green bar-coded ID book or passport and the official will make a copy.
- (b) Security deposits either in cash or any other security acceptable to the Municipality will be taken and may vary according to the risk. A minimum deposit as per the Tariff By-law will be charged for new connections.
- (c) Deposits will be increased by the Municipality as per the Tariff By-law.
- (d) Deposits can vary according to the credit worthiness or legal category of the applicant subject to paragraph 4(3) (a).
- (e) The Municipality will not pay interest on *security* deposits held by the Municipality in terms of paragraph 4(3) (b).
- (f) On the termination of the agreement, the amount of the deposit less any outstanding amount due to the Municipality will be refunded to the customer/consumer/ratepayer.

6. Accounts and Billing

- (1) Customers will receive an understandable and accurate bill from the Municipality on a monthly basis. All accounts will contain at least the following particulars, where possible and applicable:
 - (a) The name of the Council/Municipality.
 - (b) The name of the customer/consumer/ratepayer.
 - (c) The account number.
 - (d) The service levies or assessment rates in question.

- (e) The period allowed for the payment of services and assessment rates.
 - (f) The property or stand number in respect of which the payment is required.
 - (g) The date before which payment must be made (due date).
 - (h) Business hours of the Municipality.
 - (i) The method(s) and place(s) of possible payment
 - (j) Any discount for early or prompt payment.
 - (k) Interest on late payment.
 - (l) Consequences of non-payment.
 - (m) Amount brought forward.
 - (n) Consumption for the current month reflecting units consumed, cost per unit and cost per service.
 - (o) Total amount payable
- (2) Accounts will be produced in accordance with the meter reading cycle and due dates will be as determined by the Council from time to time.
- (3) Accounts will be rendered monthly in cycles of approximately 30 (thirty) days at the address last recorded with the Municipality or its authorised agent, through Post Office, MMS, Emails etc.
- (4) It is the customer's responsibility to ensure timeous payment in the event of accounts not received.
- (5) Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in final settlement of such an account, even when a dispute exists.
- (6) Where any payment made to the Municipality or its authorised agent by negotiable instrument is later dishonoured by the bank, the Municipality or its authorised agent:
- (a) May recover the average bank charges incurred relating to dishonoured negotiable instruments against the account of the customer;
 - (b) Shall regard such an event as default on payment.
 - (c) May refuse to accept cheques or may refer to the Credit Bureau.
- (7) Multiple accounts management
- (a) The Municipality or its authorised agent must, if administratively possible, issue a duplicate account to a customer on request.
 - (b) The municipality may Consolidate any separate accounts of any account holder liable for payments to the municipality, and/or separate an account of any account holder liable for payments to the municipality; provided that the accounts involved relate to the same account holder

(7.) Correction of Account

A customer's municipal rate and taxes account shall be corrected in the following events:

- When a customer's personal details are incorrect, needs update and/or have changed.
- When a customer's address and/ or contact details are incorrect or have changed.
- If billing in the account is incorrect.

In applicable events a journal shall be used to correct or make alterations in a customer's account.

(7.2) Reversal of Interest

- Interest shall be reversed on a customer's account if a customer was billed incorrectly and interest was levied as a result.
- Interest shall be reversed if a special approval or request by council was made.
- Interest shall be reversed only in a form of a journal on a customer's account.

8. Metering

- (1) The Municipality will endeavour, within practical and financial limits, to provide meters to every paying customer for all meterable services.
- (2) All meters will be read monthly, if at all possible. If the meter is not read monthly, the Council will average the consumption for preceding periods of 3 (three) months.
- (3) Customers are entitled to request verification of meter readings and accuracy within reason, but may be held liable for the cost thereof.
- (4) Customers will be informed of meter replacement, in writing.
- (5) If a service is metered but it cannot be read due to financial and human resource constraints or circumstances out of the control of the Municipality or its authorised agent, the customer is charged for an average consumption.

9. Right of Access to Premises

- (1) The owner and/or occupier of premises is obliged to give an authorised representative of the Municipality access at all reasonable hours to the premises in order to read, inspect, install, repair or replace any meter or service connection for reticulation or to disconnect, stop or restrict, or reconnect the provision of any service.
- (2) The owner accepts the cost of relocating a meter if satisfactory access is not possible.
- (3) If a person contravenes 4(6) (a), the Municipality or its authorised agent may:
 - (a) by written notice require such person to restore access at his/her own expense within a specified period;

- (c) if it is the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such a person

10. Payment Facilities and Methods

- (1) The Municipality will operate and maintain suitable banking and cash facilities and facilities will be accessible to all consumers and ratepayers.
- (2) The Municipality will, at its discretion, allocate a payment between service debts - a debtor who has overdue debt may not specify that the payment is for a specific portion of the account.
- (3) The Municipality may, with the consent of a customer, approach an employer to secure a debt or stop order arrangement on his or her salary.
- (4) The customer will acknowledge in the customer agreements that the use of customer agents in the transmission of payments to the Municipality is at the risk of the customer - also for the transfer time of the payment in respect of the due date of the municipal account.

11. Enquiries, Appeals and Service Complaints

- (1) If a customer is convinced that his/her account is inaccurate, he/she can lodge a written appeal with the Municipality addressed to the Municipal Manager for the recalculation of the said account.
- (2) In the interim period the customer must pay an average based on previous consumption where history of the account is available. Where no such history is available, the customer is to pay, without prejudice of rights, an estimate provided by the Municipality before the payment due date until the matter is resolved.
- (3) The relevant Department will investigate and inform the customer within a reasonable period of time.
- (4) Failure to make such agreed interim payment or payments would make the customer liable for disconnection of services.
- (5) A customer has the right to appeal against the finding of the Municipality or its authorised agent in terms of 4(8)(a).
- (6) An appeal and request in terms of 4(8)(e) must be made and lodged with the Municipality and addressed to the Municipal Manager within 21 (twenty-one) days after the customer became aware of the finding referred to in 4(8)(c) and must:
 - (a) Set out the reasons for the appeal;

- (b) Be accompanied by any security determined for the testing of a measuring device if applicable.

12. Businesses who Tender with the Municipality

- (1) When inviting tenders and quotations for the provision of services or delivery of goods, potential contractors may submit tenders or quotations subject to a condition that consideration and evaluation thereof will necessitate that the tenderer obtain from the Municipality a certificate stating that all relevant municipal accounts owing by the tenderer or its members, directors, owners or partners have been paid in full or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears.
- (2) Tender conditions must contain a condition allowing the Municipality to deduct monies owing for not more than three months to the Municipality from contract payments in terms of a reasonable arrangement with the tenderer.

13. Customer Assistance Programmes

(1) Water Leakages

- (a) If the leakage is on the side of the meter of the customer, the customer is responsible for the payment of the full account.
- (b) The customer has the responsibility to control and monitor his/her consumption.

(2) Investment Principles

- (a) Properties may qualify for a rate rebate determined annually as per the Rates By-law approved by Council.
- (b) A rate rebate may be granted to social pensioners or the receiver of a state disability grant as determined by the Council from time to time. To qualify for the concession, the following criteria will apply:
 - (i) The application must be made each year and reach the chief financial officer on or before 30 June.
 - (ii) The applicant must be the registered owner of the property and should not sublet any portion of the property.
 - (iii) The applicant should not own any other property.
 - (iv) The property must be readily accessible to Municipal Officials for the purpose of carrying out of inspections and reading of meters.

(3) Unauthorised consumption of services

- (a) Unauthorised consumption, connection and reconnection, the tampering with or theft of meters, service supply equipment and the reticulation network and any fraudulent activity in connection with the provision of municipal services will lead to disconnections, penalties, loss of rights and criminal prosecutions.
- (b) The Municipal Manager will immediately terminate the supply of services to a Consumer should such conduct as outlined above, be detected

(4) STAFF AND COUNCILLORS IN ARREARS

- (a) Item 10 of Schedule 2 to the Act states that: - "A staff member of the Municipality may not be in arrears to the municipality for rates and service charges for a period longer than three (3) months and a municipality may deduct any outstanding amounts from a staff member's salary after this period."
- (b) The Municipality shall liaise with the relevant staff on repayment of their arrears.
- (c) The staff member must sign a credit authority in accordance with this By-law.
- (d) No special treatment shall be afforded to staff in arrears.
- (e) Item 12A of Schedule 1 to the Act states that: - "A Councillor may not be in arrears to the municipality for rates and service charges for a period longer than three months."
- (f) The Municipal Manager shall liaise with the Mayor and issue the necessary salary deduction instruction where appropriate.
- (g) Where the staff or Councillors arrears have arisen due to any other reason, such arrear must be paid within 3 months with interest.

(5) Arrangements for Settlements

- (a) If a customer cannot pay his or her account with the Municipality, then the Municipality may enter into an extended term of payment with the customer. The customer must:
 - (i) sign an acknowledgement of debt;
 - (ii) sign consent to judgement;
 - (iii) provide a garnishee order / emolument order / stop order (if he/she is employed);

- (iv) acknowledge that interest will be charged at the prescribed rate, being the prime lending rate of the Municipality's banker plus 1% as amended by the South African Reserve Bank from time to time; pay the current portion of the account in cash; and
 - (v) sign an acknowledgement that if the arrangements being negotiated are later defaulted on, no further arrangements will be possible and that disconnection of services and blockage of pre-payment meters will immediately follow, as will legal proceedings
- (b) Customers with electricity arrears may be requested to agree to the conversion to a prepaid meter after all arrears and the cost of the pre-payment meter has been paid in full and a written agreement to this effect has been entered into.
- (c) The Council reserves the right to raise the deposit / security requirement in accordance with Paragraph 4(3) of debtors who seek arrangements
- (d) In the event that a consumer's account is in arrears, the amount tendered will be split according to the ratio of 70% towards coupon sales and 30% paid towards outstanding debt. The consumer will receive electricity tokens to the value of 70% of the payment received while the remainder will be allocated towards the arrears.

14. Indigent Subsidy

- (1) Qualifying households. A household with no income and/or a total income equal to the social state pension grant qualifies as an indigent household and for a Council subsidy. The applicant must occupy the premises, receive a municipal account, may not own any other property, either inside or outside the Municipality's area of jurisdiction and must comply with any other terms or conditions determined and adopted by the Council from time to time.
- (2) Funding of subsidy. The source of funding of the indigent subsidy is that portion of the equitable share contribution to the Municipality made from the national government's fiscus and as provided for in the Annual approved Budget of the Municipality. In exceptional circumstances this can be supplemented from other revenues if Council approval to that effect is obtained.
- (3) The subsidy amount is to be crudely calculated by dividing the portion of the equitable share as budgeted by the estimated number of qualifying households per area and tariff type. These figures are the approximate average subsidy per household.
- (4) Subsidised services are to be sewerage, water and refuse removal.

- (5) Electricity will be subsidised and households for indigent support may be required to convert to pre-payment electricity meters when implemented, the cost of which can be met either by:
 - (a) The equitable share fund, if sufficient;
 - (b) A surcharge on the electricity coupon cost; or
 - (c) Cash payment by the household
- (6) Indigent households which exceed free basic services and are in arrears may be restricted in respect of electricity and/or water.
- (7) Households become eligible by application on a specific application form of the Council, after which screening and ongoing auditing are possible. This form will require data on the inhabitants of the household, their occupations, income and property ownership and business ownership.
- (8) A qualifying household must be in possession of a letter of approval from the Municipality.
- (9) The Council may cause inspectors to visit indigent households to audit the veracity of the data in the application form and to record any changes in circumstances and make recommendations on the continuation or discontinuation of the subsidy.
- (10) Indigent households may apply or reapply for indigent support at any time during the financial year on the prescribed application form of the Council.
- (11) Households will be excluded from the scheme if:
 - (a) The application was filled in dishonestly;
 - (b) Audits indicate improvements in the financial circumstances of the household beyond the qualifying income.
- (12) If a customer's consumption or use of a municipal service is less than the subsidised service, the unused portion may not be accrued by the customer and will not entitle the customer to cash or a rebate in respect of the unused portion.
- (13) If a customer's consumption or use of a municipal service is in excess of the subsidised service, the customer will be obliged to pay for such excess consumption at the applicable rate.
- (14) An indigent customer must immediately requests de-registration by the Municipality or its authorised agent if his/her circumstances have changed to the extent that he/she no longer meets the qualification set out in 5(1).
- (15) An indigent customer may at any time request de-registration.
- (16) Subsidies that have been received unrightfully will be reversed and recovered from the customer by the Municipality.

15. Debt Collection**(1) Enforcement Mechanisms**

- (a) Interruption of Service
 - (i) Customers who are in arrears with their municipal account and who have made no arrangements with the Municipality will have their supply of electricity and water and other municipal services suspended or disconnected and/or restricted.
 - (ii) The disconnection of services will be implemented when the municipal account is 30 (Third days) day overdue, municipality will issue final notice to consumer which is payable within seven days.
 - (iii) The right to deny or restrict the sale of electricity or water to customers, who are in arrears with their rates or other municipal charges, is reserved.
 - (iv) Upon the liquidation or arrears, or the conclusion of arrangements for term payment, services will be reconnected as soon as conveniently possible.
 - (v) The cost of the restriction or disconnection and the reconnection will be determined by tariff agreed by the Council and will be payable by the customer.
- (b) The municipality shall reconnect and/or restore full levels of supply of any of the restricted or discontinued services only after the full amount outstanding is paid, including the costs of such disconnection and reconnection or acceptable arrangements having been made for payment of such outstanding amounts in terms of this By-law, or any other condition(s) of this By-law have been complied with.

Only an authorised official shall authorise the reconnection of services or reinstatement of service delivery after satisfactory payment and/or arrangement for payment has been made according to this By-law. Should an unauthorised official be found reconnecting or reinstalling the services a breach of the code of ethics shall be dealt with as follows -

- (c) in the case of an employee, in terms of the disciplinary procedures of the municipality envisaged in section 67(1)(h) of the Municipal Systems Act;
- (d) In the case of a role player who is not an employee, through other appropriate means in recognition of the severity of the breach.
- (e) In all cases, financial misconduct shall be dealt with in terms of chapter 15 of the Act.

- (f) Interest and Charges
- i. Interest and penalties will be raised as a charge on all accounts not paid by the due date in accordance with applicable legislation.
- (g) Personal / Telephonic / Agent Contact
- (i) The Municipal Manager will endeavour, within the constraints of affordability, to correspond personally, by telephone or by letter contact with all arrear debtors to encourage their payment and to inform them of their arrears state and their rights (if any) to conclude arrangements or to apply for indigent subsidies and other related matters, and will provide information on how and where to access such arrangements or subsidies.
- (ii) The Municipality shall maintain a schedule of debtors with large amounts outstanding (the cut-off amount will be agreed by the Municipal Manager) and will maintain intensive contact with these debtors as in 6 (1) (c) (i).
- (iii) Such contact is not a right for debtors that debtors enjoy - disconnection of services and other collection proceedings will continue in the absence of such contact for whatever reason.
- (h) Legal Process / Use of Attorneys / Use of Credit Bureaus
- (i) The Municipal Manager will, when a debtor is above 90 days in arrears, may handover and commence legal process against that debtor, which process could involve summonses, court trials, judgements, emolument attachment orders and, as a measure of last resort, sales in execution of property. Indigent households are exempted from this action for as long as;
- the household is classified as an indigent case
 - the repayment agreement with the Council is adhered to.
- (ii) The Municipal Manager will exercise strict control over this process to ensure consistent accuracy and legality within it and will require regular reports on progress from staff charged with the responsibility or outside parties, be they attorneys or any other collection agents appointed by the Council.
- (iii) The Municipal Manager will establish procedures and codes of conduct with these outside parties.
- (iv) Emolument attachment orders in the case of employed customers are preferred to sales in execution, but both are part of the Municipality's system of debt collection procedures.
- (v) All steps in the credit control procedure will be recorded for municipal records and for the information of the debtor.
- (vi) All costs of this process are for the account of the debtor.
- (vii) Individual debtor accounts are protected and are not the subject of public information, except for officials and councillors. However, the Municipality may release debtor information to credit bureaus. This release will be in writing and

this situation will be included in the Municipality's agreement with its customers.

- (viii) The Municipal Manager may consider the cost effectiveness of this process and will receive reports on all relevant matters and report to the Mayoral Committee.
- (ix) On a recommendation by the Municipal Manager, the Council may consider the use of agents/debt collectors and innovative debt collection methods and products. Cost effectiveness, the willingness of agents to work under appropriate codes of conduct and the success of such agents and products will be part of the agreement the Council might conclude with such agents or product vendors.
- (x) Customers will be informed of the powers and duties of such agents and their responsibilities, including their responsibility to observe agreed codes of conduct.
- (xi) Any agreement concluded with an agent or product vendor shall include a clause whereby breaches of the code of conduct by the agent or vendor will see the contract terminated. The Municipal Manager will determine appropriate measures to be installed within the broad parameters described in Paragraph 6 and consult with the Mayoral Committee on these measures.

(2) Arrangements

(2.1) Principles for Residential Debtors

- Notwithstanding that all debts should be treated holistically, certain categories of debt may be subject to category specific repayment parameters.
- Current charges must be paid in full and cannot be negotiated.
- The debtor may be required to proof levels of income and must agree to a monthly payment towards arrears based on his ability to pay or based on his total liquidity if Council so requires.
- All negotiations with the debtor should strive to result in an agreement that is sustainable and is most beneficial to Council.
- Interest will be charged on arrears at prime rate plus 1%
- Interest on arrears in respect of all services and rates may, at the option of the Council, be frozen whilst the debtor adheres to the conditions of an arrangement.
- Debtors, excluding housing debtors, who default on three occasions in respect of arrangements made, will be denied the privilege of making further arrangements and the full amount becomes due and payable.
- All arrangements should be subject to periodic review.
- All services may be disconnected and legal action will be taken against debtors as provided for in this By-law and/or such debt may be referred to third party debt collectors, for recovery.

(2.2) ARRANGEMENT CRITERIA FOR RESIDENTIAL DEBTORS

All debtors who are in arrears and apply to make arrangements to reschedule their debt repayment, will be obliged to make the following minimum payment requirements at the time of entering into such arrangement:

- Current account plus 20% of the total outstanding debt, of which the balance will be payable over a period not exceeding 24 months.
- Each following month the debtor will be required to pay plus Current account plus an instalment as determined.

(2.3) ARRANGEMENT CRITERIA FOR NON RESIDENTIAL DEBTORS

All debtors who are in arrears and apply to make arrangements to reschedule their debt repayment will be obliged to make the following minimum payment requirements at the time of entering into such arrangement:

Current account plus 50% of the total outstanding debt, of which the balance will be payable over a period not exceeding 12 months

Each following month the debtor will be required to pay plus Current account plus an instalment as determined.

(3) Full and Final Settlement of Account

A customer shall be given a percentage discount, as determined by the formula below, when settling an account.

Full settlement of customer's account shall occur under the following conditions:

- If the age analysis on the account is correct and not in error;
- If the customer is in arrears for a period longer than 120 days;
- If the customer never settled his/her account within a period of three years;

The following formula shall be used to calculate a discount and payable amount in the event of full settlement of account:

$$\text{Discount} = \frac{(120 \text{ Plus}) + (120)}{2}$$

$$\text{Payable} = (\text{Discount}) + (90 \text{ days}) + (60 \text{ days}) + (30 \text{ days}) + (\text{Current Charge})$$

Condition: $\text{Discount Amount} + \text{Payable Amount} = \text{Total Amount Due}$

(4) Cost of Collection

All costs of legal processes, commission charges in respect of debt collection be charged in line with government regulations of debt collectors.

(5) Abandonment

- (a) The Municipal Manager must ensure that all avenues are utilised to collect the Municipality's outstanding debts.
- (b) There are some circumstances that allow for the valid termination of debt collection procedures:
 - (i) The insolvency of the debtor whose estate has insufficient funds:
 - (ii) A balance owing too small to recover for economic reasons considering the cost of recovery.
- (c) The Municipality will maintain audit trails in such an instance and document the reasons for the abandonment of the outstanding debt.

(6) Rates Clearance

On the sale of any property in the municipal jurisdiction, the Council will withhold the transfer until all rates, services and sundry charges related to the property are paid by withholding a rates clearance certificate, except where otherwise provided in legislation.

Monies including any estimated amounts for the duration of the validation period of a certificate in terms of section 118, of the Systems Act, or section 89 of the Insolvency Act, 24 of 1936, are for the purpose of section 118, deemed to be due and must be paid in order to facilitate the transfer of immovable property:

- All amounts that are due in connection with the property must be paid in full prior to the issuing of any clearance certificate in terms of section 118, of the Systems Act;

No certificate, in terms of section 118 of the Systems Act, will be issued where the property owner has not complied with any relevant legislation, by-law or agreement relating to the property in question.

(7) Proof of Residence

Conditions on issuing Proof of Residence

- (i) A customer must produce a green bar coded ID, ID Card or Drivers Licence of owner's property.
- (ii) A customer must produce a municipal rates and taxes account.
- (iii) Proof of residence will only be issued on accounts that are up to date in respect of municipal services.

(iv) If your municipal account is in arrears the current charge must be paid in full before issuance of proof of residence. You will then be requested to sign an acknowledgement of debt and a repayment plan with the Municipality.

(v) No proof of residence will be issued if your account is in arrears, and you have both acknowledgement of debt and repayment plan.

(vi) If you default and/or fail to honour your repayment plan, it will automatically lapse and you will not be able to obtain your proof of residence.

(8) Conditions On Provision of Other Services

The municipality must verify the customer's rates and taxes account –

If a customer's account is more than 90 days in arrears the customer shall be liable to pay the current amount plus the fee for the service applied for (e.g. Municipal Halls, Stadiums, Approval of Building Plans, Subdivision & Rezoning, Sale Graves, Special Refuse Removal, any other special requests, etc.).

The customer must therefore enter into an arrangement with the Credit Control Section to pay the outstanding amount.

(9) Tampering and Fine

(i) A fine issued for any tampering of electricity pre-paid must be paid in full before reconnection.

(a) R10, 000 for households

(b) R15, 000 for Businesses

(10) Pre-payment meter system

The following conditions are applicable where a prepayment has been installed at premises:

(i) The total current account must be paid in full on or before the end of the month for which the account has been issued.

(ii) No prepaid electricity may be sold before the current account has been paid in full irrespective of the name of the account holder.

(iii) An account which is 90 days arrears shall be blocked for pre-paid electricity purchase.

(iv) An authorised official from the Credit control section can authorize the selling of electricity or unblocked the prepaid meter once payment have been made, and formal acknowledgement of debt is made.

16. Performance Evaluation**(1) Income Collection Targets**

Council shall create targets that include:

- Reduction in present monthly increase in debtors in line with performance agreements determined by the Council

(2) Customer Service Targets

Council shall create targets that will include:

- (a) Response time to customer queries.
- (b) Date of first account delivery to new customers.
- (c) Reconnection time lapse.
- (d) Meter reading cycle.
- (e) Reduction in customer complaints.

(3) Administrative Performance.

Council shall create targets that will include:

- (a) Cost efficiency of debt collection.
- (b) Query rates.
- (c) Enforcement mechanism ratios.

- (4)** The Council will create a mechanism wherein these targets are assessed; the Council performance is evaluated and remedial steps taken.

17. Reporting to Council

- (1)** The Chief Financial Officer shall report monthly to the Municipal Manager in a suitable format to enable the Municipal Manager to report to the Mayoral Committee. This report shall report on:

- (a) Cash flow information for the capital and operating accounts and combined situation, showing the Council's actual performance against its cash flow budgets.
- (b) Cash collection statistics, showing high-level debt recovery information (numbers of customers; enquiries; default arrangements; growth or reduction of arrear debtors ideally divided into wards, business [commerce and industry], and domestic, state, institutional and other divisions).
- (c) Performance of all areas against targets agreed to in Paragraph 6 of this By-law.
- (d) The Council's on going income and expenditure statements, comparing both billed income and cash receipt income, against on-going expenditure in both the capital and operating accounts.

- (2) The Mayoral Committee shall quarterly report to the Council as contemplated in Section 99(c) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).
- (3) If in the opinion of the Chief Financial Officer the Council will not achieve cash receipt income equivalent to the income projected in the annual budget as approved by the Council, the Chief Financial Officer will report this with motivation to the Municipal Manager, who will, if he/she agrees with the Chief Financial Officer, immediately move for a revision of the budget according to realistically realisable income levels.

18. Structures of Department of Finance

The Council shall regularly receive a report from the Chief Financial Officer, if necessary after consultation with suitable consultants, on the manpower and systems requirements of Finance, which requirements take into account the Council's agreed targets of customer care and management, and debt collection, and, after considering this report, the Council will, within reason, vote such resources as are necessary to ensure that Finance has the staffing and structures to meet the Council's targets in this regard or to outsource the service.

19. Short Title

This by-law is called the Credit Control and Debt Collection By-law of Albert Luthuli Municipality.

20. Procedures

Within 30 days after the approval of this by-law, the Municipal Manager shall approve procedures related to this by-law.

21. Legal Requirements

It is essential for the protection of the municipality's interests that the provisions of particularly the Municipal Systems Act 2000 and the Property Rates Act 2004, in so far as they provide additional debt collection mechanisms for municipalities, be diligently enforced. At the same time, both the council and the administration of the Municipality must note the obligations which the municipality has towards the community in respect of customer care and relations.

For ease of reference a paraphrase of the relevant extracts from the Municipal Systems Act, specifically Sections 95 to 103 and Section 118 are therefore appended to this by-law, as are Sections 28 and 29 of the Property Rates Act. The immediately relevant extracts from the Water Services Act 1997 and the Municipal Finance Management Act are also included in the annexure.

21.1 Section I: Water Services Act No. 108 Of 1997

Section 21: By-Laws

The Act requires a municipality, in its capacity as water services authority, to make by-laws which contain conditions for the provision of water services and which provide for the following (inter-alia):

- a) *the standard of the services;*

- b) the technical conditions of supply, including quality standards, units or standards of measurement, the verification of meters, acceptable limits of error and procedures for the arbitration of disputes relating to the measurement of water services provided;*
- c) the determination and structure of tariffs;*
- d) the payment and collection of moneys due for the water services consumed;*
- e) the circumstances under which water services may be limited or discontinued and the procedure for such limitation or discontinuation; and*
- f) the prevention of unlawful connexions to water services works and the unlawful or wasteful use of water.*

21.2 Section II: Local Government: Municipal System Act No. 32 of 2000

Section 95: Customer Care and Management

A municipality must, in relation to the levying of rates and other taxes, and the charging of fees for municipal services, within its financial and administrative capacity, do the following:

- a) establish a sound customer management system which aims to create a positive and reciprocal relationship between persons liable for these payments and the municipality itself or (where applicable) a service provider;
- b) establish mechanisms for users of services and ratepayers to give feedback to the municipality or other service provider with regard to the quality of the services and the performance of the service provider;
- c) take reasonable steps to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which moneys raised from the service are utilised;
- d) where the consumption of services is measured, take reasonable steps to ensure that the consumption by individual consumers of services is measured through accurate and verifiable metering services;
- e) ensure that persons liable for payments receive regular and accurate accounts which indicate the basis for calculating the amounts due;
- f) provide accessible mechanisms for those persons to query or verify accounts and metered consumption, as well as appeal procedures which allow such persons to receive prompt redress for inaccurate accounts;
- g) provide accessible mechanisms for dealing with complaints from such persons, together with prompt replies and corrective action by the municipality;
- h) provide mechanisms to monitor the response time and efficiency in complying with the aforementioned requirements; and
- i) provide accessible pay points and other mechanisms for settling accounts or for making prepayments for services.

21.3 Section III: Local Government: Municipal Finance Management Act No. 56 of 2003**Section 64: Revenue Management**

The accounting officer of the municipality is responsible for the management of the municipality's revenues, and must, for this purpose, take all reasonable steps to ensure:

- a) that the municipality has effective revenue collection systems consistent with Section 95 of the Municipal Systems Act 2000 and the municipality's credit control and debt collection policies;
- b) that revenues due to the municipality are calculated on a monthly basis;
- c) that accounts for municipal taxes and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical;
- d) that all moneys received are promptly deposited in accordance with the requirements of the present Act, into the municipality's primary and other bank accounts;
- e) that the municipality has and maintains a management, accounting and information system which recognises revenues when they are due, accounts for debtors, and accounts for receipts of revenues;
- f) that the municipality has and maintains a system of internal control in respect of debtors and revenues, as may be prescribed;
- g) that the municipality charges interest on arrears, accept where the council has granted exemptions in accordance with its budget related policies and within a prescribed framework; and
- h) that all revenues received by the municipality, including revenue is received by any collecting agent on its behalf, is reconciled at least on a weekly basis.

The accounting officer must immediately inform the national treasury of any payments due by an organ of state to the municipality in respect of municipal taxes or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.

21.4 Note: Section 164: Forbidden Activities

Section 164(1)(c) lists as a forbidden activity the making by a municipality of loans to councillors or officials of a municipality, directors or officials of any municipal entity, and members of the public. It has been assumed for purposes of compiling the credit control and debt collection by-law that allowing any party to pay off arrears of rates and municipal service charges is not tantamount to the making of a loan in terms of Section 164.)

21.5 Section IV: Local Government: Municipal Property Rates Act NO. 6 of 2004**Section 28: Recovery of Rates in Arrears from Tenants and Occupiers**

If the rates owed by a property owner are unpaid by due date, the municipality may recover such rates, either in whole or in part, from any tenant or occupier of the property concerned.

However, the tenant or occupier of the property must first be given written notice of the municipality's intentions, and the amount which the municipality may recover is limited to the amount of rent and other moneys due and unpaid by the tenant or occupier to the property owner concerned.

Section 29: Recovery of Rates from Agents

If it is more convenient for the municipality to do so, it may recover the rates due on a property, either in whole or in part, from the agent of the property owner concerned.

However, the agent must first be given written notice of the municipality's intention, and the amount the municipality may recover is limited to the amount of any rent and other moneys received by the agent on behalf of such property owner, less any commission due to the agent.

The following examples of Administrative Forms are also attached for discussion and consideration for amendment of the current forms and eventual inclusion in the revised by-law.

*****END*****

Chief Albert Luthuli Municipality

*The transparent, innovative and developmental municipality
that improves the quality of life of its people*



RATES BY-LAW

2023/24

CONTROL SHEET	
By-law Number	02/2023-24
By-law Name	Rates By-Law
By-law Status	Reviewed
Date of last Approval	2023
By-law review / Development	By-Law to be reviewed annually
Date of next review	This by-law shall remain effective until such time approved otherwise by Council and may be reviewed whenever it is necessary to align it with changes of relevant legislation or operations
Purpose	<ul style="list-style-type: none"> To ensure the efficient, economic and effective use of resources and to contribute towards the financial sustainability of the municipality
Aims and objectives	<ul style="list-style-type: none"> The by-law objective is to ensure certainty and clarity as to amounts payable in respect of property rates; identify all ratable property that are not rated, to take into account the effect of rates on organizations conducting public benefit
By-law custodian	Chief Financial Officer
Related Policies and Legislations	<ul style="list-style-type: none"> <i>National Treasury Regulations</i> <i>Municipal Financial Management Act</i>
Approving authority	Council
Applicability	This by-law applies to property rates on all CALLM customers' accounts
Amendments to the By-law	<ul style="list-style-type: none"> None
By-law Benchmark and References	STLM
Stakeholders Consulted	CALM Finance department /National COGTA
Accountability	The Municipal Manager is accountable for the proper implementation of this by-law in terms of the Systems Act.

INDEX

1.	Preamble	4
2.	Definitions	5
3.	Strategic Focus	8
4.	Other Key By-law Principles	10
5.	Amounts due for Rates	11
6.	Liability for Rates	12
7.	Valuation of Rateable Properties	13
8.	Levying of Rates	13
9.	Application for Exemptions, Rebates and Reductions	15
10.	Categories for rating purposes	16
11.	Relief mechanisms	21
12.	Frequency of valuation	23
13.	Community participation	23
14.	Inspection and objections to an entry in the valuation roll	24
15.	Special rating areas	24
16.	By- laws to give effect to the policy	24
17.	Annual adoption of by-law	25
18.	Disclaimer	25

1. Preamble

- (1) Chief Albert Luthuli Municipality derives its power to levy rates from section 229(1) of the Constitution of the Republic of South Africa.
- (2) The obligation on a council of a municipality to adopt and implement a rates by-law on the levying of rates on rateable property is derived from the following legislation:
 - (a) Section 3(1) of the Municipal Property Rates Act, 2004 (Act No 6 of 2004) (MPRA).
 - (b) Section 62(1) of the Municipal Finance Management Act, 2003 (Act No 56 of 2003) (MFMA).
 - (c) Section 229 of the Constitution of the Republic of South Africa (Act 108 of 1996)
- (3) The by-law of the municipality for levying rates on rateable property is set out in this document. The council adheres to all requirements of the Municipal Property Rates Act (MPRA) and Municipal Finance Management Act (MFMA) including any regulations promulgated in terms of these Acts.
- (4) The rates by-law only rules the rating of valued property which are valued according to the Municipal Property Rates Act, 2004 (Act No 6 of 2004) and its regulations as published under Government Notice 1856 of 2005 in Government Gazette 28113 dated 13 October 2005 and does not rule or guide the processes of property valuation and approval of the valuation roll.
- (5) As part of each annual operating budget the council is obliged to impose a rate in the rand on the market value of all rateable properties as recorded in the municipality's valuation roll or supplementary valuation roll(s).
 - (a) A municipality may in terms of criteria set out in its rates by-law—
 - exempt a specific category of owners of properties, or the owners of a specific category of properties, from payment of a rate levied on their property; or
 - grant to a specific category of owners of properties, or to the owners of a specific category of properties, a rebate on or a reduction in the rates payable in respect of their properties.

Rateable property shall include any rights registered against such property, with the exception of a mortgage bond. Generally, all land within the municipal area of jurisdiction is rateable unless it is specifically exempted as set out in section 15 of the MPRA and includes:

 - (a) cemeteries,
 - (b) sport grounds for exercising amateur sport, and
 - (c) properties owned by welfare organizations.
 - (d) indigent owners;
 - (e) owners dependent on pensions or social grants for their livelihood;

- (f) owners temporarily without income;
- (g) owners of property situated within an area affected by —
 - (i) A disaster within the meaning of the Disaster Management Act, 2002 (Act 10 No. 57 of 2002); or
 - (ii) Any other serious adverse social or economic conditions;
- (h) owners of residential properties with a market value lower than an amount determined by the municipality; or
- (6) The rates by-law sets out the broad by-law framework within which the municipality rates its area as per section 3 of the MPRA, and gets annually reviewed and, when necessary, amends the municipality's rates for assessment as per section 5 of the MPRA.

2. Definitions

In this by-law, unless the context indicates otherwise, in addition to the definitions contained in both the MPRA and the MFMA, the following meanings are assumed:

“agent”, in relation to the owner of a property, means a person appointed by the owner of a property to -

- (a) receive rental or other payments in respect of the property on behalf of the owner; or
- (b) make payments in respect of the property on behalf of the owner.

“agricultural purposes” ‘agricultural [purpose] property’ [in relation to the use of a property.] means property that is used primarily for agricultural purposes but, without derogating from section 9 of the MPRA, excludes any portion thereof that is used commercially for the hospitality of guests, and excludes the use of the property for the purpose of eco-tourism or for the trading in or hunting of game;”;

“business” means the activity of buying, selling or trade in goods or services and includes any office or other accommodation on the same erf, the use of which is incidental to such business, with the exclusion of mining, agriculture, farming, or inter alia, any other business consisting of cultivation or soil, the gathering in of crops or the rearing of livestock or consisting of the propagation and harvesting of fish or other aquatic organisms.

“government” means owned and exclusively used by an organ of the state, excluding non-urban properties used for residential or agricultural purposes or not in use.

“illegal use” means any use that is inconsistent with or in contravention of the permitted use of the property.

“improvement” means any building or structure on or under a property, including:

- a structure constructed solely for the purpose of rendering the property suitable for the erection of any immovable structure thereon; and
- buildings, structures and equipment or machinery referred to in section 46(3) of the MPRA.

“indigent” means debtors who are poor private residential households as defined by the municipality’s policy on Free Basic Services and Indigent Support.

“industrial” means branch of trade or manufacturing, production, assembling or processing of finished or partially finished products from raw materials or fabricated parts, on so large scale that capital and labour are significantly involved. This includes factories as defined in the Machinery and Building Work Act, 1941 (Act No 22 of 1941), as amended and includes any office or other accommodation on the same erf, the use of which is incidental to the use of such factory.

“market value”, in relation to a property, means the value of the property determined in accordance with section 46 of the MPRA

“mining” means any operation or activity for the purpose of extracting any mineral on, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise and includes any operation or activity incidental thereto.

“municipal” means owned and exclusively used by the municipality.

“multiple use” means a property that cannot be assigned to a single category due to the different uses of the property.

“new private infrastructure developments” means single properties divided (through subdivision or township establishment) into 10 or more full title units and all services, inclusive of water, sewerage, electricity and roads are installed by the developer at his own cost.

“non-urban land” means land which is not situated in an approved township and used for residential or agricultural purposes or not in use.

“owner”— means

(a) In relation to a property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;

(b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered; in relation to a time sharing interest contemplated in the Property Time-sharing Control Act, 1983 (Act No. 75 of 1983), means the management association contemplated in the regulations made in terms of section 12 of the Property Time-sharing Control Act, 1983, and published in Government Notice R327 of 24 February 1984; in relation to a share in a share block company, the share block company as defined in the Share Blocks Control Act, 30 1980 (Act No. 59 of 1980); in relation to buildings, other immovable structures and infrastructure referred to in section 17(1)(f) of the MPRA , means the holder of the mining right or the mining permit;” and

(c) In relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or

(d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”, provided that a person mentioned below may for the purposes of this Act be regarded by a municipality as the owner of a property in the following cases:

(i) A trustee, in the case of a property in a trust excluding state trust land;

- (ii) An executor or administrator, in the case of a property in a deceased estate;
- (iii) A trustee or liquidator, in the case of a property in an insolvent estate or in liquidation;
- (iv) A judicial manager, in the case of a property in the estate of a person under judicial management;
- (v) A curator, in the case of a property in the estate of a person under curatorship;
- (vi) A person in whose name a usufruct or other personal servitude is registered, in the case
of a property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of property to which a land tenure right applies and which is leased by the holder of such right; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

“property” means—

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

“public benefits organization” means an organization conducting specified public benefit activities as defined in the Act and registered in terms of the Income Tax Act for tax reductions because of those activities.

“protected area” means an area that is or has to be listed in the register referred to in section 10 of the National Environmental Management: Protected Areas Act, 2003.

“public service infrastructure” means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across a municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams and water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations and all power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;

- (g) runways [or], aprons and the air traffic control unit at national or provincial airports, including the vacant land known as the obstacle free zone surrounding these, which must be vacant for air navigation purposes;
- (h) any other publicly controlled as may be prescribed; or
- (i) right of way, easements or servitudes in connection with infrastructure mentioned in sections (a) to (h).

“public service purposes”, in relation to the use of a property, means property owned and used by an organ of state as-

- (a) Hospitals and clinics;
- (b) schools, pre-schools, early childhood development centres or further education and training colleges;
- (c) national and provincial libraries and archives;
- (d) police stations;
- (e) correctional facilities; or
- (f) courts of law,

but excludes property contemplated in the definition of "public service infrastructure"; (Added by s1 of Act 29 of 2014)

“public worship” means a property registered in the name of and used primarily as a place of public worship by a religious community, including an official residence registered in the name of that community which is occupied by an office-bearer of that community who officiates at services at that place of worship.

“residential” means a suite of rooms which form a living unit that is exclusively used for human habitation purposes, or a multiple number of such units on a property, excluding a hotel, commune, boarding and lodging undertaking, hostel and place of instruction.

“tax base” means the values as reflected in the officially approved valuation roll of the municipality.

“urban land” means land which is situated within a proclaimed township.

“vacant land” means land within a registered township where no immovable improvements have been erected; or Unless it is situated in areas such as business or industrial etc will be categorized as Residential.

3. Strategic Focus

(1) By-law Objectives

- (a) To ensure certainty and clarity as to amounts payable in respect of property rates; identify all rateable property that is not rated, to take into account the effect of rates on organizations conducting public benefit.

- (b) To spread the rates burden impartially, fairly, equitably and without bias, and determine or provide criteria for the determination of -
 - (i) categories of properties for the purpose of levying different rates, and
 - (ii) categories of owners of properties for categories of properties, for the purpose of the granting of exemptions, rebates and reductions;
 - (iii) increase or decrease rates
- (c) To determine how the municipality's power must be exercised in relation to multi-purpose properties;
- (d) To ensure the efficient, economic and effective use of resources and to contribute towards the financial sustainability of the municipality;
- (e) To determine measures to promote local economic and social development and endeavour to attract investment for job creation;
- (f) To create an opportunity for public participation in by-law making and contribute towards the accountability and transparency of the municipality;
- (g) To take into account the effect of rates on the poor and to protect citizens against exploitation by the municipality.

(2) Principles of Taxation

An *autonomous tax* that the determination and levying of the tax will be in the discretion of the council of the municipality with regard to rebates and exemptions.

(3) Determining the Rate on Property, Exemptions, Rebates and Reductions

- (a) The council shall as part of each annual operating budget component impose a rate in a rand on the market value of all rateable property as recorded in the municipality's valuation roll and supplementary valuation roll. Rateable property shall include any rights registered against such property, with the exemption of a mortgage bond.
- (b) The council of the municipality will annually consider the impact of rates on the community; the impact of rates on businesses; the current economic climate, the Integrated Development Plan (IDP) of the municipality; the Town Development Strategy and the Financial Plan of the municipality.
- (c) Mitigating major shocks to ratepayers when moving from a site rating to the total market value (land and buildings) of a property and development.
- (d) Council approves a rebate of 50% to residential and businesses in lieu of the high increase in property values based on the new valuation effective from the 01 July 2019 to 30 June 2024.
- (e) The council shall further, in imposing rates for each financial year, strive to ensure that the aggregate budgeted revenues from property rates, less revenue foregone and less any contribution to the provision for bad or doubtful

debts, not to exceed 35% of the municipality's aggregated budgeted net revenues for the financial year concerned.

4. Other Key By-law Principles

(1) Equity

- (a) All persons liable for the payment of rates will be treated equitable and fair.
- (b) The fundamental principle is that taxpayers in similar circumstances to pay similar levels of tax and taxpayers with greater ability to pay larger amounts of tax, however, in local government the value of a ratepayer's property is the proxy or surrogate for the ability to pay.
- (c) The circumstances for an individual ratepayer or categories of ratepayers are only taken into account in respect to any exemptions, rebates or reduction that may be granted. Rates are *levied on an ad valorem* (by value) basis that is pro-rata to the value of the property.
- (d) In the local government context the application of the *equity* principle would suggest that the tax (the rate in the rand) would be the same for all ratepayers in a municipal area, unless some compelling application of other taxation principles changes in the incidence of the tax. The main reasons why one ratepayer or categories of ratepayers may pay a different rate than another ratepayer are:
 - (i) different rates levied on different categories;
 - (ii) exemptions;
 - (iii) rebates; and
 - (iv) reductions.
- (e) Although these mechanisms were created by the MPRA, the application thereof should be justified. The main reason is to retain the historical level of contribution of the various categories of properties to the income from assessment rates and thereof minimize the impact on ratepayers.
- (a) The current tariffs will be reviewed annually and measured against neighbouring municipalities tariffs with similar rateable categories.

(2) Affordability

In considering affordability, the total municipal account, and not only the rates account will be considered. The council of the municipality will endeavour to limit the annual increase in the revenue from property rates to a threshold in the framework of the yearly macro directives issued by the national treasury or other relevant regulations issued on a year to year basis at the time of tabling the annual operating budget, except when the approved Integrated Development Plan of the municipality demand for a greater increase. The local economic situation impacting a person or categories of persons can also be considered when public participation reveals such occurrence.

(3) Poverty Alleviation

The effect of rates on the poor has been taken into account in terms of the municipality's Free Basic Services and Indigent policy. The *first R15 000,00* of the value of all residential property according to the approved valuation roll will be exempted from the payment of assessment rates *plus a further 100% discount for registered and approved indigents*. Additional alleviations can be considered by council in the tabling of the yearly operating budget of which will be reflected in the indigent policy.

(4) Limitation of Rates Increases

- (a) The transformation from a site rating system to a system where the total value (land and buildings) will be rated will cause major shifts in the rates burden on the owners of certain properties.
- (b) As guideline the implementation of the Municipal Property Rates Act should not lead to an increase in the income from assessment rates, and it should not result in major deviation from previous tax structures or shocks to ratepayers. To give effect to these guidelines it is necessary to set limitations to the increase of rates for the four financial years for which the first valuation roll compiled in terms of the MPRA is implemented.

5. Amounts due for Rates

- (1) The council of the municipality shall as part of each annual operating budget determine a rate in the rand for every category of ratepayer. The determination of such rate shall concur with the limits as per section 16(1) of the MPRA on property that would materially and unreasonably prejudice:
 - (a) national economic policies;
 - (b) economic activities across the municipal boundaries;
 - (c) the national mobility of goods, services, capital and labour.
- (2) Therefore, in terms of section 17(1) of the MPRA specified impermissible rates are excluded from the rating structure and are reflected as exemptions under section 10(3) of the policy.

6. Liability for the Rates

- (1) A rate levied by the municipality on a property must be paid by the owner of the property as regulated by section 24 of the MPRA.

- (2) When transfer of property takes place, the incidence of property rates falls as a charge on the new owner from date of registration by the Registrar of Deeds.
- (3) Rates are levied on an annual basis at the start of the financial year as per section 12(1) of the MPRA,
 - (i) For the convenience for ratepayers raised monthly on combined consumer accounts and payable within seven (7) working days of the following month according to the payment cut-off date stipulated on the specific monthly account.
- (4) Annually levied property tax and tariffs may not be changed during a financial year except for the purpose of a financial recovery plan as per section 28(6) of the MFMA.
- (5) **INTEREST LEVIED**
 - (ii) Arrear payment on property rates at the monthly or annually due dates, are subject to interest as stipulated by section 97(1)(e) of the Municipal Systems Act at a rate equal to the prime plus 1% overdraft rate as from time to time determined by the banker keeping the municipality's primary bank account.
 - (iii) Interest levied on annually billed accounts will only be levied from 30 November in the Municipal Financial year.
- (6) When rates are levied in respect of a full financial year, the responsibility vests on the first day of that financial year.
- (7) When rates are levied in respect of a valuation in a supplementary valuation roll, and the rates on that valuation are levied for the first time, the liability to pay the rates vests on the first day of the month following the completion of the public inspection period required by section 50 of the MPRA.
- (8) The final day for payment of annually levied and payable rates is 30 October of the specific financial year.
- (9) Any decision on the deferment of payment of a rate is subject to the stipulations of the municipality's Credit Control and Debt Collection by-law.
- (10) The municipality may recover arrear rates from tenants or occupiers of rated property, or from agents of the owner of such property equal to the value of unpaid rental in terms of section 28 and 29 of the MPRA.
- (11) If an amount due for rates levied in respect of a property is unpaid by the owner of the property after the date determined for payment by the municipality, the municipality may recover the amount in whole or in part from a tenant or occupier of the property or agent, despite any contractual obligation to the contrary on the tenant or occupier. The municipality may recover an amount only after it has served a written notice on such tenant or occupier.
- (12) The amount that the municipality may recover from the tenant or occupier or agent is limited to the amount of the rent or other money due or payable, but not yet paid, by such tenant or occupier to the owner of the property.

7. Valuation of Rateable Properties

- (1) A general valuation of all rateable properties will be undertaken and a valuation roll compiled every four (4) years.
- (2) Supplementary valuations will be undertaken on an ongoing basis and in terms of section 78 of the MPRA.
- (3) Supplementary valuation rolls will be compiled once a year.
- (4) Amendments to the valuation roll to reflect changes to the owner, address or other prescribed particulars as contemplated by section 79 of the MPRA will be done annually and only the electronic copy of the valuation roll will be updated.
- (5) A property used for multiple purposes must, for rates purposes, be assigned to a category determined by the municipality for properties used for—
 - (a) A purpose corresponding with the permitted use of the property, if the permitted use of the property is regulated;
 - (b) a purpose corresponding with the dominant use of the property; or
 - (c) A rate levied on a property assigned in terms of subsection (1) (c) to a category of properties used for multiple purposes must be determined by—
 - (i) Apportioning the market value of the property, in a manner as may be prescribed, to the different purposes for which the property is used; and
 - (ii) applying the rates applicable to the categories determined by the municipality for properties used for those purposes to the different market value apportionments.

8. Levying of Rates

- (1) Property not subject to rates
 - (a) rateable property registered in the name of a welfare organization registered in terms of the National Welfare Act, 1978 (Act 100 of 1978).
 - (b) rateable property registered in the name of an institution or organization which, in the opinion of the council of the municipality performs charitable work.
 - (c) hospitals, clinics and institutions for mentally ill persons which are not operated with the intention to make profit; NPO's
 - (d) rateable property registered in the name of a public benefit organization performing specified public benefit activities;
 - (e) cemeteries and crematoriums which are registered in the names of private persons and which are used exclusively for burials and cremations of human remains, as the case may be;
 - (f) museums, art galleries, libraries and botanical gardens which are registered in the names of private persons and which are open to public, whether admission is charged or not;

- (g) national monuments including ancillary business activities at national monuments;
- (h) rateable property registered in the name of a trustee or trustees or any organization which is being maintained for the welfare of war veterans as defined in section 1 of the Social Aid Act (House of Assembly), 1989, Act 37 of 1989, and their families;
- (i) sport grounds used for the purposes of amateur sport and any social activities which are connected with such sport;
- (j) rateable property registered in the name of the Boy Scouts, Girl Guides, Sea Scouts, Voortrekkers or any organization which is in the opinion of the municipality similar or any rateable property let by the municipality to any such organization;
- (k) Rateable property registered in the name of a declared institution as defined in section 1 of the Cultural Institutions Act, 1969, Act 29 of 1969, or the Cultural Institutions Act (House of Assembly), 1989, Act 66 of 1989.
- (l) In addition to the first R15.000, 00 of exemption as per section 5.3 of the by-law a further 50% of the remaining value for old age or disabled pensioners solely dependent from their pension, subjected to the following conditions:
 - (i) The combined income of the landowner and his spouse does not exceed R46.500, 00 per annum or determined by council from time to time;
 - (ii) The property is occupied by the owner; and
 - (iii) Only owners over the age of 60 years or being the breadwinner and totally dependent on a social disability pension or any other pension comparable to social disability pension, should come into consideration.
- (m) The first 85% of the rateable valuation of property of new private infrastructure developments where a single property becomes divided through either subdivision or township establishment into 10 or more full title units and all services inclusive of water, sewerage and electricity and roads are installed by the developer at his own cost for a period of two (2) years from the date of registration of the subdivision or the proclamation of the township or for a shorter period until the newly created units are sold off or improved before expiry of two (2) year period.
- (n) National, provincial or other public roads on which goods, services or labor move across a municipal boundary;
- (n) water or sewer pipes, ducts or other conduits, dams and water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (p) Railway lines forming part of a national railway system;
- (q) runways [or], aprons and the air traffic control unit at national or provincial airports, including the vacant land known as the obstacle free zone surrounding these, which must be vacant for air navigation purposes;

9. Application for Exemptions, Rebates and Reductions

- (1) All application for exemptions, rebates and reductions shall be made to the municipality through its income section in the prescribed form approved by the Chief Albert Luthuli Municipal council before 30 June.
- (2) The discretion to grant such an application shall solely lie with the municipality and shall be no appeal to such a decision.
- (3) A rate rebate may be granted to social pensioners or the receiver of a state disability grant and is determined by the council from time to time. To qualify for the concession, the following criteria will apply:
 - (a) The application must be made each year and reach the chief financial officer on or before 30 June.
 - (b) The applicant must be the registered owner of the property and should not sublet any portion of the property.
 - (c) The applicant shall not own any other property.
 - (d) The property must be readily accessible to municipal officials for the purpose of carrying out of inspections and reading of meters.
- (4) A rate rebate/exemption and reductions is applicable to all categories of ratepayers who wish to submit such application on the prescribed form.
- (5) Reporting of all exemptions, rebates and reductions
 - (a) The municipal manager must annually within two months from the end of a financial year table in council according to section 15(3) and (4) of the MPRA with relation to that financial year the following:
 - (b)
 - (i) Such exemptions, rebates and reductions;
 - (ii) Exclusions referred to in section 17(1) (a), (e), (g), (h) and (i) of the MPRA; and
 - (iii) The phasing-in discount granted in terms of section 21 of the MPRA.
 - (c) All exemptions, rebates and reductions projected for a financial year must be reflected in the municipality's annual budget for that year as:
 - (i) Income on the Revenue side; and
 - (ii) Expenditure on the Expenditure side.

10. Categories for rating purposes**(1) Categories for rating purposes**

- a. In relation to property a category relates to properties determined in terms of section 8 of the MPRA and in relation to owners of properties it means category of owners as determined in terms of section 15(2) of the MPRA.

The category will be determined by the actual use of the property and if the property is not in use, the zoning will determine same.

The municipal valuer will be responsible for the categorizing of properties and the maintenance thereof as any change in use of a property may result in a change to the category.

- (b) Subject to section 19 of the MPRA as amended in 2014, a municipality may, in terms of the criteria set out in its rates by-law, levy different rates for different categories of rateable property, determined in subsection (2) and (3) of the amended MPRA, which must be determined according to the—

- (i) Use of the property;
- (ii) Permitted use of the property; or
- (ii) A combination of (a) and (b).

- (c) The municipality has identified the following categories of rateable property in line with section 8 and 93A Act, provided such property category exist within the municipal jurisdiction:

- (i) Residential properties;
- (ii) Industrial properties;
- (iii) Business and commercial properties;
- (iv) Agricultural properties;
- (v) Mining properties;
- (vi) Properties owned by an organ of state and used for public service purposes;
- (vii) public service infrastructure properties;
- (viii) properties owned by public benefit organisations and used for specified public benefit activities;
- (ix) Properties used for multiple purposes, subject to section 9; or
- (x) Any other category of property as may be determined by the Minister, with the concurrence of the Minister of Finance, by notice in the Gazette.

(3) In addition to the categories of rateable property determined in terms of subsection (2 -MPRA), a municipality may determine additional categories of rateable property, including vacant land: Provided that, with the exception of

vacant land, the determination of such property categories does not circumvent the categories of rateable property that must be determined in terms of subsection (2 -MPRA)

- (d) All agricultural properties regardless of their usage or category shall be levied by the municipality at the same rate as determined by the municipality in its approved yearly budget.
- (e) Units under sectional title will separately be assessed.

(2) Rates for Business from Residential Dwelling

- (a) The tariff for "home business", as defined in council's by-law on businesses conducted from residential premises shall be determined as the aggregate tariff for the residential and business category. This will exclude Guest Rooms which will be rated as business, but includes residential properties with second dwellings and duets not subject to a sectional title scheme. The normal residential tariff applies where parents occupy these units in terms of council by-law.

(3) Rates for Mining Activities

- (a) Based on the level of services (roads, sewerage, electricity, water, refuse removal) provided by the municipality a tariff equal the business tariff shall be applicable for the category "mining" or the rate determined in the framework of the yearly macro directives issued by the national treasury or other relevant regulations issued on a year to year basis at the time of tabling the annual operating budget.
- (b) An approved Social Labor Programs and Programs of social upliftment of society as approved by the Department of Minerals and Energy should be submitted to the municipality with the application for rebates.

(4) Municipal

- (a) Properties in the "municipal" category are exempted unless a lease agreement for such a property (or part thereof) exists.

(5) Public Service Infrastructure that is rateable.

- (a) In terms of the Municipal Property Rates act 2004 as amended in 2014 the following Public Service infrastructure/ Industries are rateable for assessment rates.

Public Service Infrastructure that is rateable.

In terms of the Municipal Property Rates act 2004 as amended in 2014 the following Public Service Industries are rateable for assessment rates.

ESKOM power stations, power substations and all power lines including structures supporting such powerlines forming part of an electricity scheme serving the public

The following prescription in terms of the act is determined by MPRA 42(5)

- (a) physical inspection of the property to be valued is optional; and
- (b) comparative, analytical and other systems or techniques may be used, including aerial photography and computer-assisted mass appraisal systems or techniques, taking into account changes in technology and valuation systems and techniques.

The preferred method of analytical valuation must be done according to General Recognized Accounting Practices (GRAP 17) (IAS 16) (International Public Sector Accounting Standard (IPSAS) on Property, Plant and Equipment).

This do not exclude other comparative, analytical and other systems or techniques to be used or applied.

The GRAP 17 standards specify that Property Plant and Equipment must be calculated according to the cost model or the revaluation model.

Power stations, power substations and all power lines including the structures to support such power lines forming part of an electricity scheme serving the public are to be included in the chosen cost models determining fair value valuation defined above.

The fair value as defined as defined above must be equal or similar to the latest fair value of the servitude land and improvements on the latest Annual Financial Statements subdivision Statement of Position as published by ESKOM.

- (b) In terms of the Municipal Property Rates act 2004 as amended in 2014 the following Public Service Industries are rateable for assessment rates.

The preferred method of analytical valuation must be done according to General Recognized Accounting Practices (GRAP 17) (IAS 16) (International Public Sector Accounting Standard (IPSAS) on Property, Plant and Equipment).

This do not exclude other comparative, analytical and other systems or techniques to be used or applied.

The GRAP 17 standards specify that Property Plant and Equipment must be calculated according to the cost model or the revaluation model.

SASOL gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels; in the whole Chief Albert Luthuli Municipal area are to be included in the chosen cost models determining fair value valuation defined above. The fair value as defined as defined above must be equal or similar to the latest fair value of the servitude land and improvements on the latest Annual Financial Statements subdivision Statement of Position as published by SASOL.

(6) Agricultural Farms

(b) When considering the criteria to be applied in respect of any exemptions, rebates and reductions on properties used for agricultural purposes, a municipality must take into account—

- (i) the extent of services provided by the municipality in respect of such properties;
- (ii) the contribution of agriculture to the local economy;
- (ii) the extent to which agriculture assists in meeting the service delivery and development obligations of the municipality; and
- (iv) the contribution of agriculture to the social and economic welfare of farm workers.

(c) Agricultural Ratepayers will be levied annually.

(d) The current deteriorating state of the Agricultural Economy will be considered each year and rebates considered.

(7) Eco-Tourism and Game Farms

(a) The rates levied on agricultural farms shall be levied on the eco-tourism and game farms.

(8) Residential or Agriculture Small Holdings

(a) Residential or Agricultural Small Holdings shall be rated equal to “residential” tariff based on the level of services provided by the municipality and its non-urban location. Within the urban area such small holdings will be rated as “residential” properties.

(9) Government land with Town, residential and other developments thereon.

Government land (also known as Tribal Trust Land) especially farms or remainder of farms will be dealt with as follow -

- Valuations will be based on the multi usage of the land which will include business, formal residential housing, informal residential housing, roads and infrastructure, farmland and other infrastructure.

The tariffs charged for each component are determined as follows:

The multi usage **business component** will be bulk charged at the normal business stand tariff as determined in a proclaimed town for the 2016/2017 financial year.

The multi usage **formal residential component** will be bulk charge at the normal residential stand tariff as determined in a proclaimed town for the 2016/2017 financial year.

The multi usage **informal residential component** will be bulk charge at the normal residential stand tariff as determined in a proclaimed town for the 2016/2017 financial year.

The multi usage remainder **farm component** will be bulk charge at the normal farm tariff as determined in a proclaimed town for the 2016/2017 financial year.

The multi usage **other component** will be bulk charge at the normal farm tariff as determined in a proclaimed town for the 2016/2017 financial year.

The multi usage **infrastructure component** will be bulk charge at the normal "other" tariff as determined in a proclaimed town for the 2016/2017 financial year.

(10) PROPERTIES USED FOR MULTIPLE PURPOSES

- (a) Properties used for multiple purposes will, for rating purposes, be dealt with in terms of section 9 (1) (c) of the Act and rates levied on such property will be determined by -
- (i) Apportioning the market value of the property to the different purposes for which the property is used; and
 - (ii) Applying the rates applicable to the appropriate categories listed in clause 10 (1) (c) and 10 (9) above, to the different market value apportionments.

11. Relief Mechanisms

PROPERTY RATE REBATES			
RESIDENTIAL PROPERTY WITH MARKET VALUE LESS THAN R 110,000.00 THAT ARE OF AN R.D.P. STANDARDS AS PER THE APPLICABLE MARKET TRENDS AND			
· Registered in the name of a natural person	95%	95%	95%
Non-profit organisation	100%	100%	100%
· Government Properties	0	0	0
AGRICULTURE			
· Farm land used primarily for agricultural purposes	20%	20%	20%
PUBLIC SERVICE INDUSTRY			
· In the case of public service infrastructure, (SASOL AND ESKOM) on the market value of the public service infrastructure rebate of that value as contemplated in section 17(1)(a), or on such lower percentage as the Minister may determine	30%	30%	30%
NEWLY PRIVATE INFRASTRUCTURE DEVELOPMENT			
· The first 85% of the rateable valuation of property of new private infrastructure developments where a single property becomes divided through either subdivision or township establishment into 10 or more full title units and all services inclusive of water, sewerage and electricity and roads are installed by the developer at his own cost for a period of two (2) years from the date of registration of the subdivision or the proclamation of the township or for a shorter period until the newly created units are	85%	85%	85%

sold off or improved before expiry of two (2) year period.			
RESIDENTIAL PROPERTY USED FOR RESIDENTIAL PURPOSES			
· On the first R15 000 of the market value of a property assigned in the valuation roll or supplementary valuation roll of a municipality to a category determined by the municipality—	100 % of R 15 000.00	100 % of R 15 000.00	100 % of R 15 000.00
· for residential properties; or			
· for properties used for multiple purposes, provided one or more components of the property are used for residential purposes;	100% of R 15 000.01	100% of R 15 000.02	100% of R 15 000.02
In addition to the first R15.000,00 of exemption above a further 50% remaining value for old age or disabled pensioners solely dependent from their pension, subjected to the following conditions:	50% of the remaining value	50% of the remaining value	50% of the remaining value
OTHER REBATES			
· Assessment rates billed annually and full and finally settled before November of the current financial year	15%	15%	15%
PROPERTY RATES REDUCTIONS			
The rate applicable to developed non-urban land or vacant non-urban land will be applied to:			
· 100% of the pro-rata value of the property on the first 5 hectares thereof;	100%	100%	100%

· 75% of the pro-rata value on the property on the next 5 hectares thereof;	75%	75%	75%
· 50% of the pro-rata value of the property on the next 5 hectares thereof;	50%	50%	50%
· 25% of the pro-rata value of the property on the next 25 hectares thereof;	25%	25%	25%
· 1% of the pro-rata value of the remainder thereof in excess of 40 hectares.	1%	1%	1%

12. Frequency of Valuation

- (1) The municipality shall prepare a new valuation roll at least every 4 (four) years.
- (2) In accordance with the Act the municipality, under exceptional circumstances, may decide to extend the validity of the valuation roll to 5 (five) years by applying for approval to the MEC for Local Government in the province.
- (3) Supplementary valuations may be done on a continual basis but at least on an annual basis.

13. Community Participation

- (1) Before the municipality adopts the rates by-law, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:
 - (a) Conspicuously display the draft rates by-law for a period of at least 30 days (municipality to include period decided on) at the municipality's head and satellite offices, libraries and on the website.
- (2) Advertise in the media a notice stating that the draft rates by-law has been prepared for submission to council and that such by-law is available at the various municipal offices and on the website for public inspection.
- (3) Property owners and interested persons may obtain a copy of the draft by-law from the municipal offices during office hours at a fee as determined by the council as part of its annual tariffs. Property owners and interested persons are invited to submit written comments or representations to the municipality within the specified period in the notice.
- (4) Council will consider all comments and/or representations received when considering the finalization of the rates by-law.

14. Inspection of and Objections to an entry in the Valuation Roll

- (1) Once the council has given notice that the valuation roll is open for public inspection, any person may within the inspection period, inspect the roll and may lodge an objection with the municipal manager against any matter reflected in the roll or omitted from the roll;
- (2) Should any property owner not receive notification of the value of the property within 21 days after the valuation roll is handed to the municipality by the valuator the property owner shall contact and/or make a request for details of the property to the municipality;
- (3) Objections must be in relation to a specific property.
- (4) Lodging of an objection shall not defer liability for the payment of rates; and
- (5) All objections received shall be dealt with in accordance with the MPRA.

15. Special Rating Areas

- (1) The council may, on receipt of an application, create a special rating area or areas in terms of section 22 of the Act, No 6 of 2004.
- (2) Should the municipality receive such an application the community will be consulted on -
 - (a) The establishment of a committee representing the community;
 - (b) Determination of boundaries of such an area;
 - (c) How the area is to be improved by funds derived from additional rates levies;
 - (d) What the additional rate levies will be; and
 - (e) Establishing of a separate accounting and recordkeeping system

16. By-Laws to give effect to the Policy

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

17. Annual Adoption of the By-law

- (1) The rates by-law will be reviewed annually in compliance with section 5(1) of the MPRA and according to the budget timetable tabled by the Executive Mayor in accordance with section 21(1) (b) (ii)(b(b) of the MFMA with the tabling of the Annual Budget as per section 16(2) of the MFMA.
- (2) Community participation will take place in accordance with Chapter 4 of the Local Government : Municipal Systems Act, Act 32 of 2000 and by following the processes as per sections 21A and 21B of the Municipal Systems Act, Act 32 of 2000 (as contained under section 5 of the Municipal Systems Act Amendment Act, Act 44 of 2003) as follows:
 - (a) as a document made public (section 21(A):
 - (b) displayed at the head and satellite offices and libraries of the municipality.
 - (c) displayed on the municipality's official website (as per prescriptions contained under section 21(B).
 - (d) notified to the local community of the place, including website address, where detailed particulars can be obtained.
 - (e) inviting the local community to submit written comments or representations to the municipality in respect of the published document.

18. Disclaimer

- (1) Any rate to be levied on rateable property in terms of this by-law or any section of applicable legislation and by way of oversight or any other error not levied, cannot be challenged on the basis of non-compliance with this by-law, and must be paid in accordance with the required payment provision.
- (2) Where a ratepayer believes that the council has failed to properly apply this by-law he/she should raise the matter with the municipal manager.

*****END*****

Chief Albert Luthuli Municipality

*The transparent, innovative and developmental municipality
that improves the quality of life of its people*



TARIFF BY-LAW

2023/24

I N D E X

1. Preamble	1
2. Definitions	1
3. Legal Requirements	2
4. Tariff Principles	2
5. Objectives of the By-law	3
6. Tariff Strategy	4
7. Tariff Determination Strategy	5
8. Categories Of Customers	6
9. Service Classification	8
10. Expenditure Classification	10
11. Cost Element	11
12. Tariff Types	11
13. Deposits	12
14. Unit of Measures	12
15. Enforcement and Implementation	21

1. **Preamble**

- 1.1** *The Chief Albert Luthuli Local Municipality, in terms of **Section 75(1) of the Local Government Municipal Systems Act, Act 32 of 2000**, has to adopt a Tariff By-law which is regarded a budget-related by-law in terms of the **Local Government Municipal Finance Management Act, Act 56 of 2003**.*
- 1.2** *The Tariff By-law annually has to undergo revision and be tabled with the Multi-Year Annual Tabled Budget to the Council of the municipality for consideration and approval for public scrutiny and comments annually before 31 March.*
- 1.3** *Comments received by the municipality on the contents and stipulations of the By-law have to be considered by the Council for possible amendment/inclusion to the FINAL by-law for a final FINAL to be approved by the Council annually before 31 May*
- 1.4** *The adopted Tariff By-law applies to the Multi-Year Annual Budget of a related year during which the income is based on the principles contained in the Tariff By-law.*
- 1.5** *Should any of the principles contained in the Tariff By-law by resolution of the Council be changed, an Adjustment Budget has to be prepared to reflect the consequent effect.*

2. **Definitions**

In this tariff by-law, unless inconsistency with the context, a word or expressions to which a meaning in the Act has been attached means:-

“agricultural consumers” include but are not limit to farms, smallholdings and agricultural show grounds;

“break even” occurs where the volume sales are equal to the fix and variable cost associated with the provision of the service;

“business and commercial consumers” include but are not limit to business undertakings, shops, offices, liquor stores, supermarkets, public garages, gathering places, nurseries, places of entertainment, service stations, hairdressings salons, banks, hotels, guesthouses, boarding houses and doctor-and dentist consulting rooms;

“councillor for financial matters” the councillor of the municipal council responsible for financial matters;

“domestic consumers” include but are not limit to residence, group housing, town houses, semi-detached houses, and flats;

“indigent households” are households that are registered under the municipality ‘s Indigent Policy;

“industrial consumers” include but are not limit to industrial undertakings, factories, warehouses, workshop, scrap yards, stores, wine cellars, abattoir, dairy processing plants and fish markets;

“in season” refers to the period from the 1st December of a year up to 31 January of the following year and from the Monday before the Easter weekend up to and including Easter Monday;

“lifeline tariffs” a unit charge calculated by dividing the total cost associated with the service by the volume consumed (units);

“resident” a person who is ordinary resident in the municipal area;

“special agreements” are special tariff agreements entered into with consumers making significant economic contribution to the community and create job opportunities;

“**sport and recreation facilities**” include but are not limit to properties used exclusively for sport and recreation purposes including school sport fields which are metered separately for water and electricity consumption and caravan parks;

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

3. Legal Requirements

3.1 In developing its Tariff BY-LAW, the Municipality has noted the applicability of the following legislation –

3.1.1 Constitution of the Republic of South Africa, 1996

- 3.1.2 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)
- 3.1.3 Municipal Fiscal Powers and Functions Act, 2007 (Act No. 12 of 2007)
- 3.1.4 Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- 3.1.5 Water Services Act, 1997 (Act No. 108 of 1997)
- 3.1.6 Electricity Regulation Act, 2006 (Act No. 4 of 2006)
- 3.1.7 Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004)
- 3.1.8 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

3.2 This by-law complies with sections 74 of the Municipal Systems Act in so far as it –

- 3.2.1 establishes a tariff by-law on the levying of fees for municipal services provided by the municipality;
- 3.2.2 reflects the required principles; and
- 3.2.3 differentiates between different categories of users, debtors, service providers. services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination.

3.3 Section 75 of the Municipal Systems Act requires the council to adopt by-laws to give effect to the implementation and enforcement of this tariff by-law.

4. Tariff Principles

4.1 The Tariff By-law of the Municipality is in accordance with the principles as set out in section 74 (2) of the Municipal Systems Act as follows –

- 4.1.1** users of municipal services should be treated equitably in the application of tariffs;
- 4.1.2** the amount individual users pay for services should generally be in proportion to their use of that service;
- 4.1.3** poor households must have access to at least basic services through –
 - 4.1.3.1 tariffs that cover only operating and maintenance costs,
 - 4.1.3.2 special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - 4.1.3.3 any other direct or indirect method of subsidization of tariffs for poor households;

- 4.1.3.4 tariffs must reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement costs, and interest charges;
- 4.1.3.5 tariffs must be set at levels that facilitate the financial sustainability of the service, taking into account subsidization from sources other than the service concerned;
- 4.1.3.6 provision may be made in appropriate circumstances for a surcharge on the tariff for a service;
- 4.1.3.7 provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
- 4.1.3.8 the economical, efficient and effective use of resources, the recycling of waste, and other appropriate environmental objectives must be encouraged;
- 4.1.3.9 the extent of subsidization of tariffs for poor households and other categories of users should be fully disclosed.

4.2 In addition, the Municipality recognizes the principles set out in the 1998 White Paper on Local Government on user charges as follows –

- 4.2.1 Payment in proportion to the amount consumed – as far as it is practically possible, consumers should pay in proportion to the amount of services consumed.
- 4.2.2 Full payment of service costs – all households, with the exception of the indigent, should pay the full cost of services consumed.
- 4.2.3 Ability to pay – municipalities should develop a system of targeted subsidies to ensure that poor households have at least a minimum level of basic services.
- 4.2.4 Fairness – tariff policies should be fair in that all people should be treated equitably.
- 4.2.5 Transparency - the tariff by-law should be transparent to all consumers and any subsidies and concessions must be visible and understood by all consumers.
- 4.2.6 Local determination of tariff levels - municipalities have the flexibility to develop their own tariffs in accordance with the principles contained.
- 4.2.7 Consistent tariff enforcement – a consistent by-law for dealing with non-payment of tariffs needs to be developed. This must be targeted and enforced with sensitivity to local conditions.
- 4.2.8 Ensure local economies are competitive - local tariffs must not unduly burden local business through higher tariffs, as these costs affect the sustainability and competitiveness of such businesses and firms.

4.3 The tariffs asset out in this by-law shall, as far as is practical, encourage and promote the objects and programmes contained in the municipality's Integrated Development Plan.

5. Objectives of this By-law

5.1 The Municipality wishes to achieve the following objectives by adopting this tariff by-law –

- 5.1.1** to comply with the provisions of section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
- 5.1.2** to prescribe procedures for calculating tariffs where the municipality wishes to appoint service providers in terms of section 76(b) of the Act; and

- 5.1.3** to give guidance to the Councillor responsible for finance regarding tariff proposals that must be submitted to Council annually during the budget process.

5.2 In addition, the Municipality seeks to ensure that –

- 5.2.1 the tariffs of the Municipality conform to acceptable by-law principles;
- 5.2.2 municipal services are financially sustainable;
- 5.2.3 there is certainty in the Council of how the tariffs will be determined;
- 5.2.4 tariffs of the Municipality comply with the applicable legislation; and
- 5.2.5 tariffs should take into consideration relief to the indigent.

5.3 Tariffs will be set at a level that facilitates the sustainability of services, which will be achieved by ensuring that –

- 5.3.1 cash inflows cover cash outflows and that sufficient provision for working capital and bad debts will be made; and
- 5.3.2 access to the capital market is maintained, to be achieved through the provision for the repayment of capital, maintaining sufficient liquidity levels and making profits on trading services.

5.4 Where practical, efficient and effective use of resources will be encouraged by providing for penalties to discourage unnecessary or exorbitant usage.

6. Tariff Strategy

6.1 Minimum basic services must be free

- 6.1.1 This will be set out in the Free Basic Services Policy of the Municipality, and in order to ensure affordable services, the Council will introduce a stepped tariff structure in which consumers that use more of a service, will pay progressively more for higher consumption than those who consume less of a service.

6.2 Keeping tariffs affordable

- 6.2.1 In order to ensure that tariffs remain affordable, the Council will strive to ensure that –
- 6.2.1.1 Services are delivered at an appropriate level;
 - 6.2.1.2 Efficiency improvements are actively pursued across the Municipality's operations;
 - 6.2.1.3 A performance management system is introduced to ensure that plans that are devised are actually implemented on its own resources are obtained as economically as possible and that appropriate service delivery mechanisms are used;

- 6.2.1.4 An investigation is conducted with the objective of phasing out as soon as is practically possible the non-core functions that the municipality currently performs without depriving the community of any services that really contribute to the quality of life of people in its area;
- 6.2.1.5 Any service that is provided for which there is little demand, is priced under the actual cost of providing it and which requires the Municipality to maintain significant infrastructure and other facilities, are phased out, except where the Council is by law required to provide such a service; and
- 6.2.1.6 The equitable share of revenue raised nationally will be used to maintain an adequate level of basic services for indigents.

6.3 Achieve price parity for services and property rates (uniform tariffs)

- 6.3.1 The Council will strive to achieve price parity within the Municipality within five financial years starting with the 2018/19 financial year.

6.4 Fully exploiting the potential income base

- 6.4.1 In order to ensure that tariffs remain current, and to ensure that all revenue is maximized, the Council will –
 - 6.4.1.1 Review tariffs for services at least once during every financial year.
 - 6.4.1.2 Ensure that tariff increases are in line with increases in the price of personnel costs, goods, material and other resources acquired and used by the Municipality to perform its functions; and
 - 6.4.1.3 Ensure that the tariff for a particular service will be calculated in such a way that all relevant costs are covered. This means that a tariff for a service must include at least the capital expenditure required and interest thereon, the cost of managing and operating the service and the cost of maintaining, repairing and replacing the physical assets used in its provision.

6.5 The “Consumer must pay Principle”

- 6.5.1 The Council believes that consumers of services must pay for the amount of services that they use. Where it is possible to measure the consumption of services, the Council intends to install metering systems and to take into account the free service element.
- 6.5.2 In this regard the Council will develop a programme to install meters in appropriate cases.
- 6.5.3 In the striving for better service delivery to the consumers, a user friendly format of accounts will be developed and implemented.

6.6 Redistribution / Cross-subsidisation

- 6.6.1 Some members of the community are better able to afford to pay for the services that they use and benefit from, than others. The budget of the Municipality is an important device in ensuring redistribution within the community. Those that pay higher property rates bases on the value of their properties, in fact subsidise those who pay less tax.
- 6.6.2 Also, the Council uses the trading surplus it realizes on the trading account to bring relief with regard to property tax rates.
- 6.6.3 Likewise, the Council will ensure that the cross-subsidisation occurs between and within services to further contribute to its redistribution objectives.

6.7 Ensuring financial sustainability of service delivery

- 6.7.1 Financial sustainability of an enterprise will be achieved when it is financed in a manner that insures that its financing is sufficient.
- 6.7.2 The tariff for a service must, therefore, be sufficient to cover the cost of the initial capital expenditure required and interest thereon, managing and operating the service and maintaining, repairing and replacing the physical assets used in its provision.
- 6.7.3 The Council will adopt and apply a Credit Control and Debt Collecting by-law to ensure that service charges are recovered.
- 6.7.4 Where a trading (water & electricity) and economic service (sanitation & sewerage) is available to a property, an availability levy or charge will be imposed if the occupier of the property does not use the service concerned or if the property is vacant. The availability levy, if possible, will be adequate to cover the pro rata cost of the initial capital expenditure and interest thereon and the maintenance of the infrastructure associated with service delivery.

7. Tariff determination process

- 7.1 Except in special circumstances, such as significant increases in the wholesale price of goods and services that the Council purchases during a year to provide services, the Council will review its tariffs during the preparation of the annual budget in accordance with the by-law stated above. Proposed tariffs will be presented to the community during the Council's consultation about the budget.
- 7.2 After the Council has adopted its rates, tariffs, fees, charges and surcharges the Municipal Manager shall, without delay –
 - 7.2.1 conspicuously display a copy of the resolution adopting such fees, charges or tariffs for a period of at least 21 days at the main administrative office of the municipality and at such other places within the municipality to which the public has access as the Municipal Manager may determine;
 - 7.2.2 publish in a newspaper of general circulation in the municipality a notice stating –
 - 7.2.2.1 that a resolution as contemplated above has been passed by the Council;

- 7.2.2.2 that a copy of the resolution is available for public inspection during office hours at the main administrative office of the municipality and at the other places specified in the notice;
 - 7.2.2.3 the date on which the determination will come into operation;
 - 7.2.2.4 that any person who desires to object to such determination or amendment must do so in writing within 14 days after the date on which the notice was displayed; and
 - 7.2.2.5 that any person who cannot write may come during office hours to a place where a staff member of the municipality named in the notice, will assist that person to transcribe his/her objection.
- 7.2.3** seek to convey the information referred to in paragraph 3.8.2 to the local community by means of radio broadcasts covering the area of the municipality.
- 7.2.4** The Municipal Manager must forthwith send a copy of the notice referred to in subparagraph 7.2.2 to the MEC for Housing and Local Government and other institutions regulated by another law or directive applicable from time to time.
- 7.3** If no objection is lodged within the period stated in the notice, the determination or amendment will come into operation on the date determined by the Council.
- 7.4** Where an objection is lodged, the Municipality will consider every objection.
- 7.5** The Council may, after it has considered all objections, confirm, amend, or withdraw the determination or amendment and may determine another, on the date on which the determination or amendment will come into operation.
- 7.6** After the Council has considered the objections it will again give notice of the determination, amendment or date as determined above and will also publish it as determined by the Council.
- 7.7** The municipality must adopt by-laws to give effect to the implementation and enforcement of this tariff by-law.

8. Categories of Customers

- 8.1** Separate tariffs structure may be raised for the following categories of customers –
- 8.1.1** domestic;
 - 8.1.2** indigent households;
 - 8.1.3** business and commercial;
 - 8.1.4** industrial;
 - 8.1.5** agricultural
 - 8.1.6** rural;
 - 8.1.7** public benefit organisation;
 - 8.1.8** institutional;
 - 8.1.9** commercial and industrial with special agreements;
 - 8.1.10** government; and
 - 8.1.11** the municipality.
- 8.2** The Municipality, in line with section 75 of the Act, determine that differentiated tariffs for the different consumers in certain geographical areas are necessary where there is a substantial

difference between the infrastructure used in each geographical area to provide the service. These geographical areas are –

8.2.1 <unknown>.

8.3 The differentiation contemplated in paragraph 8.2 above will be based on one or more of the following elements –

8.3.1 infrastructure costs;

8.3.2 volume usage;

8.3.3 availability; or

8.3.4 service standards.

9. Service Classification

9.1 In the following classification, trading and economic services must be financially ring-fenced and financed from service charges while community and subsidized services will be financed from rates and related income.

9.2 In order to isolate the costs associated with a service, the Municipal Manager, Chief Financial Officer and Executive Mayoral Committee of the Council, shall, subject to the guidelines provided by the National Treasury, provide for the classification of services into the categories as set out in paragraphs 9.3 to 9.6 below.

9.3 Trading services

9.3.1 Water and electricity provisions are trading services. Typically the consumption of a trading service is measurable and can be apportioned to an individual consumer. These services are managed like businesses. The tariffs for these services are determined in such a way that a net trading surplus is realized. The trading surplus is used to subsidise the tariffs of non-trading services, in other words to relieve property rates.

- Water
- Electricity

9.4 Economic services

9.4.1 Sewage and domestic household removal are economic services. The consumption of an economic service can be measured or determined with reasonable accuracy and apportioned to an individual consumer. Whilst they are also managed like businesses, the tariffs for these services are normally determined in such a way that user charges cover the cost of providing the service.

- Refuse removal
- Sewerage
- Markets
- Abattoir fees
- Holiday resorts
- Recreation resorts

- Caravan and Camping facilities

9.5 Community services

9.5.1 Community services are those services the consumption of which cannot be determined nor apportioned to individual consumers. These services are typically financed through finance rates. Examples are the establishment, operation and maintenance of parks and recreation facilities, provision and maintenance of roads and storm water drainage systems, the establishment, management and maintenance of cemeteries and traffic regulation.

- Abattoirs
- Cleansing
- Control of public nuisances
- Environmental and waste management
- Facilities for accommodation, care and burial of animals
- Fencing and fences
- Interest rates charged
- Local amenities
- Markets
- Municipal parks and recreation
- Municipal roads
- Museums
- Nature reserves
- Noise pollution
- Public places
- Road signs
- Sports grounds
- Street lighting
- Storm-water management
- Trade licenses
- Traffic control
- Municipal public works (only in respect of the needs of the municipality in the discharge of its responsibilities and to administer functions specially assigned to it under the Constitution or any other law)

9.6 Failure of a meter

- 9.6.1 During the period from identification of a meter having ceased reading, to when it is replaced and a reading can be taken, an estimated consumption will be applied.
- 9.6.2 Should a consumer have been billed a zero consumption for any period of time and it is subsequently found to have been due to a ceased meter and the property was vacant at

the time or the usage pattern had not changed, the municipality shall bill retrospectively from the time that the meter had ceased until the time it has been replaced. Should the property have been vacant or where the usage pattern had changed, a signed and sworn affidavit needs to be provided for consideration. A not meter audit report must be submitted monthly to Chief Financial Officer/ section 80 committee on why meters were not read.

9.7 No account received

- 9.7.1 In the event that an owner or occupier has consumed water and electricity but has never received an account, the onus will be on the owner to make representations to the municipality to request that an account be sent. Should the municipality not be able to verify that an account was indeed issued to either the owner or occupier, the municipality may bill for a period not greater than three years, give a 60% discount and the consumer may make arrangements with the municipality to pay off the amount.
- 9.7.2 Any person who has stopped receiving an account that had previously been received, should immediately request the municipality in writing via registered post to remedy the omission.

9.8 Subsidised services

- 9.8.1 Subsidised services include fire fighting, approving building plans and the construction of buildings, leasing of municipal facilities, selling of burial sites and certain town planning functions. Subsidised services are those services the consumption of which can be determined reasonably accurately and apportioned to individuals and consumers. However, if the tariffs for using this service were based on its real cost, nobody would be able to afford it. In most cases not only would the consumer benefit from using the service, but also other persons. A user charge is payable for using the service, but the tariff is much lower than the real cost of providing the service
- Angling permits
 - Billboards
 - Burials and cemeteries
 - Control of undertakings that sell liquor to the public
 - Distribution of hand-bills
 - Dog licensing
 - Fire fighting services
 - Health and ambulance services
 - Holiday resorts
 - Interest rates charged
 - Letting of Municipal facilities
 - Leasing of Municipal properties
 - Libraries
 - Licensing and control of undertakings that sell food to the public
 - Licensing of motor vehicles and transport permits
 - Local tourism promotion
 - Parking
 - Photocopies

- Pound fee
- Recreation resorts
- Reference and information fees
- Rezoning
- Tender deposits
- Town planning
- Training Courses

9.8.2 The Municipality also provides services in support of the above-mentioned services. These are called staff functions and include committee services, records and archives, financial management accounting and stores, occupational health and human resources management. These services are financed through property rates.

Approved Tariffs

10. Expenditure Classification

10.1 Expenditure will be classified into the categories as set out in paragraphs 10.2 and 10.3 below.

10.2 Subjective classification:

- 10.2.1** Salaries, wages and allowances
- 10.2.2** Bulk purchases
- 10.2.3** General expenditure
- 10.2.4** Repairs and maintenance
- 10.2.5** Capital charges (interest and redemption) / depreciation
- 10.2.6** Contribution to fixed assets
- 10.2.7** Contribution to funds –
 - 10.2.7.1 Bad debts;
 - 10.2.7.2 Working capital; and
 - 10.2.7.3 Statutory funds.
- 10.2.8** Contribution to reserves;
- 10.2.9** Gross expenditure;
- 10.2.10** Less charge-out;
- 10.2.11** Net expenditure;
- 10.2.12** Income; and
- 10.2.13** Surplus/Deficit.

10.3 Objective classification:

- 10.3.1** Licensing of motor vehicles and transport permits
- 10.3.2** Cost centres will be created to which the costs associated with providing the service can be allocated –
 - 10.3.2.1 Department
 - 10.3.2.2 Section/service

10.3.2.3 Division/service

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

11. Cost Elements

11.1 The following cost elements to be used to calculate the tariffs for the different services

- 11.1.1 **Fixed costs** which consist of the capital costs (interest and redemption) on external loans as well as internal advances and or depreciation whichever are applicable to the service and any other costs of a permanent nature as determined by the Council from time to time.
- 11.1.2 **Variable costs** which include all other variable costs that have reference to the services.
- 11.1.3 **Total cost** consisting of the fixed cost and variable cost.

12. Tariff Types

12.1 In determining the type of tariff applicable to the type of service the municipality shall make use of the following eight options or a combination of the same.

- 12.1.1 **Single tariff:** this tariff shall consist of a cost per unit consumed. All costs will be recovered through unit charges at the level where income and expenditure breaks even. Subject to a recommendation by the Chief Financial Officer the council may decide to approve profits on trading services during the budget meeting. Such profits will be added to the fixed and variable cost of the service for the purpose of calculating the tariffs.
- 12.1.2 **Cost related two to four part tariff:** this tariff shall consist of two to four parts. Management, capital, maintenance and operating costs will be recovered by grouping certain components together. Management-, capital- and maintenance costs may be grouped together and be recovered by a fixed charge, independent of consumption for all classes of consumers, while the variable costs may be recovered by a unit charge per unit consumed. Three and four part tariffs will be used to calculate the tariff for electricity and to provide for maximum demand and usage during limited demand periods.
- 12.1.3 **Inclining block tariff:** this tariff is based on consumption levels being categorised into blocks, the tariff being determined and increased as consumption levels increase. This tariff will only be used to subsidised free basic services and prohibit the exorbitant use of a commodity. The first step in the tariffs will be calculated at break-even point. Subsequent steps will be calculated to yield profits and to discourage excessive use of the commodity.
- 12.1.4 **Declining block tariff:** this tariff is the opposite of the inclining block tariff and decreases as consumption levels increase. The first step will be calculated by dividing the fix and variable cost and profit determined by council from time to time by the volume consumed. This tariff will only be used for special agreements.

- 12.1.5 Regulating tariff:** this tariff is only of a regulatory nature and the municipality may recover the full or a portion of the cost associated with rendering the service.
- 12.1.6 Sliding scale:** This tariff is based on consumption levels being categorised into blocks, the tariff being determined and increased as consumption levels increase. This tariff will only be used to prohibit the exorbitant use of a commodity. The first step of this tariff will be free of charge to provide access to the basic services to Indigent Households. The second step in the tariffs will be calculated at break-even point. Subsequent steps will be calculated to yield profits and to discourage excessive use of the commodity.
- 12.1.7 Availability charges:** Payable in respect of erven not connected to Council's infrastructure. Once Council provided a connection, normal tariffs as per respective service are payable.
- 12.1.8 Recoverable work:** These tariffs shall apply to consumers who are making use, on application, of certain recoverable services. The tariff will be calculated at actual cost plus a surcharge as determined with the actual tariffs.

13. Deposits

13.1 Deposits are required where levies are made in arrears.

13.2 Deposits are payable with application for relevant service –

- 13.2.1 Electricity: Two times the average monthly consumption of the past 2 months with a minimum of R 1000;
- 13.2.2 Water: Two times the average monthly consumption of the past 2 months with a minimum of R 500;
- 13.2.3 Rental: Equal to the monthly rental; and
- 13.2.4 Other services: <unknown>

13.3 Deposit to be doubled in case of non-payment of account.

13.4 Indigent households are not required to pay a deposit.

13.5 A bank guarantee can be accepted in cases where a deposit of R2 500 or more is required

13.6 No deposit required for pre-paid meters.

14. Unit of Measurements

The following cost elements to be used to calculate the tariffs for the different services –

14.1 Electricity**14.1.1 Unit of measurement –**

- 14.1.1.1 Maximum demand (KVA) plus fixed tariff plus kWh consumed;
- 14.1.1.2 Fixed tariff plus kWh consumed; or
- 14.1.1.3 Unit tariff (KWh consumed) (for pre-payment meters).

14.1.2 Method of calculation –

- 14.1.2.1 The guidelines issued by the National Electricity Regulator from time to time will form the basis of calculating tariffs. The electricity increase will be 6.22% during 2020/21 financial as per Nersa Guidelines.
- 14.1.2.2 To recover the capital cost of supplying electricity through a fixed charge will make electricity unaffordable to many low consumption users. Cross subsidisation between and within categories of consumers will be allowed based on the load factors of the categories and consumers within the category. Portions of the fixed costs will be recovered through an energy or time-of-use charge. To apply the abovementioned principle the cost allocation basis, cost groupings, tariff components and tariff types reflected in the following tables will be used:

Inclining block tariff (IBT) tariff structure (Residential, Business and Commercial with prepaid electricity meters) where customer's consumption is divided into blocks and each subsequent block has a higher energy rate (c/kWh). The tariff structure has been set by NERSA in order to protect/ cross-subsidise low income domestic customers and to promote energy efficiency

14.1.3 For the one-part single energy rate tariff, all costs are expressed in a single cents/kWh charge. The recommended methodology for allocating costs into this tariff is as follows:

- 14.1.3.1 The rands / kVa / month cost must be allocated into a cents / kWh charge through consideration of the average load factor of the types of customer who are likely to use the one-part single energy rate tariff.
- 14.1.3.2 The rands / customer / month fixed cost should also be allocated into the cents/kWh charge and allocated to the kWh purchase costs in such a way as to ensure that at a level of monthly consumption of 400 kWh, the full amount of the fixed costs would have been recovered through the cents/kWh charge
- 14.1.3.3 The two-part tariff:
 - 14.1.3.3.1 The rands / kVa / month charge must be allocated into a cents/kWh charge through consideration of the average load factor of the types of customer who are likely to choose the two-part tariff. This reallocated charge must then be added to the kWh purchase charge.
 - 14.1.3.3.2 The rands / customer / month charge is not reallocated into other tariff elements.
 - 14.1.3.3.3 The tariff then consists of a fixed monthly charge plus a variable charge related to metered kWh consumption.

14.1.3.4 The two-part time-of-use tariff:

- 14.1.3.4.1 The rands / kVa / month charge must be reallocated into different time-of-use cents / kWh charges through consideration of the load curve of the customer in relation to the load curve of the supplier. Such reallocated charges must then be added to the kWh purchase charges, as appropriate.
- 14.1.3.4.2 The rands / customer / month charge is not reallocated.

14.1.3.5 The three-part tariff:

- 14.1.3.5.1 The rands / kVa charge recovers the capital cost elements. Some of this cost must be reallocated into different tariff elements.
- 14.1.3.5.2 The cents / kWh charge therefore recovers the full variable costs as well as a portion of the reallocated rands / kVa costs.
- 14.1.3.5.3 The rands / customer / month charge is not reallocated.

14.1.3.6 The three-part time-of-use tariff:

- 14.1.3.6.1 As with the standard three-part tariff, a portion of the rands / kVa / month charge needs to be reallocated into the various time-of-use cents / kWh charges. Again, the amount of the reallocation should be with regard to the customer's load factor. However, it is also necessary to consider the time-variation of the capacity costs in the reallocation of the rands / kVa charge into the various time-of-use cents / kWh charges.
- 14.1.3.6.2 The cents / kWh charge therefore recovers the full variable costs as well as a portion of the reallocated rands / kVa charges.
- 14.1.3.6.3 The rands / customer / month charge is not reallocated.

14.1.3.7 Where council decides to make a profit on the service the profit will be added to the fixed and variable cost before tariffs are calculated.

14.1.3.8 Where a property is not connected to the electricity reticulation system but can reasonably be so connected, an availability tariff will be payable. The tariff will be calculated by adding a surcharge of 50% to the fixed costs applicable to connected consumers per category.

14.1.3.9 Electricity meters will be read and levied on a monthly basis unless the service is rendered through a pre-payment device and is recoverable for the past 2 years with issuing of clearance certificates.

14.1.3.10 The following charges can be levied in addition to the standard monthly charges –

Connections, Reconnections and changes to meters

<i>Amperage change</i>	<i>To change from higher to lower scale</i>	<i>Fixed cost per change of scale</i>
<i>Electricity connections</i>	<i>Single phase connection: Conventional meter: 1 x 20 Amp</i>	<i>Fixed cost per connection</i>

	<i>Single phase connection: Conventional meter: Above 20 Amp</i>	<i>Fixed cost per connection</i>
	<i>Single phase connection: Conventional meter: Additional meter</i>	<i>Fixed cost per connection</i>
	<i>Single phase connection: Pre-paid meter: 1 x 20 Amp</i>	<i>Fixed cost per connection</i>
	<i>Single phase connection: Pre-paid meter: Above 20 Amp</i>	<i>Fixed cost per connection</i>
	<i>Single phase connection: Pre-paid meter: Additional meter</i>	<i>Fixed cost per connection</i>
	<i>Three phase connection</i>	<i>Estimated cost</i>
<i>Reconnection of electricity supply</i>	<i>After temporary disconnection</i>	<i>Fixed cost per reconnection</i>
	<i>Because of non-payment</i>	<i>Fixed cost per reconnection</i>
<i>Tampering with electricity meter (conventional)</i>	<i>Reconnection but supply only to be restored after:</i>	<i>Fixed cost per tampering</i>
	<i>Payment of R889.02 + R88.02</i>	<i>Fixed cost per supply</i>
	<i>Payment of illegally energy consumed</i>	<i>Fixed cost per supply</i>
	<i>Presenting a new-certificate of compliance</i>	<i>Fixed cost per supply</i>
<i>Meter changes</i>	<i>from conventional to pre-paid meter – single phase: voluntary change – single phase</i>	<i>Free</i>
	<i>from conventional to pre-paid meter – single phase: non-payers</i>	<i>Free</i>
	<i>from conventional to pre-paid meter – three phase</i>	<i>Estimated cost</i>
	<i>from pre-paid to conventional meter – single phase</i>	<i>Fixed cost per change</i>
<i>Non-payment of accounts</i>	<i>To serve a reminder by hand/mail i.r.o. a non-payment of account</i>	<i>Fixed cost to serve a reminder</i>

<i>Surcharge i.r.o. late payment of account</i>	<i>First late payment</i>	<i>An amount calculated at a rate of 10% of such an account subject to a maximum of R5 000.00</i>
	<i>Any further late payment within 12 months of the original late payment</i>	<i>An amount calculated at a rate of 10% of such an amount</i>

Miscellaneous services

<i>Meter Testing</i>	<i>Testing of electricity conventional meter</i>	<i>Fixed cost per testing</i>
	<i>Testing of electricity pre-paid meter</i>	<i>Fixed cost per testing</i>
<i>Call out</i>	<i>pre-paid consumers</i>	<i>Fixed cost per call-out</i>
<i>Special meter readings</i>	<i>At consumer's request</i>	<i>Fixed cost per meter reading</i>
	<i>If the consumers contests the meter reading</i>	<i>Fixed cost per meter reading</i>
<i>Investigation i.r.o. power failure</i>	<i>At consumer's request (call out due to consumer's default)</i>	<i>Fixed cost per investigation</i>
<i>Change of current limiter</i>	<i>From higher to lower scale</i>	<i>Fixed cost per change</i>
<i>Testing of installation</i>	<i>Urban</i>	<i>Fixed cost per testing</i>
	<i>Re-inspection test: urban</i>	<i>Fixed cost per re-inspection</i>
	<i>Rural</i>	<i>Fixed cost per testing plus transport</i>
	<i>Re-inspection test: rural</i>	<i>Fixed cost per re-inspection plus transport</i>
<i>Renting out equipment</i>	<i>Generator (per occasion)</i>	<i>Fixed cost per generator</i>
	<i>Transformer (100 KVA)</i>	<i>Fixed cost per transformer</i>

Municipal services

<i>Streetlights</i>	<i>Roads</i>	<i>Fixed cost per light</i>
	<i>Telephone booths & signs</i>	<i>Fixed cost per light</i>
<i>Municipal Electricity Tariffs</i>	<i>Streetlights</i>	<i>Fixed cost cent per unit (kWh)</i>

	<i>Demand Charges HT</i>	<i>Fixed cost cent per unit (kWh)</i>
	<i>Demand Charges LT</i>	<i>Fixed cost cent per unit (kWh)</i>

Pre-paid Customers

Electricity are charged at an inclining block tariff per unit based on the number of kWh purchased, which is determined as follows:-

- Block 1: 1 to 50 kWh
- Block 2: 51 to 350 kWh
- Block 3: 351 to 600 kWh
- Block 4: >600 kWh

9.3.2.2 Should the customer have any municipal

14.2 Water

14.2.1 Unit of measurement –

14.2.1.1 Kiloliters used; and/or

14.2.1.2 Size of connection

14.2.2 Method of calculation –

14.2.2.1 A basic charge based on the size of the water connection will be payable by all consumers. Provision will be made for the following meter connections –

15 mm
20 mm
25 mm
40 mm
50 mm
75 mm and
>75 mm

14.2.2.2 Stepped tariffs in respect of Domestic Consumers will be calculated for the following usages –

0 - 6 kl
7 - 10 kl
11 - 30 kl
31 - 55 kl
56 - 80 kl
> 80 kl

14.2.2.3 Consumption less than 6 kl of water per month will be supplied free of charge.

14.2.2.4 Consumption between 7 – 10 kl of water per month will be supplied break even costs.

14.2.2.5 The following surcharges will apply to all other categories –

11 - 30 kl = 20%

31 – 55 kl = 30%

55 – 80 kl = 35%

> 80 kl = 40%

14.2.2.6 Kiloliters used; and

14.2.2.7 Consumers that can but are not connected to the water service will pay an availability tariff. The tariff will be calculated by dividing the fixed and maintenance cost of the service by the number of properties and average size of the properties in the following categories –

1 m² - 2 000m²

2 001m² - 5 000m²

5 001m² - 10 000m²

> 10 000m²

14.2.2.8 Kiloliters used; and

14.2.2.9 Break even will be calculated by dividing the total cost by the total volume consumed.

14.2.2.10 Water meters will be read and levied on a monthly basis and is recoverable for the past 2 years with issuing of clearance certificates.

14.2.2.11 When consumption is not measured a flat rate will be applicable.

14.2.2.12 In the time of scarcity of water, Council may declare water restrictions and may charge higher tariffs with a sliding scale as determined by Council.

14.2.2.13 The following charges can be levied in addition to the standard monthly charges –

14.2.2.13.1 Charges for connections to the main supply;

14.2.2.13.2 Charges for connection of water supply;

14.2.2.13.3 Charges for reconnections;

14.2.2.13.4 Testing of meters;

14.2.2.13.5 Special readings;

14.2.2.13.6 Filling of swimming pools; and

14.2.2.13.7 Any other services.

14.3 Refuse Removal

14.3.1 Unit of measurement –

14.3.1.1 A fixed rate per month for the removal of refuse once per week;

14.3.1.2 A fixed rate per month for the removal of refuse three times per week;

14.3.1.3 A fixed rate per month for the removal of refuse five times per week;

14.3.2 Method of calculation –

14.3.2.1 The mass refuse disposed by the various category consumers will be used to apportion the total cost of the service between the various categories consumers.

14.3.2.2 The costs per unit of measurement will be determined by the total costs of the service by the total mass of refuse disposed of during the year. The total cost of the service includes the removal cost plus the operating cost associated with the management of the refuse site.

14.3.2.3 The cost associated with the removal of bulk containers will be determined by calculating the actual disposal and removal cost (labour, material and transport) (iv) The minimum cost for a container service will be equal to one removal per week. (v) Opportunity costs for once-off removals will be the actual costs as described in section (3)(b)(iii) plus 20% surcharge.

14.3.2.4 The monthly levy is payable by the registered owner and is recoverable with issuing of clearance certificates.

The following tariff structures were basically used for the determination of tariffs:-

- Residential (domestic customers) – maximum of one removal per week.
- Flats/ Town Houses – maximum of one removal per week.
- Business/ Commercial/ Industrial (Non – Bulk) – maximum of one removals per week.
- Business/ Commercial/ Industrial (Bulk) – Individual arrangements as per trade waste tariffs
- Special tariff arrangements determined and approved by Council from time to time for specific developments and/or informal settlements.

14.4 Sewerage

14.4.1 Unit of measurement –

14.4.1.1 Size of the erf; and/or

14.4.1.2 Number of cisterns or urinals; and/or

14.4.1.3 Formula driven waterborne tariff.

14.4.2 Method of calculation –

14.4.2.1 All owners of undeveloped stands will pay an availability charge based on the average size of an erf (currently calculated between 1 501m² - 3 000m²) and fixed cost associated with the service.

14.4.2.2 All owners of developed stands will pay a basic charge based on the cost associated with the service and the weighted average of the number of consumers and average size of the stands in a range of stand sizes, as follows –

1m² - 1 500m²
 1 501m² - 3 000m²
 3 001m² - 10 000m²
 10 001m² - 25 000m²
 25 001m² - 100 000m²
 100 000m² - 300 000m²
 > 300 000m²

14.4.2.3 Waterborne tariffs will be based on the variable cost of the service per category user and the number of cisterns or urinal.

14.4.2.4 The cost of emptying conservancy tanks will be based on the volume disposed and the cost associated therewith. An average tariff per user will be calculated.

14.4.2.5 The cost associated with bucket removals will be based on the volume removed. An average tariff per bucket will be calculated.

14.4.2.6 Any person or business that allows sewerage other than domestic sewerage into the foal sewer system shall pay over and above a fixed tariff based on the size of the erf a waterborne tariff based on the following formula –

$$C = V_t / 100 (R + T (\text{COD}_t / 1000))$$

C = Rands

V_t = Kiloliters of effluent (excluding domestic volume)

R = Cost of conveying of 1 Kiloliter effluent

T = Cost or treating of 1kg COD

COD_t = Average chemical oxygen demand per mg per litre of effluent.

14.4.2.7 A fixed minimum tariff will be calculated for the following services –

- 14.4.2.7.1 Buckets (removal)
- 14.4.2.7.2 Septic tanks (removal)
- 14.4.2.7.3 Cost of incineration (mass).

14.4.2.8 The levy is payable by the registered owner and recoverable with issuing of clearance certificate.

14.4.2.9 The following charges can be levied by Council in addition to the standard monthly charges –

- 14.4.2.9.1 Sealing of openings and re-opening of sealed connections;
- 14.4.2.9.2 Opening of blockages and alterations to gullies;
- 14.4.2.9.3 Connections to the sewerage system;
- 14.4.2.9.4 Vacuum tank services;
- 14.4.2.9.5 The removal of dead animals;
- 14.4.2.9.6 The removal of specific type of refuses i.e. medical waste, building refuse, garden refuse, redundant vehicles, collection and destruction of foodstuff, unlawful dumped refuse;
- 14.4.2.9.7 Cleaning premises of long grass, weeds, shrubs and accumulation of refuse;
- 14.4.2.9.8 Dumping of refuse on a municipal dumping site;
- 14.4.2.9.9 Sale of plastic bags and refuse bins if available;
- 14.4.2.9.10 Rental of mass containers; and
- 14.4.2.9.11 Any other related services.

Property Rates

The rate levied by the Municipality will be a cent amount in the Rand based on the market value of the property.

In terms of the Municipal Property Rates Act, 2004 the Municipality may levy different rates for different categories of rateable property. Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category and by way of reductions and rebates as provided for in the Municipality's property rates by-law.

In terms of section 17 (1) (e) of the Municipal Finance Management Act the Municipality's property rates policy must be reviewed on annual basis and the reviewed policy tabled to Council for approval as part of the budget process.

Categories of rateable property as determined in the Rates By-law include the following:-

- Residential Properties;
- Business / Industrial and Commercial Properties;
- Farm Properties used for- (i) Agricultural purposes; (ii) Other Commercial or Business Purposes; or
iii Residential Purposes.
- Smallholdings used for- (i) Agricultural purposes; (ii) Residential Purposes; (iii) Industrial purposes;
- State Owned Properties;
- Municipal Properties;
- Private Open Space
- Vacant Land: (i) Empty stands with zoning or proposed use earmarked for residential; (ii) Empty
stand with zoning or proposed use earmarked for industrial business or Commercial;
- Guesthouses;
- Student Dwelling;
- Public Facilities have the same corresponding meaning as state owned properties;
- Sectional Title: Business:
- Sectional Titles that are used, zoned for business or have businesses operating from a property that is
held in terms of the Sectional Titles Act, in which case the sectional title owner shall be liable for rates.
Where a property not zoned residential as has been developed and is used exclusively as residential,
the residential tariff will be applicable. The property owner must submit a declaration as to the purpose
the property is being used for, so that it can be rated accordingly

Departmental

The respective Commercial and Bulk Supply tariffs will be applicable to all municipal buildings, pump stations, waste water works, water treatment works, etc.

14.5 Other Municipal Services

14.5.1 The following charges can be levied by Council in relation to services provide –

- 14.5.1.1 Abattoirs;
- 14.5.1.2 Aerial photos;
- 14.5.1.3 Air pollution control;
- 14.5.1.4 Angling permits;
- 14.5.1.5 Billboards
- 14.5.1.6 Building plans;

- 14.5.1.7 Burials and cemeteries;
- 14.5.1.8 Caravan and Camping facilities
- 14.5.1.9 Cleansing;
- 14.5.1.10 Control of public nuisances;
- 14.5.1.11 Control of undertakings that sell liquor to the public
- 14.5.1.12 Distribution of hand-bills;
- 14.5.1.13 Dog licensing;
- 14.5.1.14 Environmental and waste management;
- 14.5.1.15 Facilities for accommodation, care and burial of animals;
- 14.5.1.16 Fencing and fences;
- 14.5.1.17 Fire fighting services;
- 14.5.1.18 Health and ambulance services;
- 14.5.1.19 Holiday resorts;
- 14.5.1.20 Interest rates charged;
- 14.5.1.21 Letting of Municipal facilities;
- 14.5.1.22 Leasing of Municipal properties;
- 14.5.1.23 Libraries;
- 14.5.1.24 Licensing and control of undertakings that sell food to the public;
- 14.5.1.25 Licensing of motor vehicles and transport permits;
- 14.5.1.26 Local amenities;
- 14.5.1.27 Local tourism promotion;
- 14.5.1.28 Markets;
- 14.5.1.29 Municipal parks and recreation;
- 14.5.1.30 Municipal roads;
- 14.5.1.31 Museums
- 14.5.1.32 Nature reserves;
- 14.5.1.33 Noise pollution ;
- 14.5.1.34 Parking;
- 14.5.1.35 Photocopies;
- 14.5.1.36 Pound fees;
- 14.5.1.37 Public places;
- 14.5.1.38 Recreation resorts;
- 14.5.1.39 Reference and information fees;
- 14.5.1.40 Rezoning;
- 14.5.1.41 Road signs;
- 14.5.1.42 Sports grounds;
- 14.5.1.43 Street lighting;
- 14.5.1.44 Storm-water management;
- 14.5.1.45 Tender deposits;
- 14.5.1.46 Town planning;
- 14.5.1.47 Trade License;
- 14.5.1.48 Traffic Control;
- 14.5.1.49 Training Courses; and
- 14.5.1.50 Miscellaneous Tariffs.

*****END*****


CHEF ALBERT LUTHULI MUNICIPALITY FINAL TARIFF STRUCTURE FOR 2023/2024

TOWN HALL OFFICES & BUILDINGS (EKULINDI, MOOPPLAAS, ELUKWATINI, CAROLINA, SILOBELA, STEVENSORP, EMANZANA & TJKASASTAD)				
RESIDENTS RESIDING WITHIN THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Community	287,5422	304,709972	320,9531176	5,3%
Public meetings - Business	693,689848	640,2974489	640,2974489	5,3%
Concerts and drama shows - Professional	573,65988	608,069848	640,2974489	5,3%
Concerts and drama shows - amateur	227,476	241,12456	253,9041617	5,3%
Music - vocals	227,476	241,12456	253,9041617	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	0	0	0	5,3%
Non-registered welfare organisations	FREE	FREE	253,9041617	FREE
Community awareness - government	227,476	241,12456	253,9041617	5,3%
Community awareness - non-government organisations	227,476	241,12456	253,9041617	5,3%
Week-end camps - churches	693,68988	733,525024	772,4018502	5,3%
Week-end camps - other	247,2768	262,113408	276,054188	5,3%
Crèches/nursery schools & grade R	247,2768	262,113408	276,054188	5,3%
PEOPLE/INSTITUTIONS OUTSIDE THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	692,0047396	733,525024	772,4018502	5,3%
Public meetings - Community	573,649846	608,069848	640,2974489	5,3%
Public meetings - Business	979,8307582	975,0193338	1025,89599	5,3%
Concerts and drama shows - Professional	919,6307582	975,0193338	1025,89599	5,3%
Concerts and drama shows - amateur	415,4096646	440,334245	463,571894	5,3%
Music - vocals	1667,91	1767,9846	1861,687784	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	454,9724888	482,2708302	507,8311837	5,3%
Non-registered welfare organisations	227,4808852	241,1285203	253,9093912	5,3%
Community awareness - government	FREE	FREE	FREE	FREE
Community awareness - non-government organisations	484,6390449	513,7173919	540,8444137	5,3%
Week-end camps - churches	573,649846	608,069848	640,2974489	5,3%
Week-end camps - other	909,9449796	964,5416784	1015,662387	5,3%
Crèches/nursery schools & grade R	411,4400388	436,1284411	459,241425	5,3%
TOWN HALL OFFICES & BUILDINGS				
MAYFLOWER, FERNIE-ABB, GLENMORE, SWALLOWSNEST, DEPDALLE				
RESIDENTS RESIDING WITHIN THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	447,725189	471,709972	495,709972	5,3%
Public meetings - Community	298,6225189	316,4338637	333,244326	5,3%
Public meetings - Business	618,3720728	655,4743972	690,2145402	5,3%
Concerts and drama shows - Professional	FREE	FREE	FREE	FREE
Concerts and drama shows - amateur	618,3720728	655,4743972	690,2145402	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	245,2161282	259,9209099	273,705338	5,3%
Non-registered welfare organisations	181,2573394	192,1327788	202,3158171	5,3%
Community awareness - government	245,2161282	259,9209099	273,705338	5,3%
Community awareness - non-government organisations	245,2161282	259,9209099	273,705338	5,3%
Week-end camps - churches	746,3118882	791,0806026	833,0184045	5,3%
Week-end camps - other	266,532018	282,5239391	297,497079	5,3%
Crèches/nursery schools & grade R	266,532018	282,5239391	297,497079	5,3%
PEOPLE/INSTITUTIONS OUTSIDE THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	746,3118882	791,0806026	833,0184045	5,3%
Public meetings - Community	618,3720728	655,4743972	690,2145402	5,3%
Public meetings - Business	991,576898	1051,007912	1106,711331	5,3%
Concerts and drama shows - Professional	991,576898	1051,007912	1106,711331	5,3%
Concerts and drama shows - amateur	447,725189	471,709972	495,709972	5,3%
Music - vocals	1667,91	1767,9846	1861,687784	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	980,864578	1039,716394	1094,821352	5,3%
Non-registered welfare organisations	490,4322564	519,8581818	547,4182759	5,3%
Community awareness - government	245,2161282	259,9209099	273,705338	5,3%
Community awareness - non-government organisations	522,4116508	553,7563498	583,1054364	5,3%
Week-end camps - churches	618,3720728	655,4743972	690,2145402	5,3%
Week-end camps - other	980,864578	1039,716394	1094,821352	5,3%
Crèches/nursery schools & grade R	443,5195078	470,1306783	495,0476042	5,3%
Government Agencies	942,92512	999,506972	1052,47416	5,3%
STADIUM				
ELUKWATINI				
RESIDENTS RESIDING WITHIN THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Community	287,5422	304,709972	320,9531176	5,3%
Public meetings - Business	693,689848	640,2974489	640,2974489	5,3%
Concerts and drama shows - Professional	573,65988	608,069848	640,2974489	5,3%
Concerts and drama shows - amateur	227,476	241,12456	253,9041617	5,3%
Music - vocals	227,476	241,12456	253,9041617	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	0	0	0	5,3%
Non-registered welfare organisations	FREE	FREE	253,9041617	FREE
Community awareness - government	227,476	241,12456	253,9041617	5,3%
Community awareness - non-government organisations	227,476	241,12456	253,9041617	5,3%
Week-end camps - churches	693,68988	733,525024	772,4018502	5,3%
Week-end camps - other	247,2768	262,113408	276,054188	5,3%
Crèches/nursery schools & grade R	247,2768	262,113408	276,054188	5,3%
PEOPLE/INSTITUTIONS OUTSIDE THE MUNICIPAL AREA				
RENTAL	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Dance, Wedding, Reception, Film shows	1667,91	1767,9846	1861,687784	5,3%
Public meetings - Political	692,0047396	733,525024	772,4018502	5,3%
Public meetings - Community	573,649846	608,069848	640,2974489	5,3%
Public meetings - Business	979,8307582	975,0193338	1025,89599	5,3%
Concerts and drama shows - Professional	919,6307582	975,0193338	1025,89599	5,3%
Concerts and drama shows - amateur	415,4096646	440,334245	463,571894	5,3%
Music - vocals	1667,91	1767,9846	1861,687784	5,3%
Music - Instruments	1667,91	1767,9846	1861,687784	5,3%
Registered welfare organisations	454,9724888	482,2708302	507,8311837	5,3%
Non-registered welfare organisations	227,4808852	241,1285203	253,9093912	5,3%
Community awareness - government	FREE	FREE	FREE	FREE
Community awareness - non-government organisations	484,6390449	513,7173919	540,8444137	5,3%
Week-end camps - churches	573,649846	608,069848	640,2974489	5,3%
Week-end camps - other	909,9449796	964,5416784	1015,662387	5,3%
Crèches/nursery schools & grade R	411,4400388	436,1284411	459,241425	5,3%

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DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT	BUILDING PLAN FEES			
	2021/2022	2022/2023	2023/2024	2023/2024 % Change
Approval of building plans per square meter of plot (R10000 Exempt)	15 820 590.24	16 534 153	17 517 455	5.3%
Approval of building plans per square meter of plot (R10000 Exempt)	23 551 212.74	24 362 480.74	26 287 397.1	5.3%
Approval of building plans per square meter of plot (R10000 Exempt)	13 339 941	14 140 337.46	14 889 753.5	5.3%
SPECIAL CONSENT				
Per application	2467 926 108	2616 001 674	2754 649 763	5.3%
Approval of building plans construction of cellphone masts	3292 290 287	3489 817 014	3674 777 411	5.3%
RELAXATION OF BUILDING LINE				
Per application	1679 563 902	1780 337 736	1874 695 636	5.3%
CHANGE/ADDITION OF LAND				
Residential to include trucks/plantain per application	4524 531 196	4796 033 938	5050 197 231	5.3%
Other changes/additions per application	4185 194 129	4336 336 771	4671 428 983	5.3%
Consolidation application	399 336 011	423 286 1707	445 730 678	5.3%
Removal of land	148 757 1625	158 142 5823	167 155 9407	5.3%
Electricity	399 336 011	423 286 1707	445 730 678	5.3%
Fencing	399 336 011	423 286 1707	445 730 678	5.3%
CHANGE/ADDITION OF LAND				
Building alterations	399 336 011	423 286 1707	445 730 678	5.3%
Occupation certificate	399 336 011	423 286 1707	445 730 678	5.3%
COPIES FOR PLANS				
A0 Black and White	99 634 002 26	105 624 0424	111 432 7166	5.3%
A2 Colour	199 660 9045	211 164 80948	222 855 333	5.3%
A2 Black and White	48 922 1582	52 818 46375	56 723 21184	5.3%
A4 Colour	29 135 8124	30 571 28674	32 157 29148	5.3%
A1 Colour	148 757 1625	158 142 5823	167 155 9407	5.3%
FINANCE				
ASSESSMENT RATES				
Residential including vacant stands	0.01039118	0.011014651	0.011598427	5.3%
Residential - government owned	0.01039118	0.011014651	0.011598427	5.3%
Business - Business owned	0.01039118	0.011014651	0.011598427	5.3%
Business and commercial land including government owned / farms including agricultural small holding uses	0.04156472	0.044058603	0.046393709	5.3%
Schools, Clinics including government owned properties, office and buildings	0.04156472	0.044058603	0.046393709	5.3%
Farms including agricultural small holdings not used for business commercial / industrial purposes and govt	0.0222706	0.023636844	0.024858	5.3%
Industrial	0.04156472	0.044058603	0.046393709	5.3%
Mining	0.04156472	0.044058603	0.046393709	5.3%
Public benefit organisations	0.00103988	0.001101128	0.001159448	5.3%
Public service industry	0.00103988	0.001101128	0.001159448	5.3%
Multiple use premises according to major uses but not limited to	0	0	0	5.3%
Residential	0.01039118	0.011014651	0.011598427	5.3%
Business	0.01039118	0.011014651	0.011598427	5.3%
Industrial	0.04156472	0.044058603	0.046393709	5.3%
Mining	0.04156472	0.044058603	0.046393709	5.3%
PROPERTY RATE REBATES				
MARKET VALUE LESS THAN R 10 000.00 THAT ARE OF AN R.D.P. STANDARDS AS PER THE APPL	0	0	0	
Non-profit organisation	95%	95%	95%	
Government Properties	100%	100%	100%	
AGRICULTURE	0	0	0	
Farm land used primarily for agricultural purposes	20%	20%	20%	
PUBLIC SERVICE INDUSTRY	30%	30%	30%	
In the case of public service infrastructure (SASOL AND ESKOM) on the market value of the public se	30%	30%	30%	
NEWLY PRIVATE INFRASTRUCTURE DEVELOPMENT	85%	85%	85%	
The first 85% of the rateable valuation of property of new private infrastructure developments where a s	85%	85%	85%	
RESIDENTIAL PROPERTY USED FOR RESIDENTIAL PURPOSES	100 % of	R 15 000.00	100 % of	R 15 000.00
On the first R15 000 of the market value of a property assigned in the valuation roll or supplementary	100 % of	R 15 000.00	100 % of	R 15 000.00
for residential properties or	100% of R 15 000.02	100% of R 15 000.02	100% of R 15 000.02	
In addition to the first R15 000.00 of exemption above a further 50% remaining value for old age or disabled	50% of the remaining value	50% of the remaining value	50% of the remaining value	
OTHER REBATES				

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Institutions (Government Departments)							
Industrial	438 2203407	485 2735612	480 2489599	5.3%			
Garden refuse and rubbish per load	438 2203407	485 2735612	480 2489599	5.3%			
Special removal of refuse (bulk containers) per ton (additional to container fee)	320 643112	346 421719	367 541709	5.3%			
Special removal of refuse (bulk containers) per ton (additional to container fee)	320 643112	346 421719	367 541709	5.3%			
Special removal of refuse (bulk containers) per ton (additional to container fee)	15 0263356	16 8822317	17 7768985	5.3%			
Refuse removal outside working area, per kg or part thereof	366 7500059	388 7613963	409 3657187	5.3%			
Landfill Site Disposal Tariffs	14 1773904	15 0281892	15 8246218	5.3%			
Disposal of Loads not exceeding 1.000kg by the General Public (Clean Compostable Garden Refuse, General Waste)	0	0	0	0.0%			
Disposal of Loads by the General Public Exceeding 1.000kg by the General Public (Clean Compostable Garden Refuse, General Waste)	58 7548614	62 28015911	65 58100849	5.3%			
Landfill sites without weighbridges				5.3%			
CALM Residents (per ton)	159	183.54	177.47262	5.3%			
Residents from outside CALM (Business) (per ton)	339.2	359.52	378.68256	5.3%			
Carcasses of cows, horses, animals and poultry (per carcass)	159.118	168.87708	177.827662	5.3%			
Carcasses of sheep, goats and similar animals (per carcass)	265.224	281.34344	296.268903	5.3%			
Horses, mules, donkeys, cattle and similar (per carcass)	371	393.26	414.10278	5.3%			
Collection of animals will be charged per kilo X the amount of animal fee	424	449.44	473.26052	FREE			
Waste Disposal				5.3%			
240l wheeled bin	95.4	101.124	106.483572	5.3%			
Plastic refuse bag (0.1m3x5)	31.8	33.708	35.494524	5.3%			
Domestic and garden solid waste exceeding 80l, normal charges per kg for total mass disposal (plastic refuse bag)	254.4	269.664	283.956192	5.3%			
4 ad trailer (4 wheeled bins)	53	56.18	59.13754	5.3%			
Waste from businesses outside CALM area and private contractors (8 wheeled bins)	371	393.26	414.10278	5.3%			
Garden services contractors with normal garden waste and excluding branches and logs (per half ton)	FREE	FREE	FREE	FREE			
Garden services contractors with normal garden waste and excluding branches and logs (per half ton)	95.4	101.124	106.483572	5.3%			
Clean building rubble less than 30mm in diameter (30mm carasselle bad 25)	508.8	539.328	567.91284	5.3%			
Tires within size up to 40cm in diameter, per litre (3tons)	1017.6	1076.646	1135.827768	5.3%			
Tires within size greater to 40cm in diameter per litre (3tons)				5.3%			
LIBRARIES							
FEES							
Fines for late material (per item/week)	62.17915374	65.9059296	69.13948821	4.9%			
Photocopies	0	0	0	0			
A4 (per copy)	1.7171438	1.814872428	1.91106967	5.3%			
Membership fees (one year) (first three years per adult)	3.589133572	3.812537947	4.01602455	5.3%			
Membership fees (one year) (first three years per child)	64.25307263	67.68262626	71.26326262	5.3%			
Printing	2.40129282	2.548043862	2.69884218	5.3%			
Black and white documents without graphics per page	3.19025338	3.381668503	3.566897018	5.3%			
Black and white documents with graphics per page	3.19025338	3.381668503	3.566897018	5.3%			
Colour documents without graphics per page	4.9888197	5.287396882	5.598197457	5.3%			
Colour documents with graphics per page				5.3%			
Internet Searching for 15 minutes or part thereof	51.74616204	54.85093176	57.7903115	5.3%			
E-mail	0	0	0	0.0%			
Sending of mail per page	11.6524316	12.3515775	13.062111	5.3%			
Receiving per 10 minutes or part thereof	25.7073525	27.24920113	28.69340679	5.3%			
CEMETERY							
CAROLINA AND EMANZANA							
People living inside Municipal Area				5.3%			
Single grave / Adult	923.818655	979.247743	1031.147906	5.3%			
Children	677.4670134	718.1150342	756.1751311	5.3%			
Special grave	1231.759207	1305.663699	1374.863875	5.3%			
Single grave 8ft. deep	1847.63731	1958.495549	2062.295813	5.3%			
Re-opening	2463.516413	2611.327398	2749.72775	5.3%			
People living outside Municipal Area				5.3%			
Single grave / Adult	9695.27462	3916.991087	4124.591625	5.3%			
Children	1354.934027	1436.230068	1512.350262	5.3%			
Special grave	4311.153723	4568.822947	4812.025953	5.3%			
People living inside Municipal Area				5.3%			
Single grave / Adult	431.1153719	456.9822942	481.2023558	5.3%			
Children	246.3516405	261.1327389	274.972741	5.3%			
People living outside Municipal area				5.3%			
Single grave / Adult	3695.27462	3916.991087	4124.591625	5.3%			
Children	1354.934027	1436.230068	1512.350262	5.3%			
ELUKWATINI/EKULINDENI							
People living inside Municipal Area				5.3%			
Single grave / Adult	431.1153719	456.9822942	481.2023558	5.3%			
Children	246.3516405	261.1327389	274.972741	5.3%			
People living outside Municipal area				5.3%			
Single grave / Adult	3695.27462	3916.991087	4124.591625	5.3%			
Children	1354.934027	1436.230068	1512.350262	5.3%			
EMPULUZI							
People living inside Municipal Area				5.3%			
Single grave / Adult	431.1153719	456.9822942	481.2023558	5.3%			
Children	246.3516405	261.1327389	274.972741	5.3%			

People living outside Municipal area									
Single grave, Adult		3916.891037	4124.591025	5.3%					
Children		1436.230088	1512.350262	5.3%					
EVANGELICAL									
Church and rebury		3916.891037	4124.591025	5.3%					
Carrollia		3916.891037	4124.591025	5.3%					
St. John's		3916.891037	4124.591025	5.3%					
Emphuluzi		3916.891037	4124.591025	5.3%					
Emphuluzi		3916.891037	4124.591025	5.3%					
Emphuluzi		3916.891037	4124.591025	5.3%					
Emphuluzi		3916.891037	4124.591025	5.3%					
SUNDY TARIFFS									
Portion of farmstead		307.9395517	343.7159888	5.3%					
Portion of services on palmer rural (expenditure)		2463.516413	2749.72775	5.3%					
TECHNICAL SERVICE - SEWERAGE									
CONNECTION FEES									
for 110mm where there is a connection point		3173.651922	3542.37802	5.3%					
for 110 mm where there is no connection point		4760.486116	5313.573803	5.3%					
for connection larger than 110 mm		5712.586623	6376.274837	5.3%					
SEWERAGE SERVICE FEES									
ALL AREAS (per month)									
Basic for businesses, industry & government		247.5629263	276.7600973	5.3%					
All residential properties below value R60 000.00		73.63644676	82.19152914	5.3%					
All residential and churches above R60 000.00		91.86659568	102.6517791	5.3%					
Commercial (Business and Flats)		233.4728547	262.8301021	5.3%					
Institutional (Government Department)		368.6840436	398.3799336	5.3%					
Industry where property not included above - Basic Charge		247.5629263	276.7600973	5.3%					
All areas basic where property not included above per cubic meter		72.50128148	80.9244704	5.3%					
North Soil		44.7303735	47.10283533	5.3%					
Honey/Sucker septic tank (rate per load) rate by distance/charge shall be applicable		777.5350499	867.868072	5.3%					
SANITATION									
Sewerage Sludge Disposal - new account		2385	2652.0893	5.3%					
Sewerage Sludge Disposal		36.65 per cubic meter	40.75 per cubic meter	5.3%					
Penalties on abattoir and milking firms for discharging illegally to the wastewater treatment works		10000	11236	5.3%					
WATER SUPPLY AND SERVICES									
CONNECTION FEE:									
15 mm		3821.973269	4051.201655	5.3%					
25 mm		3821.973269	4051.201655	5.3%					
32 mm including labour, price increase and tar repairs		3821.973269	4051.201655	5.3%					
Larger connections									
WATER RE-CONNECTION FEE									
During office hours		251.4634375	280.6784586	5.3%					
After Hours		502.902406	561.3294229	5.3%					
Defaulters		502.902406	561.3294229	5.3%					
Water test fee		973.7171798	1086.843642	5.3%					
Test reading		215.520728	240.598315	5.3%					
FINES AND OTHER FEES									
Fines for tampering with meters		6811.851048	7114.869802	5.3%					
Enquiry on trapped meter		44.58864624	49.77007134	5.3%					
WATER UNIT TARIFFS									
PER UNIT CONSUMPTION									
Indigent 1-dm		FREE	FREE						
Households and churches 1-4 kl		FREE	FREE						
7-15 kl		6.7371722	7.26050207	5.3%					
16-20 kl		9.98955872	11.15014565	5.3%					
21-40 kl		11.3075394	12.62124833	5.3%					
above 41 kl									
Business, industry & Government		6.7371722	7.26050207	5.3%					
16-20 kl		8.1049682	9.04660408	5.3%					
21-40 kl		9.98955872	11.15014565	5.3%					
above 41 kl		11.3075394	12.62124833	5.3%					
Departmental per kl		6.7371722	7.26050207	5.3%					
Properties not listed above tariffs as per business, industry & government		60.35615108	67.3631996	5.3%					
Water supply collected by road meter per kl @ R11.50 per kl		1055.60542	1189.404487	5.3%					
Minimum payment (3 special events)									
WATER AVAILABILITY CHARGE (BASIC CHARGE)									
VACANT ERF OR PROPERTY (ALL AREAS)									
PER MONTH		111.5972929	124.562864	5.3%					
Household, churches									

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Rural areas									
Re-connection Fees									
	2021/2022	2022/2023	2023/2024	2022/2024 % Change					
During office hours	401,927,027	426,038,648	448,618,823	5.3%					
After Hours	807,922,547	856,397,671	901,786,836	5.3%					
Detailers	807,922,553	856,397,678	901,786,843	5.3%					
Meter test fee	1440,381,093	1526,803,959	1607,724,569	5.3%					
Test reading	346,247,239	367,022,047	386,474,241	5.3%					
Meter Test Fee									
In town	865,618,078	917,555,163	966,165,871	5.3%					
Single phase	1154,162,074	1223,432,986	1288,274,947	5.3%					
Rural areas									
Household, Churches etc.									
Fines for tampering with meters	7390,54624	7833,982194	8249,183251	5.3%					
DRAFT TARIFFS FOR THE PROVISION OF ELECTRICITY 2022/2023									
RESIDENTIAL: HOUSES / FLATS (ALL TOWNS) CONVENTIONAL AND PREPAID CONSUMERS									
Description	2021/2022	2022/2023	2023/2024	2022/2024 % Increase					
UNIT COST PER KWH :									
Energy Rate (kWh)(≤50kWh)	131	140,825	162,085675	15.1%					
Energy Rate (kWh)(51-350kWh)	169	181,675	209,107925	15.1%					
Energy Rate (kWh)(351-600kWh)	227,096509	244,128874	280,892364	15.1%					
Energy Rate (kWh)(601-800kWh)	267,209502	287,240825	330,614673	15.1%					
Energy Rate (kWh)(801-1000kWh)									
Energy Rate (kWh)(1001-1500kWh)									
Energy Rate (kWh)(1501-2000kWh)									
Energy Rate (kWh)(2001-3000kWh)									
Energy Rate (kWh)(3001-4000kWh)									
Energy Rate (kWh)(4001-5000kWh)									
Energy Rate (kWh)(5001-6000kWh)									
Energy Rate (kWh)(6001-7000kWh)									
Energy Rate (kWh)(7001-8000kWh)									
Energy Rate (kWh)(8001-9000kWh)									
Energy Rate (kWh)(9001-10000kWh)									
RESIDENTIAL: INDIGENT (ALL TOWNS)									
All indigent will be on a 20Amp circuit breaker with a 1 phase pre-paid meter.	2021/2022	2022/2023	2023/2024	2022/2023% Increase					
UNIT COST PER KWH :									
Energy Rate (kWh)(≤50kWh)	121,8265121	130,9635005	150,738989	15.1%					
Energy Rate (kWh)(51-200kWh)	160,5131743	172,5516824	198,606834	15.1%					
Energy Rate (kWh)(201-350kWh)	219,8712973	236,3516016	272,052203	15.1%					
Energy Rate (kWh)(351-600kWh)	259,6176387	279,0888616	321,231946	15.1%					
Energy Rate (kWh)(601-800kWh)									
Energy Rate (kWh)(801-1000kWh)									
Energy Rate (kWh)(1001-1500kWh)									
Energy Rate (kWh)(1501-2000kWh)									
Energy Rate (kWh)(2001-3000kWh)									
Energy Rate (kWh)(3001-4000kWh)									
Energy Rate (kWh)(4001-5000kWh)									
Energy Rate (kWh)(5001-6000kWh)									
Energy Rate (kWh)(6001-7000kWh)									
Energy Rate (kWh)(7001-8000kWh)									
Energy Rate (kWh)(8001-9000kWh)									
Energy Rate (kWh)(9001-10000kWh)									
BUSINESS / RESIDENTIAL FOR BUSINESS (ALL TOWNS)									
A fixed charge will be levied whether electricity is consumed or not, per connection per month or part thereof.									
Low Season : Sept - Apr									
High Season : May - Aug									
COMMERCIAL CONVENTIONAL									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022	2022/2023	2023/2024	2022/2024	2022/2023	2023/2024	2022/2023 % Increase	2023/2024	2022/2023 % Increase
	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
41 to 60A 1P	1,97262	1,97262	2,278130	2,278130	703,027099	809,184191	15.0%	931,371004	15.0%
61 to 80A 1P	1,97262	1,97262	2,278130	2,278130	920,505248	1059,501541	15.0%	1219,488274	15.0%
Up to 60A 3P	1,97262	1,97262	2,278130	2,278130	1150,982888	1324,761316	15.0%	1524,823295	15.0%
61 to 80A 3P	1,97262	1,97262	2,278130	2,278130	1581,911839	1832,290641	15.0%	2108,966528	15.0%
PUBLIC BENEFIT ORGANISATIONS : LISTED IN THE NINTH SCHEDULE TO THE INCOME TAX ACT (ALL TOWNS)									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022	2022/2023	2023/2024	2022/2024	2022/2023	2023/2024	2022/2023 % Increase	2023/2024	2022/2023 % Increase
	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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61 to 80A 1P	1,97262	1,97262	2,278130	2,278130	920,505248	1059,501541	15.0%	1219,488274	15.0%
Up to 60A 3P	1,97262	1,97262	2,278130	2,278130	1150,982888	1324,761316	15.0%	1524,823295	15.0%
61 to 80A 3P	1,97262	1,97262	2,278130	2,278130	1581,911839	1832,290641	15.0%	2108,966528	15.0%
INDUSTRIAL LOW									
A fixed charge will be levied whether electricity is consumed or not, per connection per month or part thereof.									
Low Season : Sept - Apr									
High Season : May - Aug									
INDUSTRIAL LOW									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022	2022/2023	2023/2024	2022/2024	2022/2023	2023/2024	2022/2023 % Increase	2023/2024	2022/2023 % Increase
	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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PUBLIC BENEFIT ORGANISATIONS : LISTED IN THE NINTH SCHEDULE TO THE INCOME TAX ACT (ALL TOWNS)									
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	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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INDUSTRIAL LOW									
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Low Season : Sept - Apr									
High Season : May - Aug									
INDUSTRIAL LOW									
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	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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PUBLIC BENEFIT ORGANISATIONS : LISTED IN THE NINTH SCHEDULE TO THE INCOME TAX ACT (ALL TOWNS)									
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	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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INDUSTRIAL LOW									
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Low Season : Sept - Apr									
High Season : May - Aug									
INDUSTRIAL LOW									
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PUBLIC BENEFIT ORGANISATIONS : LISTED IN THE NINTH SCHEDULE TO THE INCOME TAX ACT (ALL TOWNS)									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022	2022/2023	2023/2024	2022/2024	2022/2023	2023/2024	2022/2023 % Increase	2023/2024	2022/2023 % Increase
	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
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INDUSTRIAL LOW									
A fixed charge will be levied whether electricity is consumed or not, per connection per month or part thereof.									
Low Season : Sept - Apr									
High Season : May - Aug									
INDUSTRIAL LOW									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022	2022/2023	2023/2024	2022/2024	2022/2023	2023/2024	2022/2023 % Increase	2023/2024	2022/2023 % Increase
	1,97262	1,97262	2,278130	2,278130	344,549053	370,390232	15.0%	428,319157	15.0%
41 to 60A 1P	1,97262	1,97262	2,278130	2,278130	703,027099	809,184191	15.0%	931,371004	15.0%
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Up to 60A 3P	1,97262	1,97262	2,278130	2,278130	1150,982888	1324,761316	15.0%	1524,823295	15.0%
61 to 80A 3P	1,97262	1,97262	2,278130	2,278130	1581,911839	1832,290641	15.0%	2108,966528	15.0%
PUBLIC BENEFIT ORGANISATIONS : LISTED IN THE NINTH SCHEDULE TO THE INCOME TAX ACT (ALL TOWNS)									
Up to 40A 1P (PRE-PAID METER ONLY)	2021/2022</								

Demand Charge (R/Month) 2022/2023														156.839593				15.0%													
Demand Charge (R/Month) 2023/2024														180.522372				15.0%													
Above 80A Convent to N/A																															
INDUSTRIAL HIGH																															
A fixed charge will be levied whether electricity is consumed or not, per connection per month or part thereof.														HIGH SEASON UNIT CHARGE (c/kWh)		CHANGE 2022/2023		FIXED BASIC CHARGE (R/Month)													
														2023/2023		N/A		% INCREASE													
N/A																															
UNDEVELOPED STANDS																															
2022/2023 Availability Charge per month														388.473469																	
2023/2024 Availability Charge per month														447.132963																	
PROPERTIES NOT CATEGORISED																															
Availability Charge: (per month)														2022/2023		2023/2024		2022/2023 % Increase													
Properties not included above/below														888.513567		1022.679116		15.0%													
% INCREASE FOR 2023/2024 FOR ALL CATEGORIES IS 7.5%																															
INDUSTRIAL TIME OF USE (ALL TOWNS)																															
A fixed charge will be levied whether electricity is consumed or not, per connection per month or part thereof.														LOW SEASON UNIT CHARGE (c/kWh)		HIGH SEASON UNIT CHARGE (c/kWh)		LOW SEASON UNIT CHARGE (R/Month)		HIGH SEASON UNIT CHARGE (R/Month)		DEMAND CHARGE (R/Month)		2023/2024		2023/2024 % Increase					
Energy charge : Low Voltage														2022/2023		2023/2024		2022/2023		2023/2024		2022/2023		2023/2024		2023/2024 % Increase					
Off-peak (21:00 - 05:00)														104.675500		105.262332		120.481500		121.805993		99.889230		107.355486		123.570769		15.0%			
Standard (09:00 - 16:00)														169.703141		171.686743		195.326316		197.475623		99.889230		107.355486		123.570769		15.0%			
Peak (05:00 - 09:00 & 17:00 - 21:00)														193.247077		195.371505		222.427386		224.672603		99.889230		107.355486		123.570769		15.0%			
2022/2023 FixedBasic Charge(Low Voltage)																		4370.234344										15.0%			
2023/2024 FixedBasic Charge(Low Voltage)																		5030.139730										15.0%			
Energy charge : High Voltage														2022/2023		2023/2024		2022/2023		2023/2024		2022/2023		2023/2024		2023/2024 % Increase					
Off-peak (21:00 - 05:00)														1.132751		1.176315		1.303796		1.353938		112.730353		121.185130		139.484084		15.0%			
Standard (09:00 - 16:00)														1.838452		1.907078		2.113756		2.195047		112.730353		121.185130		139.484084		15.0%			
Peak (05:00 - 09:00 & 17:00 - 21:00)														2.091234		2.171688		2.407010		2.499579		112.730353		121.185130		139.484084		15.0%			
2022/2023 FixedBasic Charge(High Voltage)																				4563.959270								15.0%			
2023/2024 FixedBasic Charge(High Voltage)																		5276.137120										15.0%			
ALL AVAILABILITY CHARGES WILL BE CHARGED AGAINST THE OWNERS ACCOUNT WHERE APPLICABLE																												15.0%			
ALL FIXED CHARGES WILL BE CHARGED WITH THE CONSUMPTION.																															
ALL TARIFFS EXCLUDE VAT																															
Note:																															
Monthly consumption is based upon the period between monthly readings. Where a monthly reading cannot be taken for any reason, the consumption will be based on the average calculated from the three (3) correct previous months consumption. When the meter is next read, the consumption (over / under) will be automatically incorporated into the next reading (over / under).																															

PROCLAMATIONS • PROKLAMASIES**PROCLAMATION NOTICE 182 OF 2023**

**CHIEF ALBERT LUTHULI MUNICIPALITY
NOTICE OF THE AMENDMENT OF THE LAND USE SCHEME BY THE APPROVAL OF A
REZONING APPLICATION AND PERMANENT DEPARTURE ON THE REMAINING
EXTENT OF ERF 311 CAROLINA
AMENDMENT SCHEME NO. 525**

Notice is hereby given in terms of the provision of Section 66 and section 82 of the Chief Albert Luthuli Spatial Planning and Land Use Management By-Law, 2016, that the Chief Albert Luthuli Municipality Land Use Scheme, 2018, Amendment Scheme No. 525, has been approved in terms of Section 114(a) of the Chief Albert Luthuli Municipality SPLUMA By-law, 2016 by the approval of an application of rezoning from “Residential 1” to “Business 1” and permanent departure for relaxation of the building line and parking on the Remaining Extent of Erf 311 Carolina.

The amendment is known as Chief Albert Luthuli Land Use Scheme, 2018, Amendment Scheme number 525 and shall come into operation on the date of publication of this notice. Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Town Planning Department, Chief Albert Luthuli Local Municipality, 1 Voortrekker Street, Carolina for the period of 30 days.

Address of agent: Ntsako Navela, Vuhluka Projects, P.O. Box 48, Ermelo, 2350. 9668 Autumn Ridge Ext 18, Ermelo. Cell No. 078 5929 023. Email: vuhlukaprojects@gmail.com

PROCLAMATION NOTICE 183 OF 2023

MSUKALIGWA LOCAL MUNICIPALITY
NOTICE OF APPROVAL OF ERMELO TOWN PLANNING SCHEME, 1982 AND
MSUKALIGWA LOCAL MUNICIPALITY LAND USE SCHEME, 2021
AMENDMENT SCHEME Nos. 722, 794 & 48-2021

Notice in terms of the provisions of Section 66(5) of Msukaligwa Spatial Planning and Land Use Management By-law, 2016, that Ermelo Town Planning Scheme, 1982, Amendment Scheme Nos. 722 and 794 and Msukaligwa Local Municipality Land Use Scheme, 2021, Amendment Scheme No. 48-2021 have been approved in terms of Section 114(a) of the SPLUM By-law, 2016, by the rezoning of:

1. ERMELO AMENDMENT SCHEME No. 722: Erf 9801 Ermelo Extension 18, from "Residential 1" to "Residential 3" for the purpose of Dwelling units.
2. ERMELO AMENDMENT SCHEME No. 794: Portion 3 of Erf 3613 Ermelo Extension 14, from "Residential 1" to "Residential 3" for the purpose of Dwelling units.
3. ERMELO AMENDMENT SCHEME No. 48-2021: Erf 17104 Ermelo Extension 17, from "Residential 1" to "Residential 3" for the purpose of Dwelling units.

This amendment is known as Ermelo Town Planning Scheme, 1982, Amendment Scheme Nos. 722 and 794 and Msukaligwa Local Municipality Land Use Scheme, 2021, Amendment Scheme No. 48-2021 and shall come into operation on the date of publication of this notice.

Particulars of the application will lie for inspection during normal hours at the office of the Director of Planning and Economic Development, 2nd Floor, Civic Centre, Taute Street, Ermelo for the period of 30 days from 14 July 2023.

H.S. POTGIETER, REED & PARTNERS, 100 Joubert Street, ERMELO, 2351

E-mail: rperm@megaweb.co.za Tel. No.: 017-811-2348/58

Publication date: Provincial Gazette of Mpumalanga: 14 July 2023

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 308 OF 2023

STEVE TSHWETE AMENDMENT SCHEME 106, ANNEXURE A85

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE LAND USE SCHEME, 2019, IN TERMS OF SECTIONS 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.

I, Jaco Peter le Roux (Pr Pln 1467/2011), of Afriplan CC (1994/029217/23) being the authorized agent of the owner of **Erf 13179, Middelburg** hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the Steve Tshwete Land Use Scheme, 2019, for the rezoning of the property situated at 3 Buitekant Street, from **“Residential Zone 3”** to **“Residential Zone 3”** with amended conditions.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 249 7000, for a period of 30 days from **14 July 2023** (last day for comments being 14 August 2023). Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comment.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from **14 July 2023**.

*Details of agent: Afriplan CC, 14 John Magagula Street, Middelburg 1050. Tel: 013 282 8035/ 079 884 0446
E-mail: jaco@afriplan.com/vicky@afriplan.com*

14–21

PROVINSIALE KENNISGEWING 308 VAN 2023

STEVE TSHWETE WYSIGINGSKEMA 106, BYLAAG A85

KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE GRONDGEBRUIKSKEMA, 2019, INGEVOLGE ARTIKELS 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUURSVERORDENING, 2016

Ek, Jaco Peter le Roux (Pr Pln 1467/2011), van Afriplan BK (1994/029217/23) synde die gemagtigde agent van die eienaar van **Erf 13179, Middelburg** gee hiermee ingevolge Artikel 94(1)(a) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Steve Tshwete Grondgebruikskema, 2019, deur die hersonering van die eiendom, geleë te Buitekantstraat 3 vanaf **“Residensieel Sone 3”** na **“Residensieel Sone 3” met gewysigde voorwaardes**.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf **14 Julie 2023** (laaste datum vir kommentare 14 Augustus 2023). Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **14 Julie 2023**, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Besonderhede van die agent: Afriplan CC, John Magagulastraat 14, Middelburg 1050. Tel: 013 282 8035 / 079 884 0446 E-pos: : jaco@afriplan.com/vicky@afriplan.com

14–21

PROVINCIAL NOTICE 309 OF 2023

STEVE TSHWETE AMENDMENT SCHEME 98

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE LAND USE SCHEME, 2019, IN TERMS OF SECTIONS 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.

I, Jaco Peter le Roux (Pr Pln 1467/2011), of Afriplan CC (1994/029217/23) being the authorized agent of the owner of the **Remaining extent of Erf 305, Middelburg** hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the Steve Tshwete Land Use Scheme, 2019, for the rezoning of the property situated at 15 Dr Beyers Naude Street, from **“Residential Zone 1”** to **“Business Zone 1”**.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 249 7000, for a period of 30 days from **14 July 2023** (last day for comments being 14 August 2023). Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comment.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from **14 July 2023**.

*Details of agent: Afriplan CC, 14 John Magagula Street, Middelburg 1050. Tel: 013 282 8035 / 079 884 0446
E-mail: jaco@afriplan.com/vicky@afriplan.com*

14–21

PROVINSIALE KENNISGEWING 309 VAN 2023

STEVE TSHWETE WYSIGINGSKEMA 98

KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE GRONDGEBRUIKSKEMA, 2019, INGEVOLGE ARTIKELS 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUURSVERORDENING, 2016

Ek, Jaco Peter le Roux (Pr Pln 1467/2011), van Afriplan BK (1994/029217/23) synde die gemagtigde agent van die eienaar van die **Resterende gedeelte van Erf 305, Middelburg** gee hiermee ingevolge Artikel 94(1)(a) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Steve Tshwete Grondgebruikskema, 2019, deur die hersonering van die eiendom, geleë te Dr Beyers Naudestraat 15 vanaf **“Residensieel Sone 1”** na **“Besigheid Sone 1”**.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf **14 Julie 2023** (laaste datum vir kommentare 14 Augustus 2023). Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **14 Julie 2023**, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Besonderhede van die agent: Afriplan CC, John Magagulastraat 14, Middelburg 1050. Tel: 013 282 8035 / 079 884 0446 E-pos: : jaco@afriplan.com/vicky@afriplan.com

14–21

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 328 OF 2023****CITY OF MBOMBELA LAND USE SCHEME, 2019 – AMENDMENT SCHEME AM/22/00095**

It is hereby notified in terms of Section 58 of the Mbombela By-law on Spatial Planning and Land Use Management, 2019, that the City of Mbombela has approved an amendment of the Mbombela Land Use Scheme, 2019, by the rezoning of Portion 63 (Portion of Portion 4) of the farm Weltevreden 455-JT, to "Rural Residential" with one dwelling unit per hectare.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

WJ KHUMALO
MUNICIPAL MANAGER

City of Mbombela
P O Box 45
NELSPRUIT
1200

LOCAL AUTHORITY NOTICE 329 OF 2023

RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004. (ACT NO. 6 of 2004).

DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY

MUNICIPAL NOTICE NO: 40 of 2023

RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2023 TO 30 JUNE 2024

Notice is hereby given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004; that the Council resolved by way of council resolution number A192/2023 to levy the rates on property reflected in the schedule below with effect from 1 July 2023.

<u>CATEGORIES OF PROPERTIES PER GV</u>		<u>APPROVED TARIFFS</u>
Agriculture	AGR	0.002636
Business/Commercial	BUS	0.016056
Industrial	IND	0.023844
Mining	MIN	0.031752
Municipal	MUN	-
Multiple Use Properties	MUP	-
Public Benefit Organization	PBO	0.002465
Public Service Infrastructure (30% Impermissible)	PSI	0.002465
Public Service Purpose	PSP	0.023844
Residential (R 15 000 Rebate)	RES	0.009861
Sectional Scheme	SS	-
Undeveloped Land	UND	0.016176
Vacant Land	VAC	0.016176
Worship	WOC	-

MR. M A NGCOBO

MUNICIPAL MANAGER

Physical Address

Postal Address

c/o Adelaide Tambo Street Private Bag X9011

& Dr Nelson Mandela Drive Volksrust

Volksrust

2470

2470

LOCAL AUTHORITY NOTICE 330 OF 2023**CITY OF MBOMBELA****NELSPRUIT AMENDMENT SCHEME AM/20/00021**

It is hereby notified in terms of Section 58 of the Mbombela By-Law on Spatial Planning and Land Use Management, 2019, that the City of Mbombela has approved an amendment of the City of Mbombela Land Use Scheme, 2019, by the rezoning of Erf 181 Sonheuwel Township from "Residential" to "Business" for purposes of offices.

Copies of the amendment scheme are filed with Municipal Manager, Civic Centre, Nel Street, Nelspruit, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

WJ KHUMALO
MUNICIPAL MANAGER
City of Mbombela Local Municipality
P O Box 45
MBOMBELA
1200

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Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building,
Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.