

Frequently asked questions for by laws:

1. What are by-laws?

By-laws are laws that are passed by the council of a municipality to regulate the affairs and the services the municipality provides in its area of jurisdiction. A municipality derives the power to pass a by-law from the Constitution of the Republic of South Africa, 1996, which gives specified powers and competencies to local government as set out in Part B of Schedule 4 and Part B of Schedule 5. The main function of the City of Tshwane's by-laws is to ensure that Tshwane is an orderly city to live and work in.

2. What issues are regulated by by-laws in Tshwane?

Public order and public amenities or properties of the Municipality

These issues are regulated by the Tshwane Public Amenities By-law. The by-law regulates municipal facilities (for instance, resorts, parks and swimming pools) to ensure that they are used in a safe and orderly manner and contribute to the well-being of people and the environment.

Childcare services, nursery schools and crèches

- a. These facilities are regulated by the Childcare Services By-law. The purpose is to ensure that childcare services in Tshwane comply with health requirements so that children can have a safe and healthy environment in which to learn and grow.
- b. Childcare services must have health certificates. Contact Municipal Health Services one-stop centre at 012 358 4656.
- c. Regulation 918 (a health regulation) ensures that premises for food preparation and the transportation of food meet health and hygiene standards. Contact Municipal Health Services one-stop centre at 012 358 4656.
- d. Tshwane Town Planning Scheme For more information on the zoning of child care services, contact the Town Planning offices for your area.

Akasia

1st Floor, Spectrum Building, Plein Street West, Karenpark.

For enquiries, phone 012 358 9110.

Centurion

Room 8, Town Planning Office, cnr Basden and Rabie Streets.

For enquiries, phone 012 358 3253.

Pretoria

Room G10, Ground Floor, Munitoria, cnr Vermeulen and Van der Walt Streets.

For enquiries, phone 012 358 4689

Fire Brigade Services By-law

To request fire safety inspections at premises and lodge fire hazard complaints, consult the Fire Safety offices for your area,

Monday to Friday, 07:30 to 16:00.

Central Fire Station Tel: 012 358 6255 (reception)

Rosslyn Fire Station Tel: 012 358 9964 (reception)

Centurion Fire Station Tel: 012 358 3510 (reception) For information outside office hours, please phone 012 358 6200/6300.

Businesses Act regulations

To obtain information on business licences, contact the Local Economic Development Division at the following telephone numbers: 012 358 4490, 012 358 4383, 012 358 4017 or 012 358 0759.

National building regulations

Building Control Regional offices (enquiries by fax):

Pretoria Tel: 012 358 7994/8048 or 012 358 4921/8071

Centurion Tel: 012 358 3412/3 or 012 358 3599

Akasia Tel: 012 358 9098 or 012 358 9131

Soshanguve Tel: 012 358 9336 or 012 358 9250

Homes for the aged

- a. Homes for the aged are regulated by the City of Tshwane By-law for Homes for the Aged. The purpose is to ensure that these homes comply with health requirements so that older people can live in safe and healthy circumstances.
- b. Homes for the aged must have health certificates. Contact Municipal Health Services one-stop centre at 012 358 4656.
- c. Regulation 918 (health regulation) This regulation ensures that premises for food preparation and the transportation of food meet health and hygiene standards.
- d. Tshwane Town Planning Scheme For more information on the zoning of homes for the aged, contact the Town Planning offices for your area.

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Initiation schools

- a. Initiation schools are regulated by the City of Tshwane Initiation Schools By-law. The by-law is aimed at ensuring that initiation schools in Tshwane comply with health requirements so that traditional practices can be performed in a safe and healthy manner.
- b. Health certificates Contact Municipal Health Services one-stop centre at 012 358 4656.

Keeping of animals, birds and poultry

The City of Tshwane By-law for Keeping of Animals, Birds and Poultry ensures that the health of people and animals is preserved and that animals are properly looked after. Contact Municipal Health Services one-stop centre at 012 358 4656.

The City of Tshwane Street Trading

By-law regulates and manages street trading in a manner that promotes a safe and orderly city. It provides guidelines on what to do and what not to do when trading on the streets of Tshwane. It also gives guidelines on how to deal with contraventions.

Outdoor advertising

The City of Tshwane Outdoor Advertising By-law regulates outdoor advertising signs (such as posters and billboards) to ensure a safe and aesthetically pleasing city while promoting economic development. To apply for outdoor advertising signs, contact the City Planning Division at 012 358 7694.

Keeping of bees

The City of Tshwane Keeping of Bees By-law regulates permits for keeping bees to ensure that bees do not become a public nuisance or endanger human or animal life. To apply for a permit to keep bees, please contact the Environmental Management Division at 012 377 0568.

3. Are there special by-laws to regulate municipal services?

- Yes. They are the following:
- Cemetery and Crematorium By-law
 - Tshwane Market By-law
 - Wonderboom Airport By-law
 - Fire Brigade By-law
 - Parking Meter By-law

- Water Supply By-law
- Sanitation By-law
- Electricity Supply By-law
- Solid Waste By-law
- Credit Control By-law
- Property Rates By-law

4. Where can I view the City of Tshwane by-laws?

On the City of Tshwane public website at www.tshwane.gov.za, click on the "RESIDENTS" tab at the top of the home page. On the left of the screen under the heading "Municipal Services", click on "By-laws". To view existing by-laws, click on "Promulgated by-laws". To view draft by-laws, click on "Draft by-laws", or to view fine schedules, click on "Fine schedule for by-law policing".

5. Where can I lodge a complaint regarding a by-law transgression?

To report a by-law offence, contact the City of Tshwane's By-law Enforcement Centre at:

Tel: 012 358 0070

Toll-free number: 0801 111 556

The caller will hear a voice giving various options. Select Option 1 for "Fire, ambulance and metro police". The caller will then hear some more options, and should select Option 3 for the By-law Enforcement Centre.

Email: bylawenforcementcenter@tshwane.gov.za or bec@tshwane.gov.za

Address: By-law Enforcement Centre, Tshwane Metropolitan Police Headquarters, cnr DF Malan Drive and Church Street, Pretoria West

6. May I lodge a complaint anonymously?

Yes, you may. Please note the following:

Tel: 012 358 0070

In terms of the By-law Enforcement Centre service charter we have to provide a complainant with feedback within 21 days. A complainant does not have to provide his or her name, but if we do not at least have a telephone number or an email address, feedback to the complainant will be impossible.

To prevent victimisation, the name of the complainant is not disclosed to the presumed transgressor. However, should the case go to court, the complainant may be asked to testify.

7. When can I expect feedback?

The By-law Enforcement Centre service charter stipulates that feedback must be given within 21 days.

8. If I want to open a business, what licences or permits do I require and where do I apply?

General enquiries: Formal and Informal Business Regulation Compliance Section at 012 358 1416/4490/4012

Businesses that sell food, such as butcheries, bakeries, home industries and petrol stations Business licence According to the Businesses Act (71 of 1991, Schedule 1), the following businesses are required to apply for and obtain a trade licence before they begin their operations:

- a. Any foodstuff in the form of meals for consumption on or off the business premises
- b. Any perishable foodstuff.

For the purposes of subitem (1), "perishable foodstuff" means any foodstuff or category of foodstuff declared by an Administrator by notice in the Official Gazette to be a perishable foodstuff in the province concerned.

9. Provision of certain types of health facilities or entertainment, the carrying on of business by

- * Providing Turkish baths, saunas or other health baths
- * Providing massage or infrared treatment
- * Making the service of an escort, whether male or female, available to any other person
- * Keeping three or more mechanical, electronic or electrical contrivances, instruments, apparatus or devices which are designed or used for the playing of any game or for recreation or amusement, and the operation of which involves the payment of any valuable consideration, either by insertion of a coin, token coin or disc therein or in an appliance attached thereto or in any other manner
- * Keeping three or more snooker or billiard tables
- * Keeping or conducting a night club or discothèque
- * Keeping or conducting a cinema or theatre
- * Conducting adult premises referred to in section 24 of the Films and Publications Act (65 of 1996).

10. Hawking in meals or perishable foodstuffs

The carrying on of business, whether as principal, employee or agent, by selling any foodstuff in the form of meals or any perishable foodstuff

- Which is conveyed from place to place, whether by vehicle or otherwise
- On a public road or at any other place accessible to the public
- on or from a movable structure or stationary vehicle, unless the business is covered by a licence for a business referred to in item 1 of this Schedule.

Licences are required for the above business types. To obtain information on business licences, contact the Local Economic Development Division at the following telephone numbers: 012 358 4490, 012 358 4383, 012 358 4017 or 012 358 0759 To apply for a business licence, visit the Local Economic Development offices at: Room 401, 4th Floor, HB Phillips Building, cnr Schoeman and Bosman Streets, Pretoria

11. May I discharge fireworks on my private property?

No person may discharge fireworks on any property without the consent of the Chief Fire Safety Officer, who may set any restrictions as he or she may deem necessary for safety reasons.

Consult the Fire Safety offices for your area, Monday to Friday, 07:30 to 16:00.

12. May I burn garden refuse in my garden or in an old steel drum?

No. According to the Fire Brigade Services By-law, "no person may, without the written authority of the Service, burn any refuse, wood, straw or other combustible materials within the area, or have them burnt or permit them to be burnt within the area, unless the refuse, wood, straw or other combustible materials are burnt inside an approved purpose-made incinerator or incinerating device".

13. Where do I lodge noise complaints?

Environmental Health one-stop service: 012 358 4656.

For all other enquiries, please contact the City of Tshwane Customer Care call centre on 012 358 9999.