



City of Tshwane Resident's manual on by-laws and legislation

This manual looks at City of Tshwane by-laws and other legislation administered and enforced by it. The aim with the manual is to –

- *provide an easy summary of these by-laws and related information; and*
- *raise understanding of these by-laws and other applicable legislation.*

Note

Act: Legislation proposed and promulgated by national government.

Regulation: Legislation passed by an authorised minister of government relating to a specific act.

By-law: Legislation promulgated by a local government authority.

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City of Tshwane Public Amenities By-law

A public amenity is defined as –

any land, camping site, swimming bath, public resort, recreation site or park or nature conservation area that is owned, leased or controlled by the Municipality and to which the general public has access, whether on payment of admission fees or not.

Aim with the By-law

To regulate certain matters relating to the use of the public amenities of the City of Tshwane

The Public Amenities By-law regulates municipal facilities to ensure that they are used in a safe and orderly manner and contribute to the well-being of people and the environment.



Summary of the By-law

The Public Amenities By-law has special provisions for the health, safety and maintenance of the city's public amenities. The By-law outlines the following:

- Maximum number of visitors
- Admission to and staying in a public amenity
- Directions on the handling of animals in public amenities
- Directions on the handling of plants in public amenities
- Entrance fees
- Use of play apparatus and playground equipment
- Prohibited conduct and behaviour
- Health matters
- Liquor, food and fires
- No loitering
- No gatherings or processions without the prior written consent of the Municipality
- Directions on the use of vehicles in public amenities
- No improper or indecent behavior
- Powers of municipal staff to exercise control in public amenities
- Furnishing of name and address of authorised officials of the Municipality
- No boats to be used without permits
- Directions on angling at public amenities
- Directions on camping at public amenities
- Directions on the use of caves at public amenities
- Lost property

The By-law also has the following provisions:

- No archaeological, geological or historical material in or at a public amenity may be disturbed or removed.
- No person or institution may plan or execute any activity, development or improvement in or at a public amenity without approval.
- No person may remove any soil, stones, sand or plants from a public amenity without permission.

City of Tshwane Public Amenities By-law

How to comply with the By-law

Always comply with notices posted at public amenities and do not damage any play equipment, plants or other materials. Respect the animals at our public amenities and report any poaching that you may witness.

Remember that our public amenities are for all our residents, young and old!

Enquiries or bookings

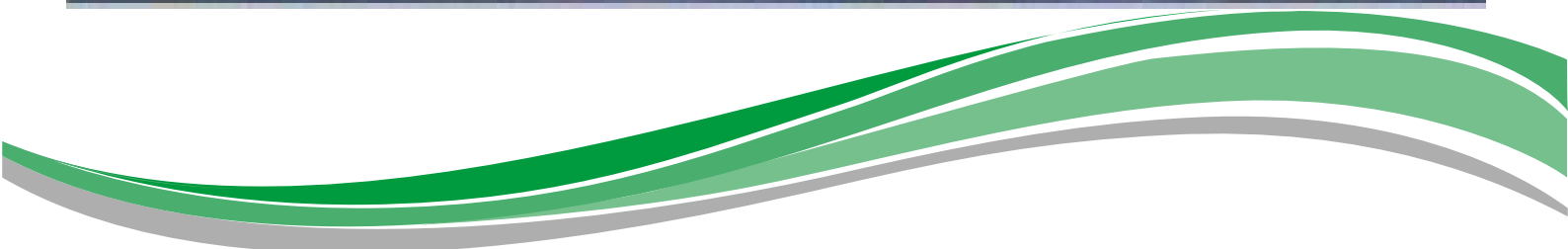
- For resorts (such as Fountains, Derdepoort and Ga-Mothakga), swimming baths and nature reserves and nature areas (such as Rietvlei and Austin Roberts Bird Sanctuary), call 012 341 1415 (general enquiries).
- For parks and the cutting of grass at parks and traffic islands, call 012 358 8815. For the renting of parks, call 012 358 0495.

Penalties

- Any person who disobeys any provision of this By-law could face a fine of up to R10 000,00 or be sent to prison for up to 12 months.

Consequence of non-compliance

Going against the Public Amenities By-law would harm the city's nature areas, which in turn would be harmful to the health and well-being of the people of Tshwane.



City of Tshwane Health By-law for Homes for the Aged

The By-law sets uniform standard requirements for homes for the aged in the area of jurisdiction of the City of Tshwane. The requirements relate to different categories of older people who are catered for at these homes. Environmental Health Practitioners determine whether the premises comply or not, based on their qualifications.

Older people are categorised as follows:

- Category A: Residents who are older than 55 years, generally healthy and able to take care of themselves
- Category B: Residents who are older than 55 years, generally healthy but unable to take care of themselves
- Category C: Residents who are older than 55 years, need constant medical supervision and usually live in the frail care centre of a home for the aged

Definition of a home for the aged

Any undertaking or service involving the care of older people, including the building or premises used for operating the undertaking or service, which undertaking or service and which building or premises are subject to registration by the relevant department

Aim with the By-law

To ensure that homes for the aged in Tshwane comply with set health requirements so that older people can live in safe and healthy circumstances.

The By-law for Homes for the Aged sets uniform standards for services for the care of older people in the city.

Compliance with the By-law

You must have a health certificate to operate a home for the aged. To apply for a health certificate, contact Municipal Health Services at 012 358 4656.

If a home for the aged has a kitchen where food is prepared and served to older people, you must have an R918 certificate (certificate of acceptability for food premises). To apply for this certificate, contact Municipal Health Services at 012 358 4656.

Both certificates must be displayed on the premises.

Penalties

Acting against this By-law will result in your receiving a notice to comply or a fine of up to R20 000,00. The health certificate can also be withdrawn.

Consequence of non-compliance

If people go against the By-law, older people's health may be at risk.



City of Tshwane Health By-law for the Management of Initiation Schools

Based on health principles, the By-law sets standard requirements for initiation schools in the area of jurisdiction of the City of Tshwane. Dedicated officials of the Social Development Department inspect the initiation schools and handle complaints about them. Environmental Health Practitioners determine whether the premises comply or not, based on their qualifications.

Aim with the By-law

To ensure that initiation schools in Tshwane comply with set health requirements so that traditional practices can be performed in a safe and healthy manner. The By-law outlines the following:

- Application for registering and operating an initiation school
- Permission to perform circumcisions at initiation schools
- Admission to initiation schools (For instance, a person who is 15 years or older may be admitted, but if the person is under 21 years, the parent or guardian must give consent on a prescribed consent form.)
- Closure of initiation schools
- Establishment of an initiation school advisory committee
- Duration of initiation schools (An initiation school may not operate for longer than 90 days and may only operate during official school holidays.)
- Treatment of initiates (For instance, initiates may not be subjected to physical suffering.)
- Cultural ethics and inspection of initiation schools (Officials who inspect initiation schools should be familiar with the proceedings of these schools.)

The By-law sets uniform standards for initiation schools in Tshwane.

Compliance with the By-law

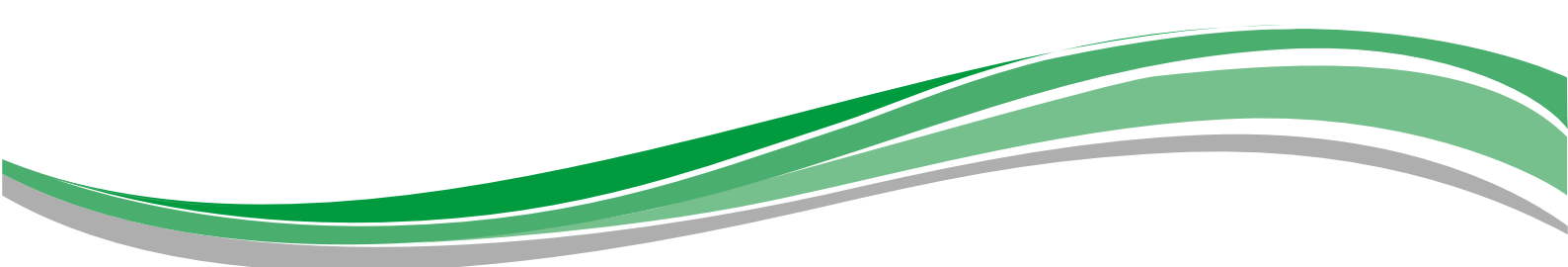
You must have a health certificate to operate an initiation school. To apply for this certificate, contact Municipal Health Services at 012 358 4656.

Penalties

Acting against this By-law will result in your receiving a notice to comply or a fine of up to R20 000,00. The health certificate can also be withdrawn.

Consequence of non-compliance

If people act against the By-law, the health of the initiates may be at risk.



City of Tshwane Health By-law for the Keeping of Animals, Birds and Poultry

The By-law regulates the keeping of animals by residents of the City of Tshwane, whether for domestic or business purposes, in order to avoid health hazards. The principles of public health are applied by Environmental Health Practitioners to determine whether a situation can give rise to a health hazard. Requirements are set for structures, the removal of manure and infestation management. The following are outlined in the By-law:

- General provisions (For instance, no person may ill-treat or starve an animal.)
- Kennels and premises for the keeping of livestock
- Premises for the keeping of animals, birds and poultry
- Keeping of cattle, horses, mules and donkeys
- Keeping of pigs
- Keeping of goats and sheep
- Keeping of poultry, birds and rabbits
- Dealers in livestock and other businesses involving the keeping of animals and poultry
- Dog kennels and catteries
- Pet shops and pet salons
- Hawking of poultry and rabbits
- Keeping animals in a manner that will prevent them from causing a nuisance
- Vicious dogs and bitches on heat
- Dogs causing a nuisance
- Dogs to be on leashes at public places
- Dogs not to be incited
- Provisions for pound masters, pound procedures and impounding of animals
- Selling or destruction of unclaimed animals
- Summoning the owner to produce an animal for inspection by the court
- Powers of officers in relation to the prevention of cruelty to animals
- Prohibition of arranged animal fights

Aim with the By-law

That people keeping animals ensure that the health of humans and animals is preserved and that animals are properly looked after

Compliance with the By-law

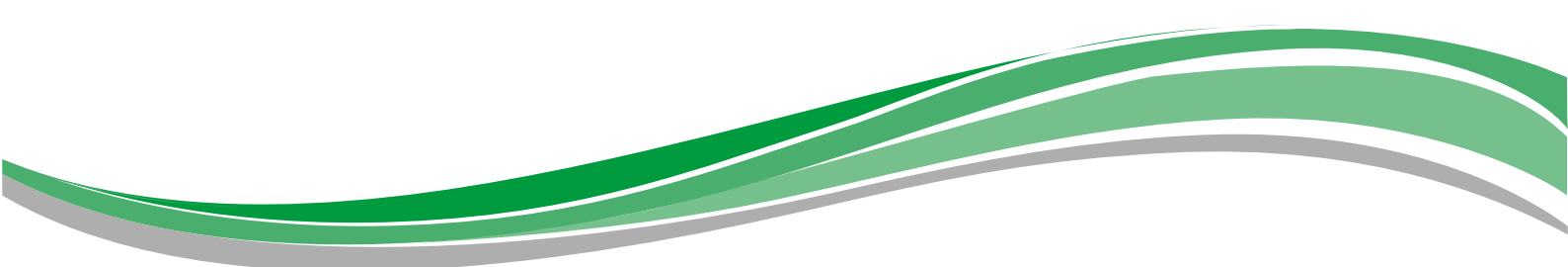
To find out about compliance with the By-law or to report a complaint about animals, contact Municipal Health Services at 012 358 4656.

Penalties

Failure to comply with this By-law will result in a notice to comply or a fine of up to R20 000,00.

Consequence of non-compliance

If people do not comply with the Keeping of Animals, Birds and Poultry By-law, it could negatively affect the environment in our city and the health of our residents.



Regulation 918 on the General Hygiene Requirements for Food Premises and the Transport of Food

The Regulation was published in terms of section 35 read with section 40 of the Health Act, 1977 (Act 63 of 1977). It sets requirements for the general hygiene of food premises and the transportation of food. It regulates all aspects of a food premises where food is handled and prepared (including the reheating of prepared food, but excluding prepacked foodstuffs).

Aim with the Regulation

- To ensure that premises for food preparation and the transportation of food meet health and hygiene standards.

Regulation 918 applies to premises where food is prepared and to the transportation of food so as to protect the health of our city's residents.

Compliance with the Regulation

No person is allowed to operate a food premises (such as a restaurant or takeaway) without obtaining an R918 certificate. To apply for an R918 health certificate, call Municipal Health Services at 012 358 4656.

Penalties

Failure to comply with the Regulation will result in your receiving a notice to comply or a fine.

Consequence of non-compliance

If premises do not comply with Regulation 918, the health of the city's residents could be severely compromised.

Section 48 of the Health Act and regulations relating to funeral undertakers

Regulations on funeral undertakers have been published in terms of sections 33 and 39 of the Health Act, 1977 (Act 63 of 1977), as amended. They set structural and hygienic requirements for funeral undertakers' premises. Section 48 of the Act sets requirements for removing a body for burial and for dealing with the remains of people who have been certified to have died from a communicable disease and matters related to that.

Aim with the Regulations

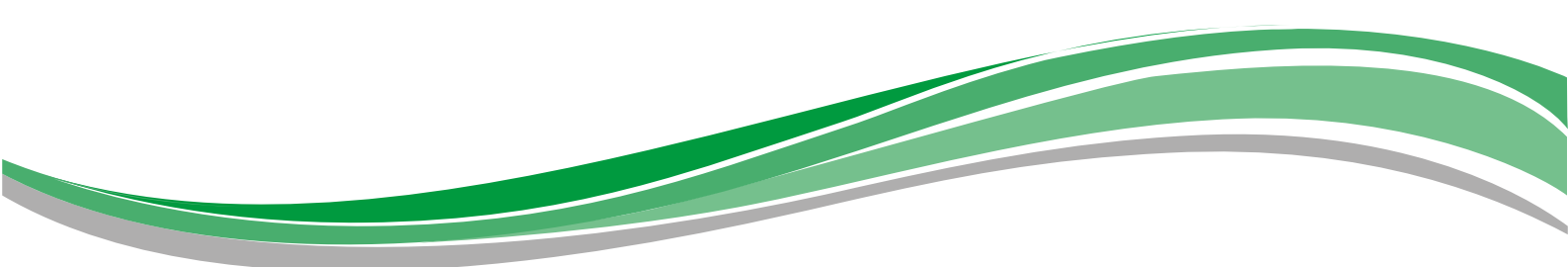
To ensure that funeral undertakers meet health and hygiene standards

Compliance with the Regulations

No person may prepare any corpse on a funeral undertaker's premises if Municipal Health Services has not issued a certificate of competence to ... (///add something). To apply for the certificate, call 012 358 4656. If you suspect that a body of a person who was certified to have died of a communicable disease is not dealt with according to the stipulations of section 48 of the Act, call 012 358 4656 to report the contravention.

Penalties

Going against the regulations will result in your receiving a notice to comply. If you still do not comply, legal steps will be taken against you, and you may be fined.



Gauteng Noise Control Regulations

These regulations were published under section 25 of the Environment Conservation Act, 1989 (Act 73 of 1989). They relate to all issues of noise pollution and outline the powers of local authorities and neighbourhood watch committees.

Compliance with the regulations

No person may make, produce or cause a disturbing noise or a noise nuisance, or allow it to be made, produced or caused by a person, animal, machine, device or apparatus or any combination of these agents. If you have to report a noise or want to find out how to comply, please call 012 358 4656 (Municipal Health Services).

Penalties

Acting against these regulations will result in your receiving a notice to comply. If you still do not comply, legal steps may be taken against you and you may be fined.

Tobacco Products Control Act and the Regulation 975 Notice on Smoking of Tobacco Products in Public Places

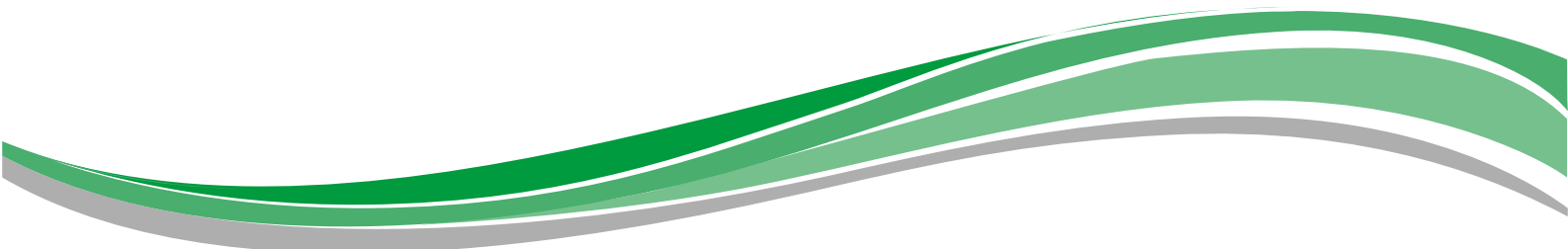
The purpose of the Act is to prohibit or restrict smoking in public places, to regulate the sale and advertising of tobacco products in certain respects, to prescribe what is to be reflected on cigarette packages and to provide for related matters. The notice was published in terms of section 2 of the Tobacco Products Control Act, 1939 (Act 83 of 1993).

Compliance with the Regulation

The smoking of tobacco is permitted in certain public places, provided the requirements of the Regulation are met. If you wish to report non-compliance or to find out how to comply, call 012 358 4656 (Municipal Health Services).

Penalties

If you act against this Regulation, you may receive a notice to comply. If you still do not comply, legal steps may be taken against you, and you may be fined.



Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972)

The Act sets out to control the sale, manufacture and importation of foodstuffs, cosmetics and disinfectants, and to provide for incidental matters such as the seizure and forfeiture of foodstuffs found to have been non-compliant with regulations published in terms of the Act.

Compliance with the regulations

Foodstuffs that are unfit for human consumption and are to be disposed of in terms of the Act can be disposed of at municipal landfill sites. This can only be done if you have a certificate from the Health Division that declares the foodstuffs unfit for human consumption. The certificate is available at a fee. If you wish to report non-compliance or to find out how to comply, call 012 358 4656 (Municipal Health Services).

Penalties

If you go against these regulations, you may receive a notice to comply. If you still do not comply, you may face legal steps or a fine.

Health Act, 1977 (Act 63 of 1977)

The Act sets out duties and powers of local authorities in dealing with any nuisance, unhygienic conditions, offensive conditions, etc in order to keep its area hygienic and clean at all times.

Compliance with the regulations

No person is allowed to create a health nuisance in the area of jurisdiction of the Municipality. If you wish to report a nuisance, call Municipal Health Services at 012 358 4656.

Penalties

If you go against these regulations, you may receive a notice to comply. If you still do not comply, you may face legal steps or a fine.

Health Act, 2003 (Act 61 of 2003)

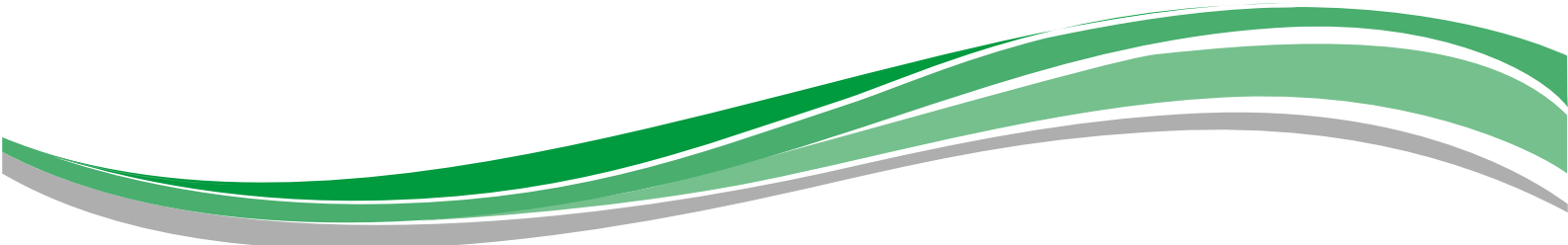
The Act provides a framework for a structured uniform approach to health matters, taking into account the stipulations of the Constitution and other laws. The Act determines the duties of health officers and sets the requirements for valid routine inspections and environmental health complaint investigations. It also provides for dealing with offences in terms of the Act.

Compliance with the regulations

After a complaint has been investigated, a compliance notice is served, instructing the transgressor to comply with the conditions stipulated in it. If one cannot comply within the specified timeframe, one should contact the Environmental Health Practitioner and discuss the matter. To report an environmental health complaint or ask for help to comply with a compliance notice issued in terms of the Act, call Municipal Health Services at 012 358 4656.

Penalties

If you go against these regulations, you may receive a notice to comply. If you still do not comply, you may face legal steps or a fine.



Regulation on Milking Sheds and the Transport of Milk

This Regulation was published in terms of sections 34, 35, 39 and 40 of the Health Act, 1977 (Act 63 of 1977). It sets the requirements for milking sheds when producing milk for human consumption and the requirements for the transportation of such milk.

Compliance with the regulation

If you wish to find out how to comply with the Regulation or lodge a complaint about non-compliance, call Municipal Health Services at 012 358 4656.

Penalties

If you act against this Regulation, you may receive a notice to comply. If you still do not comply, you may face legal steps or a fine.

Regulation on Milk and Dairy Products

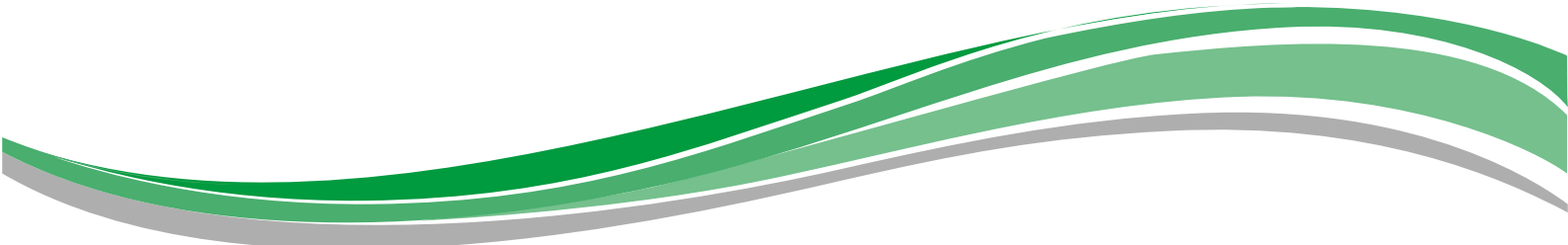
This Regulation was published in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972). It sets the requirements for the sale of raw milk intended for further processing and for raw milk that has to be soured.

Compliance with the regulation

If you wish to find out how to comply with the Regulation or lodge a complaint about non-compliance, call Municipal Health Services at 012 358 4656.

Penalties

If you act against this Regulation, you may receive a notice to comply. If you still do not comply, you may face legal steps or a fine.



Business Act, 1991 (Act 71 of 1991)

The Business Act regulates certain formal and informal businesses and stipulates that certain types of businesses must have a business licence.

Aims with the Business Act

- To guide local authorities to license and legalise trade and business within their area of jurisdiction
- To ensure that businesses comply with national legislation
- To ensure that businesses comply with certain health, fire safety and city planning requirements and conditions before licences are issued

The Business Act allows municipalities to regulate certain types of businesses to ensure that the community's health and safety are protected.

Businesses that must have licenses



According to the Business Act (Schedule 1), the following businesses are required to apply for and obtain a trade license before they begin their operations:

Item 1: Sale or supply of meals or perishable foodstuffs

This item refers to the carrying on of business by the sale or supply to consumers of –

- any foodstuff in the form of meals for consumption on or off the business premises; or
- any perishable foodstuff.



Perishable foodstuffs refer to items such as milk, meat, fish, fish spawn, molluscs and crustaceans, fruit, vegetables and any foodstuff that has to be refrigerated to keep its qualities.

Item 2: Provision of certain types of health facilities or entertainment

This item refers to 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, apparatuses or devices that are designed or used for playing 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 nightclub or discothèque;
- keeping or conducting a cinema or theatre; and
- conducting adult premises referred to in section 24 of the Films and Publications Act, 1996 (Act 65 of 1996).



Item 3: Hawking in meals or perishable foodstuffs

This item refers to the carrying on of business, whether as principal, employee or agent, by selling any foodstuff in the form of meals or any perishable foodstuff –

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

Business Act, 1991

Procedure to apply for a license in terms of the Business Act:

Hawker's licence

- A copy of the ID book
- Written proof of access to toilet facilities
- A licence in the seller's name
- Application fee: R170,00
- Renewal after 12 months at a fee of R113,00

Food-vending licence

- A copy of the ID book
- Modus operandi: description of kind of business, and days and hours of business
- A sketch of the proposed site (location)
- Photos of inside and outside of trailer
- If on private property: the permission of the landlord
- Written proof of access to toilet facilities (where applicable)
- Trailer size: length 2 750 mm, width 1 910 mm, height 2 500 mm from the ground
- Application fee: R170,00
- Monthly rental: R40,00
- Renewal after 12 months at a fee of R113,00

Formal business licence

- In the case of a company: certificate of incorporation reflecting the company's registration number, full names and surname and ID of the owner, residential and postal address
- ID and full name and surname of manager responsible
- In the case of a close corporation, attach a CK1 or CK2.
- In the case of a partnership, attach a separate schedule reflecting the full name and surname, identity number and address of each partner.
- In the case of a sole proprietor, attach a copy of the owner's ID.
- In the case of a restaurant or café keeper, attach a menu.
- Application fee for sale or supply of meals or perishables: R396,00 (renewal after 12 months at a fee of R283,00)
- Application fee for the provision of certain types of health facilities or entertainment or adult premises: R3 500,00 (renewal after 12 months at a fee of R2 500,00)

Compliance with the Business Act

Licenses are required for the above business types. For more information, contact the Local Economic Development Division at the following telephone numbers: 012 358 1416, 012 358 4490 or 012 358 4012.

To apply for a business license, visit the Local Economic Development offices at:

Room 401, 4th Floor
 HB Phillips Building
 Cnr Schoeman and Bosman Streets
 Pretoria
 0002

Penalties

Any person who contravenes a provision of the Business Act will be guilty of an offence and, if convicted, may face a fine or a prison sentence of up to three months, or both the fine and prison sentence.

Consequence of non-compliance

Non-compliance with the required health and fire safety requirements could harm the health and safety of the community.

City of Tshwane Street-trading By-law

Aims with the By-law

- To legalise and regulate street-trading activities
- To give guidance on acceptable street trading
- To give guidance on what is expected in a non-declared area (open trading area), a restricted area (area with only a limited number of traders) and a prohibited area (area where no street trading is allowed)
- To protect street traders who comply with the rules and regulations of the Municipality
- To give the Municipality the power to act against non-compliance
- To ensure a clean and healthy environment in areas where there are street-trading activities
- To ensure that traders do not litter and dispose of their waste in refuse receptacles



The Street-trading By-law is a mechanism for the Municipality to regulate and manage 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 an indication of how contraventions will be dealt with.

Application procedure

The By-law allows the Municipality to –

- manage and regulate informal trading in its area;
- give informal traders permission to trade in a specified area;
- identify those who do not want to comply; and
- levy fees, which in turn are used to support informal traders to improve their businesses.

To apply for a street-trading permit, the following are needed:

- A copy of the ID book
- Permanent residential and postal address
- Initial rental fee covering the first three months, followed by monthly payments
- Signing of a lease agreement
- Signing of a pledge form
- Attendance of an orientation workshop
- A monthly rental fee, depending on the stall provided

For more information on trading permits, call the Local Economic Development Division at the following telephone numbers:

012 358 1416 012 358 4383
012 358 4490 012 358 0699

To apply for a trading permit, visit the Local Economic Development office at:

Room 401, 4th Floor
HB Phillips Building
Cnr Schoeman and Bosman Streets
Pretoria
0002

Penalties

Any person who acts against the Street-trading By-law is committing an offence and, if found guilty, may face a fine or a prison sentence of up to three months, or both the fine and prison sentence.

Consequence of non-compliance

Ignorance of the required health, hygiene and safety requirements could harm the health and safety of the community.

City of Tshwane Cemetery and Crematorium By-law



Aim with the By-law

To stipulate rules, regulations and approved tariffs for services rendered in cemeteries and crematoriums and to regulate the actions of –

- funeral parlours;
- monumental masons;
- members of the public;
- municipal officials; and
- contractors.

Benefits of the By-law

The By-law regulates activities at cemeteries and crematoriums to ensure that these areas are safe and orderly.

Further, the regulation of areas designated as cemeteries, ensures that the environment is healthy and uncontaminated.

Summary of the By-law

The By-law provides for three burial methods:

- Cremations
- Ordinary burials
- Second internments

The By-law allows the Municipality to designate certain areas as cemeteries and crematoriums. All cemeteries must be under the control of the Municipality.

The By-law regulates –

- activities and general provisions at cemeteries;
- specified visiting and office hours;
- the burial of human remains;
- burial orders;
- the dimensions of grave plots and graves;
- reservations of grave plots;
- funerals and cremations for destitute people;
- the exhumation of human remains;
- work in connection with memorials;
- grave plots furnished with a berm;
- the maintenance of graves;
- cremations;
- duties of staff;
- post-cremation services; and
- memorial work.

Enquiries

For more information on cemeteries or crematoriums, call 012 358 8815 or 012 358 8936.

How to comply with the By-law

Funeral undertakers or bereaved families can request burials and/ or cremations telephonically, by fax or by visiting the nearest cemetery. For this purpose they can contact the Administrative Officers or Senior Administrative Officers at the cemeteries.

The following documents needed to ensure compliance with the By-law:

- Burial order (BI 1663)
- Notice of interment
- Reopening form
- Stipulation of rates
- Reservation certificate
- Cash book
- Index book

Penalties

Any person who acts against the Cemetery and Crematorium By-law will commit an offence and, if found guilty, may face a fine or a prison sentence of up to three months, or both the fine and prison sentence.

Consequence of non-compliance

Unregulated burials and cremations could harm the health and safety of the community because they tend to ignore health, hygiene and safety requirements.

City of Tshwane Market By-law

Aim with the By-law

To provide the City of Tshwane with legislative measures for all operational, business and incidental activities at the Tshwane Market.

The Tshwane Market By-law empowers the City of Tshwane to administer and render the services of a fresh-produce market, and to achieve its constitutional objectives and eradicate the discriminatory laws of the past.

Summary of the By-law

The Tshwane Market By-law governs aspects of the Tshwane Market that cannot be dealt with through operational policies or specific arrangements such as lease contracts. The By-law regulates the activities of role players such as –

- Market Administration;
- market agents;
- buyers/traders;
- carriers;
- retailers/wholesalers; and
- tenants.

Compliance with the By-law

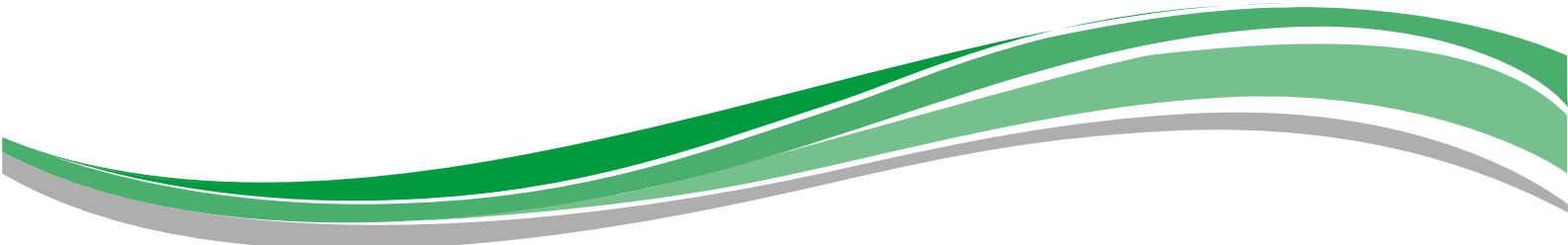
Carriers (self-employed people hired to convey agricultural produce at the market):

- No person may do business as a carrier on the market premises unless he or she is registered with the City Manager as a carrier and holds a carrier's permit.
- A carrier's permit may only be issued to a person after he or she has given proof of identification and paid the City Manager a refundable deposit determined by the Council from time to time .
- Carriers must always wear the identification and clothing supplied to them by the City Manager and must keep themselves and their clothing clean and neat.

Wholesalers and retailers (people who have an agreement with the Municipality to do business at the market):

- No wholesaler may sell an agricultural product on the market premises other than that purchased on the sales floor. A wholesaler may, with the prior written consent of the City Manager, sell an agricultural product delivered directly to him from the consigner, provided that the fee may be deducted from the average market price for that agricultural product on that specific day or as determined by the City Manager from time to time.
- The City of Tshwane is entitled to reserve any part of the market premises for retail and wholesale business in market products and may, for that purpose, enter into agreements with a retailer or wholesaler in terms of which a table, stall or area is leased to the retailer or wholesaler.

Market agents and their employees:

- No person may do business as a market agent at the market unless he or she is the holder of –
 - ♦ a fidelity fund certificate; and
 - ♦ a market agent's license.
 - A market agent's license must be applied for on a form available from the Market Administration office on the market premises. This form must be accompanied by the application fee that is determined by the Council and by the other particulars and documents requested on the form. All these documents must be sent by post or be delivered to Market Administration at the address indicated on the form.
 - The applicant must provide the City of Tshwane, within the period set by the City Manager, with security to the satisfaction of the City Manager for an amount determined by the City Manager in order to provide for the applicant's payment of any costs, fees or deposits that may become payable to the City of Tshwane.
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City of Tshwane Market By-law

Salespersons

- No person may do business on the market floor unless they have a sales permit issued to them by the City Manager.
- A market agent must apply for a sales permit on behalf of the salesperson on the prescribed form available at the Market Administration office on the market premises. The form must be accompanied by the application fee set by the Council and by the other particulars and documents indicated on the form.
- A sales permit may only be issued to applicants if they have satisfied the City Manager that they are –
 - a. in the employ of a licensed market agent; and
 - b. fit, competent, proper and suitably qualified to do business as a salesperson.

Buyer

- An agricultural product on the market floor may only be sold to a buyer who holds a valid buyer's card issued by Market Administration.
- When conducting a floor sale, buyers must immediately present their buyer's card to the market agent concerned, who must record the details of the sale in the manner determined by the City Manager from time to time.

Enquiries

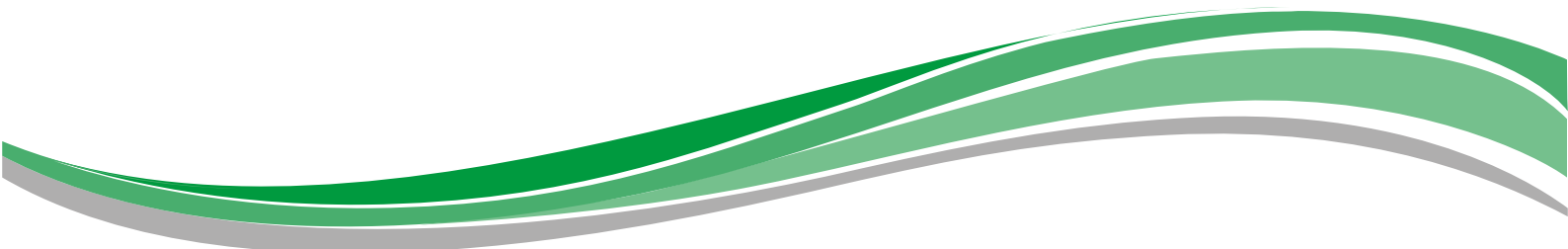
For more information, call 012 358 2398.

Consequences of non-compliance

If people do not comply with the Tshwane Market By-law, it could negatively affect the operation of the market and local economic development in our city.

Penalties

Any person who is found guilty of an offence under this By-law could face a prison sentence of up to three years or a fine of R60 000 or both, as may be determined by a court of law in accordance with the Adjustment of Fines Act, 1991 (Act 101 of 1991).



City of Tshwane Outdoor Advertising By-law

Aims with the By-law

- To provide for the regulation of outdoor advertising on or visible from all public spaces in the Tshwane municipal area and to ensure that outdoor advertising –
 - contributes to the economic development of the city;
 - contributes to the conservation of tourism resources in natural, rural and urban environments;
 - fosters an approach that balances economic development, traffic safety and conservation of visual resources;
 - is used as an effective communication tool; and
 - is optimally exploited without compromising environmental quality and traffic safety in the city.



The Outdoor Advertising By-law allows the Municipality to regulate outdoor advertising (by means of posters, billboards, etc) to ensure a safe and aesthetically pleasing city while promoting economic development.

Application procedure

Outdoor advertising is a function of the City Planning, Development and Regional Services Department. It is regulated by the Outdoor Advertising By-law and related policies. The Outdoor Advertising Management Office is located in Room 305, 3rd Floor, Sammy Marks Building (west block), and may be contacted at 012 358 7694 or 012 358 7651.

Information on application forms, the application procedure, the By-law and policies, tariffs and other information related to outdoor advertising can be obtained by visiting the Municipality's website at www.tshwane.gov.za.

Benefits of the By-law

Outdoor advertising has become an integral part of Tshwane, with all kinds of advertising signs posted throughout the city. These signs attest to economic growth in the city. However, they can also damage the appearance of the city if not managed properly. The Outdoor Advertising By-law can regulate over 44 sign classes by means of a uniform assessment. The By-law is also used to regulate the placement of outdoor advertising signs. It benefits the Municipality by –

- protecting the rights and obligations of the Municipality;
- setting out the legal requirements for outdoor advertising;
- setting out the design requirements for signs;
- setting out the application procedure;
- setting out the consequences of non-compliance with the By-law;
- outlining punitive measures such as fines and summonses;
- ensuring that the appearance of the city is not negatively affected;
- ensuring that signs are placed in areas suitable to their nature;
- ensuring that areas are not cluttered with too many signs;
- providing a reference for dealing with outdoor advertising issues;
- providing prospective advertisers with a means to plan their advertising strategy;
- advising and helping applicants to prepare applications; and
- providing criteria for the evaluation of applications.

City of Tshwane Outdoor Advertising By-law

Summary of the By-law

Outdoor advertising in the city is regulated by means of the Outdoor Advertising By-law. This By-law sets out the legal requirements for application, safety, attractiveness and decency, the design and construction of signs, offences and penalties, as well as the types of signs and the regulations for their display.

In applying the By-law, the Municipality strives to ensure that outdoor advertising in Tshwane is environmentally sensitive and socially responsible, and that advertisements are displayed on structures that are aesthetically pleasing and suited to the area in which they are put up.

Any sign that is erected, distributed or displayed on municipal property without the permission of the Municipality or in contravention of the By-law may be removed and destroyed by the Municipality without notice and at the cost of the person who displayed or caused or allowed the sign to be displayed, distributed or erected.



Penalties

In accordance with the By-law, any person who –

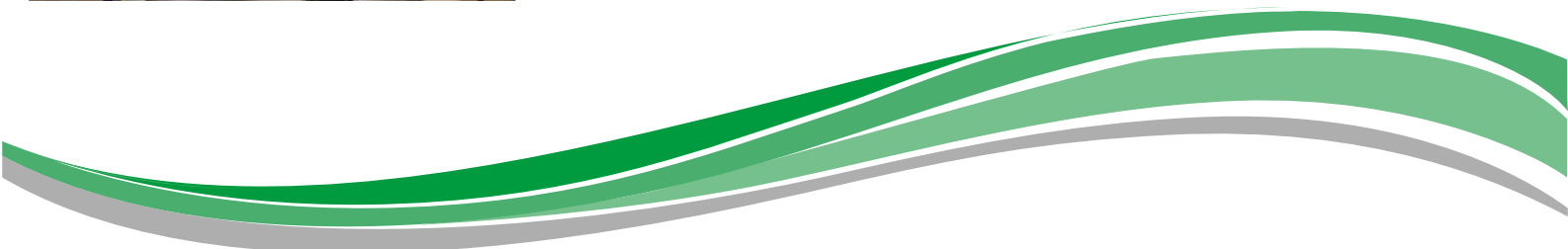
- contravenes or fails to comply with any provision of the By-law;
- contravenes or fails to comply with any requirement set out in a notice issued and served on him or her in terms of the By-law;
- contravenes or fails to comply with any condition imposed in terms of the By-law; or
- knowingly makes a false statement in respect of any application in terms of this By-law;

will be committing an offence and, if found guilty, may face a fine of up to R10 000,00 or a prison sentence of 21 days. If they continue to commit the offence, they may be fined R1 000,00 for every day such offence continues after a written notice to discontinue it has been given by the Municipality, and for a second or subsequent offence up to R20 000 or a prison sentence of 28 days. The fines and prison sentences are set and revised by the Chief Magistrate from time to time.

The Municipality is not liable for any damages arising from the confiscation, removal or disposal of signs. Any costs incurred by the Municipality in removing, storing or undertaking alterations to a sign will be recovered from the person responsible.

Consequence of non-compliance

Unregulated outdoor advertising could negatively affect traffic safety and the visual environment of the city.



City of Tshwane Wonderboom Airport By-law

Aim with the By-law

The growth in aircraft and passenger movement at Wonderboom Airport, the introduction of scheduled flights and the possible re-institution of international status for the airport have made stricter control and a specific by-law for the airport necessary.

Benefits of the By-law

The By-law regulates activities at Wonderboom Airport to ensure its safety and security.

Summary of the By-law

The By-law regulates the following:

- Powers and responsibilities of the manager
- Control of aircraft, pilots and passengers
- Prevention of fires and the supply of fuel to aircraft
- Control of motor vehicles and the issuing of vehicle permits
- Admission to the maintenance area
- General provisions for safety at the airport

Enquiries

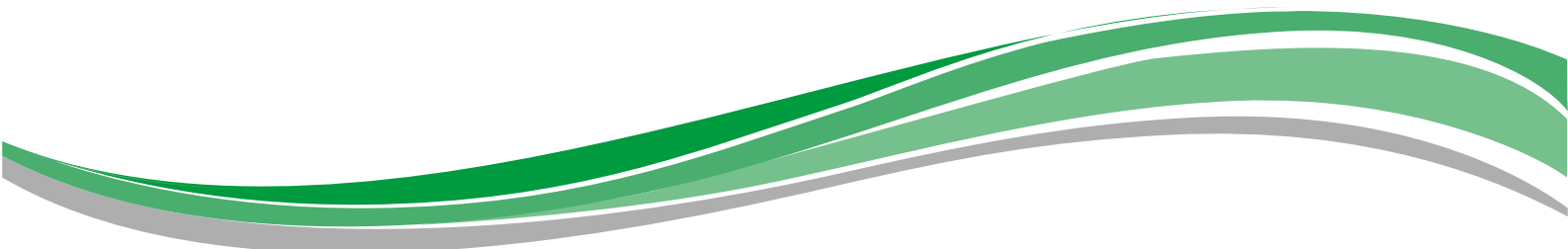
For more information on Wonderboom Airport, call 012 567 1188/9.

Penalties

Any person who acts against this By-law will be committing an offence and, if found guilty, may face a fine or a prison sentence of up to 12 months, or both the fine and prison sentence.

Consequence of non-compliance

Unregulated activities at the Wonderboom Airport could have hazardous consequences on or off the premises.



Fire Brigade By-law

Aims with the By-law

- To provide for standardized administrative provisions for firefighting
- To promote fire protection and firefighting at all premises in Tshwane
- To enable the efficient, effective and orderly development, operation and use of hazardous substances
- To promote and ensure the safe, efficient and environmentally responsible transport, loading and storage of hazardous substances
- To raise compassion for animals that are involved in emergency incidents. (///Check the factual aspect.)

The Fire Brigade By-law allows for the proper regulation of fire services and related fire safety matters in the city.

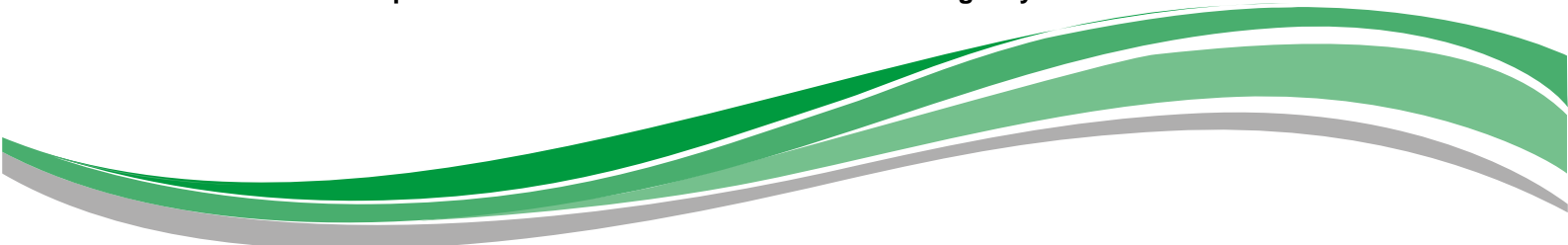
Summary of the By-law

The purpose of the By-law is to –

- create a fire-safe environment for the benefit of all people in the area of jurisdiction of the Municipality; and
- provide for procedures, methods and practices to regulate fire safety in this area.

The By-law is applicable to the formal and informal sectors of the community and the economy.

The By-law regulates the following:

- Organization of fire brigade services
 - Driving of service vehicles
 - Procedures and duties during an emergency
 - Pretending to be a member
 - Powers of members and designated officers
 - Making service equipment and personnel available
 - Combustible materials and refuse
 - Making fires
 - Firebreaks
 - Inspection of properties and instructions to occupiers
 - Accessibility of firefighting equipment
 - Fire protection requirements for premises
 - Access for firefighting and rescue purposes
 - Upkeep and maintenance of firefighting equipment
 - Extractor fan systems
 - Rational designs of buildings
 - Dumping sites
 - Emergency evacuation plans
 - Certificate of fitness for all public buildings
 - Water supply for firefighting
 - Registration applications for existing premises
 - Hazardous substances (fireworks, gas, flammable liquids, etc): Approval of plans, certificates of registration, spraying permits, storage and delivery of hazardous substances, no-smoking signs, etc
 - Prohibition on the use of fireworks unless approved by the Chief Fire Officer
 - Construction of dangerous goods vehicles, transportation and transportation permits
 - **Requirements for the construction, design and use of hazardous substances storerooms**
 - **Requirements for the construction, design and use of spray painting rooms**
 - **To raise compassion for animals that are involved in emergency incidents**
- 

Fire Brigade By-law

Compliance process

To request application forms for the different hazardous substance permits and fire certificates as required by the By-law and for fire safety inspections at premises, and to lodge fire hazard complaints, please consult with the fire relevant safety offices in the Northern, Central and Southern Districts.

- a) *Central Fire Station*
Cnr Bosman and Minnaar Streets
Pretoria
Tel: 012 358 6255 (Reception)
Fax: 012 358 6274
Monday to Friday, 07:30 to 16:00
- b) *Rossllyn Fire Station*
3 Piet Rautenbach Street
Rossllyn
Tel: 012 358 9964 (Reception)
Fax: 012 358 9974
Monday to Friday, 07:30 to 16:00
- c) *Centurion Fire Station*
246 Basden Avenue
Lyttelton
Tel: 012 358 3510 (Reception)
Fax: 012 358 3990

For information outside office hours, call 012 358 6200/6300.

Consequences of non-compliance

- During the 2007/08 financial year, 13 704 premises were inspected for fire safety compliance. Altogether 610 compliance notices and 275 fines for transgressions were issued.
- Following multidisciplinary operations, six places of entertainment (night clubs) were closed down temporarily as a result of multiple fire safety transgressions.
- Non-compliance with the By-law in general may lead to fire hazards, injury to people, loss of life and damage to property.

Penalties

- Section 51 of the By-Law stipulates the following:
 - Any person who acts against any provision of this By-law, including any condition or requirement for a certificate of registration or spraying permit, or any instruction by a member of the service, is committing an offence and, if found guilty, faces a fine of up to R5 000,00 or a prison sentence of up to six months.
 - Together with the Municipal Courts Division and the Chief Magistrates of all the judicial areas in Tshwane, admission of guilt fines were set at R2 500,00 for each contravention as stated in the By-law, except for those sections that are of an administrative nature.
 - In relation to opportunity to respond to notices and contraventions that cannot be rectified immediately, or that are too expensive to rectify, section 11(3) provides for the owner of the premises, after receiving the rectification directives, to inform the Chief Fire Officer immediately in writing of the measures that the owner intends taking to rectify the condition. The owner must also submit a programme with a deadline for approval. The Chief Fire Officer may approve the proposed measures and deadline with or without amendments and may give instructions for compliance with the measures.
- In relation to section 6(3), a Fire Brigade member may seal off any building or premises by temporarily closing a street, passage or place that he or she deems necessary for public safety or to fighting a fire effectively or to deal with any other emergency that may give rise to a fire or explosion. The member may remove, using no more force than is reasonably necessary, any person who refuses to leave the street, passage or place after having been requested by the member to do so.

City of Tshwane Parking Meter By-law

Aim with the By-law

The Parking Meter By-law regulates the use of short-term parking bays (where a person is allowed to park for a limited length of time only, for example 60 minutes). Parking meters are used to ensure that people do not park at these bays the whole day, but only for a short while. Parking meters are installed in busy economic areas where parking is greatly needed. Parking rotation in business areas ensures that business clients are able to get parking.

If people comply with the Parking Meter By-law and adhere to the parking time limits that are indicated on road signs, parking bays should be readily available. Such availability can be an economic incentive in business areas.



Summary of the By-law

- The Parking Meter By-law requires that when vehicles are parked at a metered parking bay, the driver must pay for the parking by inserting payment into the relevant parking meter. The By-law also states that no person may interfere with or damage a parking meter or parking bay.
- If people want to park or place any object or material (for example, building materials) in a metered parking bay for an extended period, they must apply for permission from the Tshwane Metropolitan Police and pay the relevant fees.

Compliance process

- When you park at a metered parking bay, make sure you pay the parking meter fee and do not exceed the parking time limit indicated on the road sign.
- If you have to use a metered parking bay for construction work, placing building materials etc, you must obtain permission from the Tshwane Metropolitan Police and pay the relevant fees. For this purpose, call 012 358 5307/7167, or send an email to neelsg@tshwane.gov.za or jasperm@tshwane.gov.za.

Consequences of non-compliance

When people do not comply with the Parking Meter By-law, the result is lack of parking facilities and traffic congestion owing to people stopping or parking where they are not supposed to and exceeding the time limits for parking. Furthermore, when there are no parking bays available, businesses cannot attract customers.

Penalties

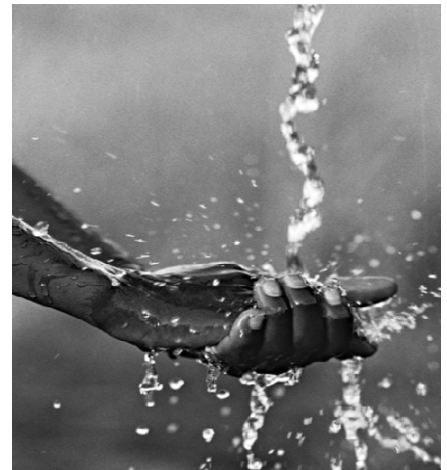
If people do not comply with the Parking Meter By-law, they can be given a fine and/or a prison sentence of up to three months.

City of Tshwane Water Supply By-law

Aim with the By-law

Section 21 of the Water Services Act, 1997 (Act 108 of 1997), stipulates that every water service authority (municipality) must draft a by-law containing conditions for the provision of water supply services. The water by-law must ensure a regulatory framework for a variety of water services, ranging from basic water supply to communities, temporary supply to contractors and fire fighting services to business, to the handling of bulk water supply to industries.

The Water Supply By-law regulates the use of water services supplied by the City of Tshwane to ensure that water infrastructure and resources are used in an economically and environmentally sustainable manner.



The Water Supply By-law allows for the regulation of water supply services to ensure that water resources and infrastructure are safeguarded, thus allowing residents of Tshwane access to safe and healthy water.

Summary of the By-law

The Water Supply By-law regulates the following aspects: application, payment and termination of water services, conditions for water supply services, notices, unauthorised water supply services, offences, documentation and general provisions. In particular, the following points are addressed:

- No person is entitled to access to water unless that person has applied for access on an approved form prescribed in terms of the Municipality's Credit Control By-law. This represents an agreement on water services between the Municipality and the consumer.
- All charges set out in the Municipality's rates and tariffs policy will be payable by consumers of water services. The owner and occupier will be jointly responsible for the payment of all water supply charges.
- Consumers must give notice of their intention to terminate their water service, otherwise they will be held liable for charges due to the Municipality.
- The Municipality may restrict or discontinue the water supply service in terms of the Water Supply By-law when consumers fail to pay for the service, do not comply with the By-law, tamper with the water service, or at the request of consumers. The Municipality will not be held liable for any damage that may arise from any restriction or discontinuation of the water service.
- If no water connection pipe is available, an application can be made for the extension of the water service. The owner must first pay the cost of the extension; only then will the water service be connected.
- Only one connection pipe with one measuring device will be supplied for any premises. The Municipality may approve more than one connection on payment of the applicable fees, should one connection cause undue hardship.
- All consumers must ensure that no substance enters the water supply system.
- The Municipality does not guarantee an uninterrupted supply of water, or a specific flow rate or pressure, or a specific standard or quality of water.
- In an emergency the Municipality may interrupt the water supply without notice. Any industry or premises requiring a continuous supply of water must have a storage tank with a capacity of not less than 24 hours of water supply. The Municipality will not be liable for any damages caused by water flowing from fittings left open when the water supply is reinstated after an interruption.
- The Municipality may impose general water restrictions in the event of a drought or for any other reason, or charge additional fees for water usage in excess of the prescribed amount.
- If the Municipality is of the opinion that a customer's water consumption adversely affects the supply of water to other customers, it may restrict the supply of water to the customer to ensure a reasonable supply of water to the other customers.
- A measuring device will be provided for every supply to a consumer. This device will remain the property of the Municipality and may be changed and maintained by the Municipality. No person may interfere with the measuring device.

City of Tshwane Water Supply By-law

Summary of the By-law

- If the Municipality supplies water to any premises without passing through any measuring device or the measuring device is not registering, the Municipality may estimate the quantity of water supplied. The estimate for the quantity of water supplied will be based on the average consumption before the date on which the defect has been discovered.
- If customers have reason to believe that the measuring device is defective, an application in writing can be made for the testing of the device. If the device is found defective, customers will be credited with the amount to which they are entitled. If the device is found non-defective, the charges payable on application for testing will not be refunded.
- Customer are not entitled to a reduction of the amount payable for water wasted owing to leaks in their own installations after the water meter.
- The Municipality may require water users to audit their water use at their cost.
- Owners are responsible for the maintenance of their own water installation after the water meter and may only use materials bearing the SABS mark or those approved by the Municipality.
- No flushing urinal that is not user-activated will be installed or continue to operate in any water installation.
- The Municipality may provide water through communal standpipes, and may restrict the water supply to a supply zone to a quantity not less than the basic water supply per number of households.
- The Municipality may allow a temporary supply of water, eg for construction work, subject to conditions.
- The Municipality may require residents to register a borehole or to notify the Municipality of their intent to sink a borehole.
- All new buildings that are erected after the commencement of this By-law must comply with the requirements set out in the by-law regarding fire fighting installations (not including normal households).
- A single connection pipe for both fire services (excluding sprinkler systems) and potable water supply services will be provided.
- The Municipality has the right to inspect and order rectification of all systems that are not in accordance with the By-law. If not rectified in a reasonable time, the Municipality has the right to rectify the water system at the cost of the owner of the erf.



Compliance process

- Residents must use water wisely and in accordance with the By-law to ensure the sustainability of water supply resources.
- For general enquiries about water supply, call the City of Tshwane's Customer Care at 012 358 9999.
- For broken meters, burst water pipes or lack of water supply, call 012 358 2111.

Consequences of non-compliance

Adherence to the Water Supply By-law and the careful use of water are important in an environment where water is a valuable resource. If people do not adhere to the By-law, the following may occur:

- Water use will not be regulated and monitored.
- Water supply infrastructure (such as pipes) will be damaged.
- The cost of water supply services will increase.
- Water will be contaminated owing to the number of unauthorised connections.

Penalties

If you are found guilty of an offence in terms of the By-law, you could face a fine or prison sentence of up to four months or, if the offence is continued, a further fine for every day the offence continues.

City of Tshwane Sanitation By-law

Aim with the By-law

The Sanitation By-law regulates the use of sanitation services provided by the City of Tshwane. It has been formulated to ensure that residents of the city live in a healthy and hygienic environment and that water resources are protected from industrial effluent and sewage.



The Sanitation By-law allows for the regulation of sanitation services to ensure that citizens' health and the environment are safeguarded from irresponsible the disposal of sewage and industrial effluent.

Summary of the By-law

The By-law addresses the following points:

- No person is entitled to access to sanitation services unless they have applied for access and the application has been approved.
- No person may install, construct or operate a septic tank or treatment plant without the written permission of the Municipality.
- The Municipality may permit the use of French drains to dispose of sewage if certain conditions are met.
- The Municipality may permit the use of ventilated pit latrines if certain conditions are met.
- The Municipality may permit the use of conservancy tanks if certain conditions are met.
- The Municipality must give written permission for the delivery of sewage by road haulage to a waste water treatment plant. This permission is subject to certain conditions and can be withdrawn if a person does not adhere to the standards or conditions of the By-law.
- The Municipality provides sewer connections to premises. The owners of the premises must, at their cost, connect the drain to the sewer. Only a plumber or authorised engineer may install a sewer connection to a sewer.
- All pipes and fittings must comply with the schedule of municipal-approved pipes and fittings or with SABS standards. If the drainage installation does not comply, the owner must have the drainage installation repaired according to the approved specifications.
- No person is allowed to excavate land or build over a sewer or pipe. The Municipality has the right to demolish any structure or fill any excavation and recover the cost from the offender.
- No person may allow substances such as grease or solid matter to accumulate and block a sewer. If a blockage occurs, the owner must take immediate steps to clear the blockage. If the blockage occurs on a part of a sewer maintained by the Municipality, the owner or occupier must inform the Municipality.
- No swimming pool water may be discharged onto a road, gutter or stormwater drain belonging to the Municipality. Backwash water from a swimming pool may be discharged into the drainage system of the premises where the pool is situated.
- Stormwater may not be discharged into sewers.
- Sewage may not be discharged into stormwater drains.
- Industrial effluent may only be discharged into a sewer with the written permission of the Municipality if certain requirements are met.

Compliance process

- Residents have to adhere to the Sanitation By-law to ensure a safe and healthy environment in Tshwane.
- For general enquiries about sanitation, call the City of Tshwane's Customer Care at 012 358 9999.
- For sewer connections and to report blocked or faulty sewers, call 012 358 2111.

Consequences of non-compliance

If people do not comply with the Sanitation By-law, the sewer system could be damaged and the environment and people's health could be affected negatively.

Penalties

Subject to the Water Act, any person who acts against the provisions of the Sanitation By-law or any written conditions laid down in the By-law is guilty of an offence. For every day the offence continues after the date on which he or she has been given written notice to perform or discontinue an act, the person is deemed guilty of a separate offence and, if convicted, could face any or all of the penalties as determined by a magistrate from time to time.

City of Tshwane Electricity Supply By-law



Aim with the By-law

The Electricity Supply By-law regulates the use of electricity services supplied by the City of Tshwane to ensure that electricity infrastructure and resources are used in an economically and environmentally sustainable manner.

The Electricity Supply By-law allows for the regulation of electricity supply services to ensure that electricity infrastructure is safeguarded, thus allowing residents of Tshwane access to safe and economical electricity services.

Summary of the By-law

The following issues are addressed in the By-law:

- No person may use electricity without a written agreement with the Municipality. An application must be made on the prescribed form of the Municipality.
- An engineer or authorised official is allowed to enter any premises if it is suspected that the By-law is being contravened, if maintenance work has to be conducted or if a general inspection has to be done.
- If electricity is being used in an improper or unsafe manner, the Municipality may disconnect the electricity supply to the consumer. The consumer will then have to pay a disconnection fee, and if the electricity is reconnected, the consumer will have to pay a reconnection fee.
- The consumer must pay for electricity services provided to the premises not later than the due date.
- No person may resell electricity to another premises without the authorisation of the Municipality.
- Only authorised officials may remove, tamper with or break any seal or lock of an electricity meter or protective device.
- No person may by-pass an electricity meter.
- No person may erect any building or structure, or plant any tree or shrub that may interfere with or endanger the electricity system.
- No person may excavate any land near the electricity distribution system.
- No person may remove or damage any part of the electricity distribution system.
- No unauthorised person may divert electricity, or consume electricity that has been unlawfully diverted.
- Owners must ensure that trees and plants do not interfere with the electricity system.
- The Municipality may remove any structure or obstruction that may interfere with or damage the electricity system, and the offender will be liable for the costs.
- No person, other than an authorised official, is allowed to connect a new installation to the supply mains or service connection.
- When the Municipality has disconnected a service, only an authorised official may reconnect the service.
- Consumers must ensure that the electricity installation on their premises is properly maintained and must provide the Municipality with a certificate of compliance before electricity is connected to the premises.
- When there is a change of ownership, the former owner must give two working days' notice in writing to the Municipality of his or her intention to discontinue using the electricity supply.
- The consumer is liable for any costs arising from damage to or loss of metering equipment.
- The Municipality has the right to test metering equipment.
- The consumer can request the Municipality to test the metering equipment on paying a prescribed fee. If it is found that the meter does not comply with system accuracy requirements, the equipment must be adjusted and the fee must be refunded to the consumer.

City of Tshwane Electricity Supply By-law

Compliance process

- Residents have to use electricity safely and in accordance with the Electricity Supply By-law to ensure that safety standards are maintained and to prevent damage to electricity infrastructure.
- For general enquiries about electricity supply, call the City of Tshwane's Customer Care at 012 358 9999.
- Alternatively, for electricity enquiries or to report possible offences, call toll free 080 1111 556 or 012 358 3211 or 012 339 9111.

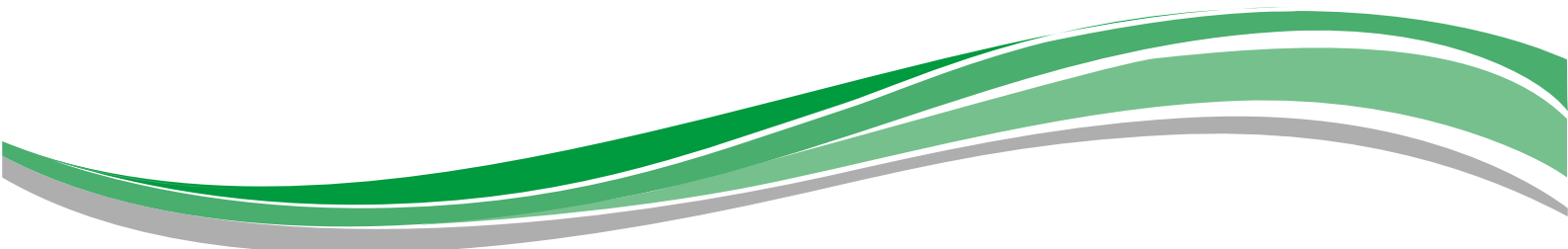
Consequences of non-compliance

Adherence to the By-law and the proper use of electricity are important in an environment where electricity is a valuable resource. If people do not adhere to the By-law, the following may occur:

- Electricity use will not be regulated and monitored.
- Electricity supply infrastructure will be damaged.
- The cost of electricity supply services will increase.
- Illegal connections will result in unsafe conditions for residents.

Penalties

If people do not comply with the Electricity Supply By-law, they may receive a fine. Furthermore, an offender will have to pay the Municipality for any loss or damage suffered by the Municipality owing to the contravention.



City of Tshwane Solid Waste By-law



Aim with the By-law

The City of Tshwane Solid Waste By-law regulates the storage, removal and disposal of solid waste to ensure a healthy environment for the city's residents.

*Love your city.
Respect the environment.
Stop littering.*

Summary of the By-law

- The City of Tshwane is responsible for controlling the disposal of waste in Tshwane.
- Only the City of Tshwane or its authorized service provider may dispose of waste in Tshwane.
- Every premises in Tshwane must always be kept free of waste. If anyone fails to do so, the City of Tshwane will implement a refuse removal service at the expense of the occupier or owner.
- The occupier or owner who generates the waste on the premises is responsible for the waste account unless proof is produced that he or she is no longer the occupier and/or owner of the premises.
- Notify the City of Tshwane within seven days of any waste or relocation, after which the City of Tshwane must implement the appropriate service.
- Liability for waste service payments is determined on the date of delivery or the date of the removal of bins, supported by proof from City of Tshwane records.
- The City of Tshwane can alter services at any premises in accordance with changes in waste quantities.
- All waste removal containers remain the property of the City of Tshwane and may only be used to store business, domestic or garden waste. Residents will be held liable for the loss of or deliberate damage to containers. Residents must report lost or damaged containers to the City of Tshwane.
- Residents must provide sufficient approved storage facilities for all types of waste containers at their premises. These facilities must adhere to the related building regulations. Containers must always be kept in such facilities, except on the day of removal.
- The City of Tshwane may determine the exact location of containers for removal purposes.
- Waste containers must be put out before 07:00 for removal from the place indicated by the City of Tshwane.
- Put particular waste (for example, wet waste (food waste), building/industrial, domestic (residential), special industrial, hazardous and medical waste) in particular (specified) containers.
- Always keep waste in approved containers unless written permission has been granted by the City of Tshwane for compost, swill, liquids, dangerous substances and recyclable items. Residents must keep containers clean and hygienic.
- No waste containers may be removed from premises without the consent of the City of Tshwane.
- The compaction of waste on premises must be pre-approved by the City of Tshwane.
- A letter of indemnity is required from the occupier or owner where waste has to be removed from premises.
- Industrial, special industrial, hazardous and medical waste must not cause any dust, nuisance, pollution or safety hazard, and the storage area around the waste containers must always be neat and free of waste and obstruction.
- Authorized removers of industrial, garden, special domestic and bulky waste must deposit such waste at the disposal sites indicated in their contracts.
- All garden, special domestic and bulky waste must be removed to prevent a nuisance or fire hazard.
- Garden refuse sites may only be used by residents for the disposal of garden refuse. Contractors of the City of Tshwane and garden services must dispose of garden refuse at designated landfill sites only.
- With the written consent of the City of Tshwane, building-waste containers may be placed in the road reserve for a stipulated period. These containers must contain details of the owner, be fitted with reflecting chevrons or reflectors as prescribed and be closed during transportation.
- The storage of building material outside premises or in road reserves is prohibited.
- Building waste must be disposed of at the City of Tshwane's waste disposal sites at a predetermined fee.
- The City of Tshwane's officials may enter any premises to do inspections and verifications, and to audit the generation and disposal of all types of waste.

City of Tshwane Solid Waste By-law

Summary of the By-law

- The right to all City of Tshwane disposal sites is reserved. Anyone entering a disposal site must –
 - use the authorized access points;
 - if required, present the waste for weighing;
 - give particulars of the composition of the waste;
 - follow disposal instructions or rules;
 - pay the applicable tariff; and
 - dispose of waste at the specified times only.
- Entrance may be refused if one has acted against the by-law or if the particular type of waste may not be left at a specific disposal site (for example someone may not dump building waste at a garden waste disposal site, or someone who is intoxicated may not enter a dumping site).
- No person may be under the influence of any intoxicating liquor or bring it onto the City of Tshwane's disposal sites.
- No burning material or chemicals that pose a fire hazard are allowed at the City of Tshwane's disposal sites.
- No animal carcasses or waste meat products are allowed at City of Tshwane disposal sites without prior written consent.
- All private disposal sites must be registered with the City of Tshwane.
- No person may litter in public, or allow their employee or people under their control to litter. Use containers provided for that purpose.
- No illegal dumping of any waste is allowed. Abandoned waste will be removed by the City of Tshwane without accepting liability for any damage.
- People who engage in illegal dumping will be instructed to dispose of the waste, or the City of Tshwane will remove it at the offender's expense.
- At non-accessible premises the occupier or owner will be liable for the costs of removal services rendered as arranged with the City of Tshwane.
- The occupier or owner of a premises will be liable for a nuisance or threat to safety that relates to cleanliness, or the prevention or removal of illegal waste on premises.
- Street numbers must be clearly visible from the street.
- No recyclable materials may be stored on premises, as they are a risk or a nuisance.
- Recycling companies and facilities must act in line with legal requirements.
- Recyclable material must be sorted at the point of generation.
- Failure to pay for waste services rendered by the City of Tshwane is an offence.
- All owners or occupiers of premises pay a city-cleansing tariff, irrespective of the authorized service provider.
- Private service providers must apply annually to the City of Tshwane for the renewal of waste removal services or recycling permits.

Compliance process

Residents must ensure that they comply with the By-law and do not litter or dump waste illegally. For more information, call the City of Tshwane's Customer Care at 012 358 9999. For solid waste enquiries, information about dumping sites and applications for refuse bins and containers, call the Waste Management toll-free number: 080 020 2103.

Residents must always use the correct disposal site for a particular type of waste, and the correct container for the storing of particular waste. Black wheelie bins are used for dry or domestic waste, and green wheelie bins are used for wet waste. Businesses that generate food waste must have their bins collected every day.

If bins are not emptied, call 012 358 9461.

To enquire about domestic bins, call 012 358 0554/26.

To enquire about bulk containers, call 012 358 0528/29.

To report streets that have to be cleaned, call 012 358 0549/59.

To report Council property that needs to be cleaned, call 012 358 0547.

Consequence of non-compliance

Not complying with the Solid Waste By-law may cause major health and environmental problems.

Penalties

Residents who do not comply with the By-law may receive a fine. If they continue the offence, they may receive a fine for every day that the offence continues. If they fail to clean up the waste, the Municipality may clean it up (including overgrown vegetation). The costs will be debited against the consumer's account.



Gauteng Health Care Risk Waste Management Regulation, 2004

The Regulation was published in terms of section 24(c) of the Environmental Conservation Act, 1989 (Act 73 of 1989). It sets out requirements for the management of health care risk waste. Health care risk waste must be managed in accordance with the Regulation.

Compliance process

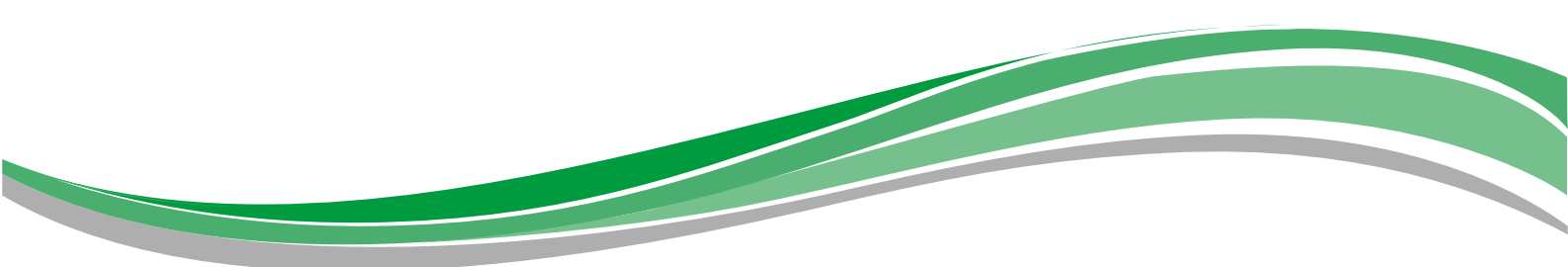
If you wish to find out how to comply with the Regulation or lodge a complaint about non-compliance, call Municipal Health Services at 012 358 4656.

Consequence of non-compliance

Not complying with the Regulation may cause major health and environmental problems.

Penalties

Failure to comply with the Regulation will result in a notice calling for compliance. If the contravention continues, legal steps may be taken and a fine may be imposed.



City of Tshwane Keeping of Bees By-law

Aim with the By-law

The Keeping of Bees By-law regulates the keeping of bees through a permit system.

The Keeping of Bees By-law regulates permits for keeping bees so as to ensure that bees do not become a public nuisance or endanger human or animal life.

Summary of the By-law

- No person may keep bees in Tshwane without a permit from the Municipality.
- An application must be made in writing. If the application is approved, the applicant must pay a prescribed fee. No fee is payable if bees are being kept for experimental or educational purposes only.
- A permit must be renewed annually and the application must be done in writing.
- A permit may be revoked if a person does not comply with the By-law or if the bees are a public nuisance or a danger to human or animal life.
- Permit holders must abide by the following conditions:
 - Bees must be kept in a solid, weatherproof beehive that allows for honeycombs to form on frames that can be removed and separated from the beehive.
 - Beehives must be at least 100 m from residences, business premises or places where animals or birds are kept.
 - Beehives must be surrounded by a fence, wall or hedge that is at least 1,5 m high and at least 5 m away from any part of the hive.
 - If a person keeps bees contrary to the By-law, the Municipality may issue him or her with a notice to remove or destroy the bees. If he or she fails to comply with the notice, the Municipality may destroy or remove the bees at the cost of the owner or occupier of the premises.
 - If bees are a danger to human life, the Municipality may remove or destroy them without issuing the owner or occupier with a notice.

Compliance process

To lodge bee complaints or apply for a permit, contact the Municipality's Booysen Nursery (Environmental Management Division) at –

- tel 012 379 3123 or 012 377 0568; or
- fax 012 377 1431.

To lodge a complaint about the keeping of bees, fax a letter to the Environmental Management Division, providing the exact address where the bees are being kept and outlining what kind of problems are being experienced.

Consequence of non-compliance

If residents do not comply with the Keeping of Bees By-law, they could endanger the lives of humans and animals in the city.

Penalties

If residents do not comply with the Keeping of Bees By-law, they may be fined.



City of Tshwane Credit Control By-law

Aim with the By-law

The Credit Control By-law regulates the payment of municipal accounts and tariffs for electricity, gas and water consumption, refuse removal, sanitation services, rates and taxes levied in accordance with the value of premises and interest levied on outstanding amounts.

The Credit Control By-law regulates payments for municipal services such as electricity and water supply to ensure that the services are financially sustainable and cost effective.

Summary of the By-law

- The Municipality may charge and recover interest on any arrear amounts due to it.
- Where payments made to the Municipality are dishonored by a bank, the Municipality may levy costs and administration fees against the account of the defaulting debtor.
- All legal costs, including attorney-and-own-client costs incurred during debt recovery will be levied against the debtor's account.
- Penalty charges may be levied for any action to remind, or demand payment from, a debtor.
- Where a service is disconnected due to non-compliance with the By-law, a disconnection fee may be levied.
- No municipal services will be rendered unless a service agreement has been entered into with and a deposit has been paid to the Municipality.
- Notification of termination of the service agreement must be in writing.
- The Municipality must have a policy on credit control and debt collection to regulate credit control processes.
- The Municipality may restrict or disconnect services to a consumer if he or she –
 - fails to pay for a service;
 - fails to adhere to conditions;
 - obstructs services to another customer;
 - wrongfully supplies services to another consumer;
 - causes a dangerous situation or contravenes legislation; and
 - is placed under sequestration, liquidation, insolvency or judicial management.
- The Municipality will only reconnect services if the user has complied with the provisions of the credit control policy or has paid all amounts due (including the disconnection and reconnection fees).
- A debtor can enter into a written, signed agreement with the Municipality to pay an outstanding balance, costs and interest in consecutive monthly installments.
- The registrar of deeds or other registration officer of immovable property may only register the transfer of a property if the Municipality's prescribed certificate has been produced. The certificate will indicate whether all costs for services have been fully paid for the property concerned.
- The Municipality may differentiate between different types of ratepayers, users of services, customers, debtors, taxes, services, service standards and other matters.
- The Municipality may report defaulters to organizations that collect information on debt defaulters.

Compliance process

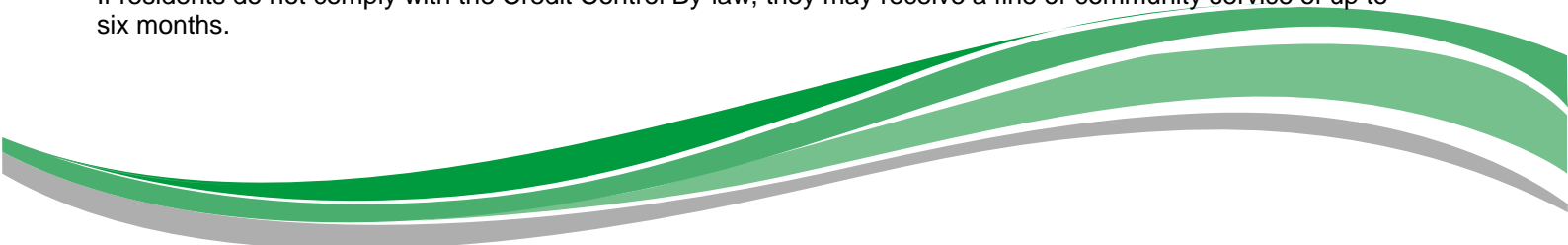
For credit control enquiries, call the City of Tshwane's Customer Care at 012 358 9999.

Consequences of non-compliance

If residents do not comply with the Credit Control By-law, the provision of services such as electricity and water supply, sanitation and refuse removal would not be financially sustainable. Residents of the city and the general quality of life in the city would be affected negatively.

Penalties

If residents do not comply with the Credit Control By-law, they may receive a fine or community service of up to six months.



City of Tshwane Property Rates By-law

Aim with the By-law

The Constitution of the Republic of South Africa allows municipalities to impose property rates within their area of jurisdiction. The City of Tshwane Property Rates By-law outlines categories of properties for the purpose of levying different rates, as well as categories of owners of properties or categories of properties for the purpose of granting exemptions, rebates and reductions.

Rateable properties are categorised according to the actual use of the property and, if the property is not in use, the permitted use or zoning of the property, or the geographical area in which the property is situated.

A municipal council must review and, if necessary, amend its rates policy annually, and any amendments to a rates policy must accompany the municipality's annual budget when it is tabled in the council in terms of section 16(2) of the Municipal Finance Management Act.

The Property Rates By-law regulates different types of rateable property in the Tshwane area. The payment of rates allows the Municipality to achieve its development objectives for the city.

Summary of the By-law

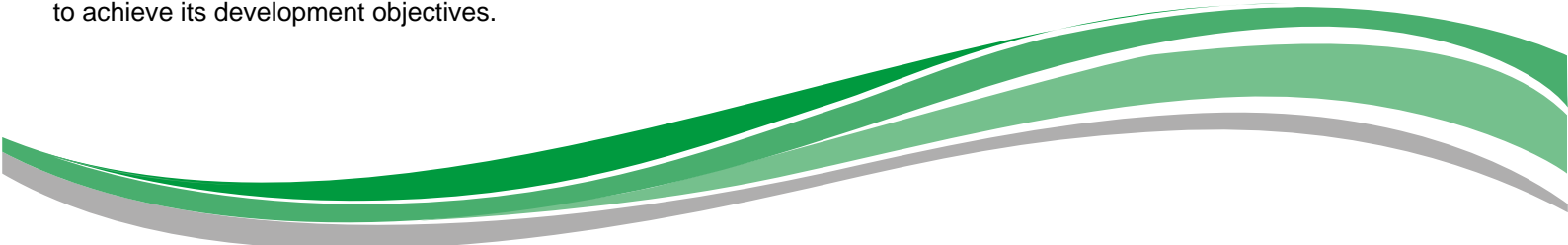
- Rates differ according to the categories of rateable properties. Properties are divided into the following categories:
 - Residential properties
 - Business and commercial properties
 - Industrial properties
 - Municipal properties (rateable)
 - Municipal properties (not rateable)
 - State-owned properties
 - Public service infrastructure
 - Agricultural land
 - Agricultural vacant land
 - Non-permitted use
 - Multiple-use properties
 - Vacant land
 - State trust land
- The Municipality may exempt certain categories of owners or categories of properties from paying property rates, or it may grant them a rebate or reduction in rates payable.
- The owners of properties are divided into the following categories:
 - Indigent owners
 - Pensioners, physically and mentally disabled people
 - Owners temporarily without income
 - Owners of residential properties
 - Land-reform beneficiaries
 - Sporting bodies
 - Public benefit organizations
- The Municipality reviews property rates annually as part of the budget process.
- Property rates must be paid monthly and are recovered in terms of the Tshwane Credit Control By-law (see previous page).
- The Municipality must undertake a general valuation of all rateable properties in Tshwane and compile a valuation roll every three years. Supplementary valuations are conducted on an ongoing basis.

Compliance process

For property rates enquires, call the City of Tshwane's Customer Care at 012 358 9999.

Consequences of non-compliance

If residents do not comply with the Property Rates By-law (and Credit Control By-law), the Municipality will be unable to achieve its development objectives.



City of Tshwane Town-planning Scheme, 2008

Aim with a town-planning scheme

In terms of section 19 of the Town-planning and Townships Ordinance, 1986, the purpose of a town-planning scheme is to ensure "the coordinated and harmonious development of the area ... to promote the health, safety, good order, amenity, convenience and general welfare of such area, as well as efficiency and economy in the process of such development". The development potential of land in the Tshwane area is determined and controlled by the City of Tshwane Town-planning Scheme, 2008.

Without a town-planning scheme, a local authority would have no control over the nature of activities occurring on a property, or their impact on neighbouring properties. There would be no control over the actual activities, height or extent of buildings, and property owners would be able to build as close to the property boundaries as they wished, restricted only by the National Building Regulations and Building Standards Act, 1977. Developers would not have to provide on-site parking or any contributions to upgrading bulk infrastructure with new developments. The cost to the community would be incalculable, including lost investment opportunities, since developers and investors flee from high uncertainty areas to areas where the risks are lower.

Summary of the City of Tshwane Town-planning Scheme

The City of Tshwane Town-planning Scheme, 2008, was set up in terms of the Town-planning and Townships Ordinance, 1986, and the Gauteng Planning and Development Act, 2003. It determines the general rules for the development of properties and specifically –

- the use of a property (land-use zoning);
- the development density of a property (number of units or the bulk of the building); and
- the development controls, that is, the height, size (bulk or floor area or floor area ratio (FAR/FSR)) and extent of the development (building lines, building restriction), and parking and access issues.

Each property in a town-planning scheme area has a specific use zone, which zone is coupled to a number of development and density controls. These are the *development rights* of a property and influence its value. Generally, a property with rights for a retail centre will have a greater market value than a similarly located property with rights for a single dwelling house. Since these rights have value, changing them may affect a property's value. The Town-planning and Townships Ordinance, 1986, therefore allows a property owner to claim compensation from a local authority should it change the rights on a property.

The Tshwane Town-planning Scheme consists of –

- scheme clauses (the general set of rules, including what is permitted in each use zone and what development controls are applicable to various types of development);
- maps (which visually indicate specific rights to or zonings of each property in the scheme area);
- annexure or schedules containing rights that differ from the standard rights contained in the scheme clauses (most recent applications are subject to an annexure or schedule, resulting in a large database of non-standard use zonings); and
- a GIS database of each property in Tshwane, indicating its zoning and basic development controls such as height, coverage and FAR.

The Town-planning Scheme is a detailed record of the applicable development controls on any particular property. It is also a complete database of the applicable land-use right(s) on any given property in Tshwane.



City of Tshwane Town-planning Scheme, 2008

Compliance process

Depending on the nature of the non-compliance, the property owner must apply for the establishment of a township on farm land or submit a rezoning application or consent use application, and do so *before* any contravening use may be exercised. An owner can also apply for certain development conditions to be relaxed. Nine application manuals on application procedures, documents to be submitted and details required are available to the public at the following offices:

- Akasia office: City Planning Building (next to clinic), 485 Heinrich Ave, Karenpark, Akasia. For enquiries, call 012 358 9110.
- Centurion office: Room 8, Town-planning Office, cnr Basden and Rabie Streets, Centurion. For enquiries, call 012 358 3883.
- Pretoria office: Room G10, Ground Floor, Munitoria, cnr Vermeulen and Van der Walt Streets, Pretoria. For enquiries, call 012 358 4833.

Consequences of non-compliance

Non-compliance with the stipulations and conditions for development contained in the Tshwane Town-planning Scheme means that the owner is also contravening the stipulations of the Town-planning and Townships Ordinance, 1986. The non-compliance may impact negatively on the general environment and the surrounding owners and may cause loss of income for the Municipality owing to incorrect rates billing for the use of the land (see the Property Rates By-law).

Penalties

Once owners have been notified to discontinue a contravention, they must do so immediately until the non-compliance has been legalised by means of an application. If this does not happen, they will be summoned to appear in a court as determined in the relevant schedules of the Land-use Compliance Framework. If an owner is found guilty by the court, the court may impose a fine and demand that the owner stop the non-compliance immediately.

To report a suspected town-planning contravention or to obtain more information on the enforcement of the Town-planning Scheme, call,

Development Compliance and Enforcement

Deals with illegal land use and illegal outdoor advertising.

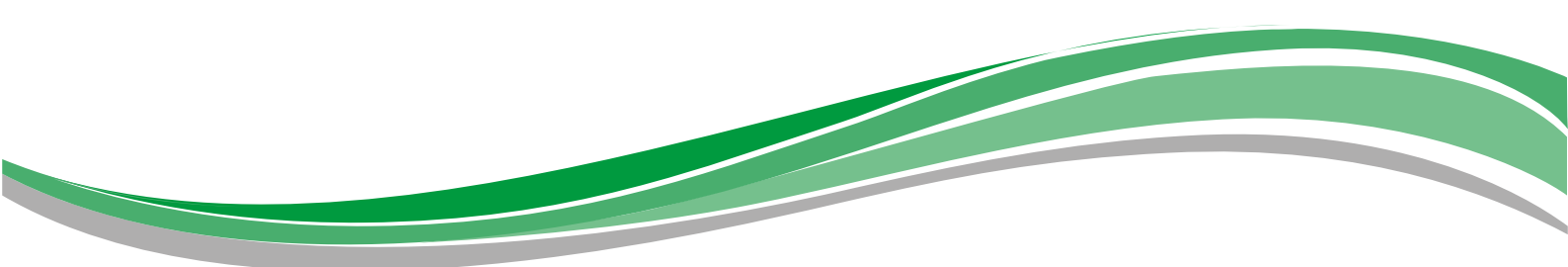
General complaints e-mail: landusecomplaints@tshwane.gov.za

Central & Eastern Region: Tel 012 358 8761
Fax 012 358 4588
Room 510, 5th floor Rondalia Building, Pretoria CBD

North East & Western Region: Tel 012 358 4568
Fax 012 358 4590
1st floor, Kudu Building, 244 Marija Street, Sinoville

Southern Region: Tel 012 358 3899
Fax 012 358 3900
1st floor, Block L, Crystal Park Offices, Basden Ave, Lyttelton

Illegal outdoor advertising Tel 012 358 4582 / 8688
Fax 012 358 4588



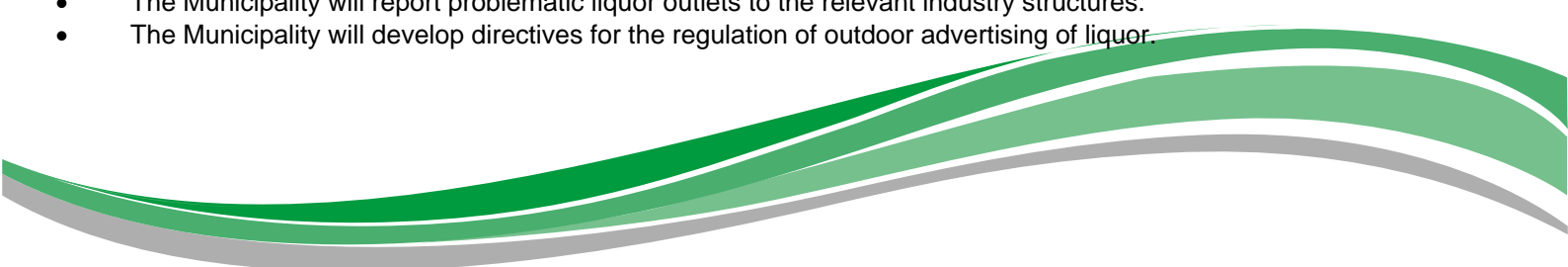
City of Tshwane Substance Abuse By-law

Aim with the By-law

At national level substances such as drugs and liquor are regulated by the Drug and Drug Trafficking Act, 1992 (Act 140 of 1992), and the Liquor Act, 2003 (Act 59 of 2003). The City of Tshwane developed its Substance Abuse By-law to create mechanisms for the establishment of a local drug action committee and to outline the Municipality's contribution to fighting substance abuse.

The Substance Abuse By-law outlines various ways that the Municipality can contribute to the fight against substance abuse in order to promote social and economic development and a safe and healthy environment.

Summary of the By-law

- The By-law allows for the establishment of a Tshwane drug action committee consisting of representatives of national, provincial and local government, rehabilitation or treatment organisations, research institutions, community structures or organisations, non-government organisations, private sector or organised business, city improvement districts and any other structure that can contribute to combating substance abuse.
 - The Local Drug Action Committee must develop and implement an action plan to address various types of substance abuse.
 - The Municipality focuses on educational institutions, parents, guardians and educators to make people aware of and educate them about substance abuse and its prevention.
 - The Municipality will assist in disseminating information aimed at addressing substance abuse and the resources that are available to address it.
 - The Municipality will also intervene in the substance abuse-crime problem:
 - Peace officers of the Municipality will undertake joint operations with the police to curb substance abuse in Tshwane.
 - The Municipality will assist with diversion programmes for offenders.
 - The Municipality will minimise opportunities for drug-related crimes through the effective design of its public places.
 - The Municipality will spearhead social crime prevention programmes and may use sport, arts and culture and recreational activities to mitigate negative social behaviours or influences.
 - The Municipality may declare certain events liquor-free.
 - With regard to licences that the Municipality issues to places of entertainment (see pages 9 and 10 dealing with the Business Act):
 - No licence may be issued to a person who has been convicted of a drug offence.
 - A licence can be revoked if the licence holder is found guilty of selling liquor to a minor.
 - Places of entertainment for adults will ensure that customers' identification documents are checked to ensure that they are over 18 years old.
 - Drug testing can be conducted at places of entertainment.
 - The Municipality will nominate authorised officers to monitor activities at municipal places of entertainment and municipal property. If drug activities are suspected, they must immediately report such suspicion to the police.
 - Where premises have been used to grow or manufacture illicit drugs or liquor –
 - the owner or occupier will be held liable for all costs that the Municipality may incur for the safeguarding and clean-up of the premises and its surrounds;
 - the Municipality will disconnect the electricity supply and restrict the water supply to such premises, with the exception of cases where water and/or electricity is supplied jointly to various premises and cannot be separately disconnected or restricted;
 - the Municipality will only restore full electricity and water supply to the premises once all drug infrastructure has been removed and inspections have been conducted by fire safety, health and building inspectors and such premises meet fire, health, building and town-planning regulations and standards; and
 - the owner or occupier of the premises will be held liable for the reconnection costs for water and electricity supply, and for the inspection fees.
 - No person may sell any item with a logo, sign or image of illicit drugs or illicit drug use.
 - No street trader may sell medicines.
 - No person may sell solvent-based or intoxicating adhesives (glue) to persons under the age of 18 years.
 - The Municipality will report problematic liquor outlets to the relevant industry structures.
 - The Municipality will develop directives for the regulation of outdoor advertising of liquor.
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City of Tshwane Substance Abuse By-law

Compliance process

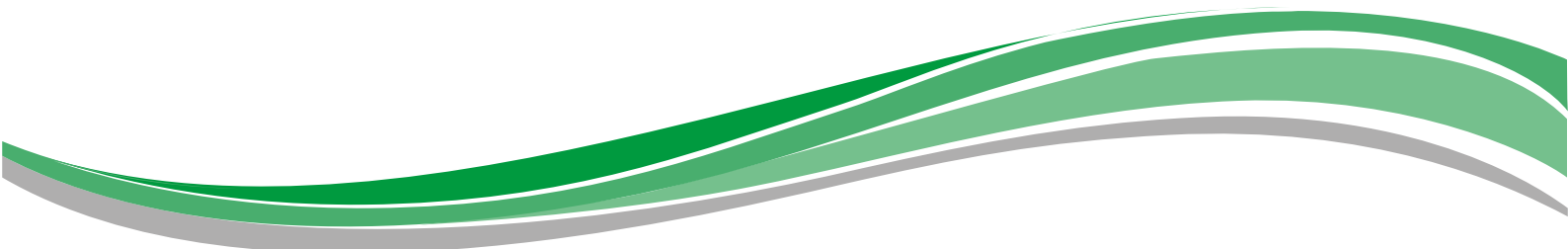
- For enquires about the licensing of places of entertainment (nightclubs, cinemas, etc), see pages 9 and 10 for contact details.
- For enquires about outdoor advertising (posters, billboards, etc), see pages 15 and 16 for contact details.
- To report illicit drug activities (for example, when you suspect someone is selling drugs), contact your nearest South African Police Service station.
- For crime prevention services, call the Tshwane Metropolitan Police Service at 012 358 7095/6, or –
 - 012 358 3754/3016 for social crime prevention; and
 - 012 358 3714/6408 for crime prevention through environmental design.
- To report problematic places of entertainment, food and/or liquor outlets, call the City of Tshwane By-law Enforcement Centre at 012 359 0070.

Consequences of non-compliance

The Substance Abuse By-law has been designed to help create an environment that is non-conducive to substance abuse and crime. If residents do not comply with the By-law, the substance abuse problem could get worse and harm our society and our economy.

Penalties

Residents who contravene the By-law can be fined or get a jail sentence of up to 24 months, or both. Furthermore, in the case of a continuing offence, the person can receive an additional fine for each day that the offence continues.



General information

Where to view the City of Tshwane by-laws

The City of Tshwane's by-laws can be viewed at your closest City of Tshwane Customer Care Centre or on the City of Tshwane's website at www.tshwane.gov.za. Click on the 'Residents' tab at the top of your screen, in the menu on the left hand side of your screen under 'Municipal Services' please click on 'By-laws'. Click on 'Promulgated By-laws' to view the current by-laws.

Contacting the City of Tshwane

City of Tshwane Customer Care:

Tel: 012 358 9999

Toll free 080 111 1556

City of Tshwane By-law Enforcement Centre

Tel: 012 358 0070

Toll free 080 111 1556
(dial the toll-free number,
dial option 1 for "fire, ambulance and
metro police" and then dial option 3 for
By-law Enforcement Centre")

