

KNYSNA MUNICIPALITY
TARIFF BY-LAW

Table of Contents

1. Interpretation
2. Principles and Objective
3. Adoption and implementation of tariff policy
4. Contents of tariff policy
5. Enforcement of tariff policy
6. Short Title and Commencement

1. Interpretation

In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa. The English text prevails in the event of an inconsistency between the different texts and unless the context otherwise indicates—

“**Constitution**” means the Constitution of the Republic of South Africa, 1996;

“**Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy**” means the municipality’s Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy as required by Sections 96(b), 97 and 98 of the Systems Act;

“**municipality**” means the Municipality of Knysna, established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorized agent or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

“**municipality’s tariff policy**” means a tariff policy adopted by the municipality in terms of this by-law;

“**Systems Act**” means the Local Government: Municipal Systems Act, 32 of 2000;

“**tariff**” means fees, charges, or any other tariffs levied by the municipality in respect of any function or service provided by the municipality, excluding rates levied by the municipality in terms of the Local Government: Municipal Property Rates Act, 6 of 2004.

2. Principles and Objectives

- (a) Section 229(1) of the Constitution authorizes a municipality to impose:
 - (i) rates on property and surcharges on fees for services provided by or on behalf of the municipality; and
 - (ii) if authorized by national legislation, other taxes, levies and duties.
- (b) In terms of Section 75A of the Local Government: Municipal Systems Act, a municipality may:
 - (i) levy and recover fees, charges or tariffs in respect of any function or service of the municipality; and
 - (ii) recover collection charges and interest on any outstanding amount.
- (c) In terms of Section 74(1) of the Local Government: Municipal Systems Act, a Municipal Council must adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements and which complies with the provisions of the Local Government: Municipal Systems Act, the Local Government: Municipal Finance Management Act, 53 of 2003, and any other applicable legislation.
- (d) In terms of Section 75(1) of the Local Government: Municipal Systems Act, a Municipal Council must adopt by-laws to give effect to the implementation and enforcement of its tariff policy.
- (e) In terms of Section 75(2) of the Local Government: Municipal Systems Act, by-laws adopted in terms of Subsection 75(1) may differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination.

3. Adoption and implementation of tariff policy

- (a) The municipality shall adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements which complies with the provisions of the Local Government: Municipal Systems Act, the Local Government: Municipal Finance Management Act, 53 of 2003 and any other applicable legislation.
- (b) The municipality shall not be entitled to impose tariffs other than in terms of a valid approved tariff policy.

4. Contents of tariff policy

The municipality’s tariff policy shall, *inter alia*:

- (a) apply to all tariffs imposed by the municipality pursuant to the adoption of the municipality’s annual budget;
- (b) reflect the principles referred to in Section 74(2) of the Local Government: Municipal Systems Act and specify any further principles for the imposition of tariffs which the municipality may wish to adopt;
- (c) specify the manner in which the principles referred to in Section 4(2) are to be implemented in terms of the tariff policy;
- (d) specify the basis of differentiation, if any, for tariff purposes between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination;
- (e) include such further enforcement mechanisms, if any, as the municipality may wish to impose in addition to those contained in the Customer Care Credit Control, Debt Collection, Indigent and Tampering Policy.

5. Enforcement of tariff policy

The municipality's tariff policy shall be enforced through the Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy and any further enforcement mechanisms stipulated in the municipality's tariff policy.

6. Short Title

This by law shall be known as the Knysna Municipality's Tariff by-law and shall give effect to the implementation and enforcement of Knysna Municipality's Tariff policy and comes into operation on the date of promulgation thereof in the Western Cape Government Gazette.

12 July 2019

57977

BERGRIVIER MUNICIPALITY**APPLICATION FOR REZONING: ERF 3210, PORTERVILLE**

Applicant: Jan Truter

Contact details: Tel no. 082 562 6740 and e-mail: jan@southcon.co.za

Owner: P & B Lourens

Reference number: PTV. 3210

Property Description: Erf 3210, Porterville

Physical Address: 12A Du Toit Street

Detailed description of proposal: Applications is made in terms of Section 15 of Bergrivier Municipal By-Law Relating to Land Use Planning for rezoning of Erf 3210, Porterville from Single Residential Zone 1 to General Residential Zone 2 in order to allow the development of four group housing units on the property.

Notice is hereby given in terms of Section 45 of Bergrivier Municipal By-Law relating to Land Use Planning that the abovementioned application has been received and is available for inspection during weekdays between 07:30 and 16:30 from Mondays to Thursdays and between 07:30 and 15:30 on Fridays at this Municipality's Department Planning and Environmental Management at 13 Church Street, Piketberg, 7320. Any written comments may be addressed in terms of Section 50 of the said legislation to the Municipal Manager, Bergrivier Municipality, 13 Church Street or P.O. Box 60, Piketberg, 7320; Fax no: (022) 913 1406 or e-mail: bergmun@telkomsa.net on or before **19 August 2019** from the date of publication of this notice, quoting your name, address or contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to Mr. K. Abrahams, Town and Regional Planner (East) at tel no. (022) 913 6000. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write may visit the municipal offices during office hours where a staff member of the municipality, will assist such person to transcribe that person's comments or representations.

MN120/2019

ADV HANLIE LINDE, MUNICIPAL MANAGER, Municipal Offices, 13 Church Street, PIKETBERG, 7320

12 July 2019

57978

CAPE AGULHAS MUNICIPALITY**REMOVAL OF RESTRICTIVE CONDITION(S):
ERF 136, STRUISBAAI****CAPE AGULHAS MUNICIPAL BY-LAW ON
MUNICIPAL LAND USE PLANNING**

Notice is hereby given that the Authorised Official on 9 July 2019, removed conditions, B.6(b) applicable to Erf 136, Struisbaai as contained in Title Deed, T24960/2003 in terms of Section 33(7) of the Cape Agulhas Municipal By-Law on Land Use Planning.

12 July 2019

57987

BERGRIVIER MUNISIPALITEIT**AANSOEK OM HERSONERING: ERF 3210, PORTERVILLE**

Applikant: Mnr Jan Truter

Kontak besonderhede: Sel nr 082 562 6740 en e-pos: jan@southcon.co.za

Eienaar: P & B Lourens

Verwysingsnommer: PTV. 3210

Eiendom beskrywing: Erf 3210, Porterville

Fisiese adres: Du Toitstraat 12A

Volledige beskrywing van voorstel: Aansoeke word gedoen ingevolge Artikel 15 van Bergrivier Munisipale Verordening insake Grondgebruikbeplanning om hersonering van Erf 3210, Porterville vanaf Enkel Residensiële Sone 1 na Algemene Residensiële Sone 2 ten einde die ontwikkeling van vier groepsbehuising eenhede toe te laat op die eiendom.

Kragtens Artikel 45 van Bergrivier Munisipale Verordening insake Grondgebruikbeplanning word hiermee kennis gegee dat die bo genoemde aansoek ontvang is en oop is vir inspeksie gedurende wekedae tussen 07:30 en 16:30 vanaf Maandae tot Donderdae en tussen 07:30 en 15:30 op Vrydae by hierdie Munisipaliteit se Afdeling Beplanning en Omgewingsbestuur te Kerkstraat 13, Piketberg, 7320. Enige skriftelike kommentaar mag geadresseer word ingevolge Artikel 50 van genoemde wetgewing aan die Munisipale Bestuurder, Bergrivier Munisipaliteit, Kerkstraat 13 of Posbus 60, Piketberg, 7320; Faks nr (022) 913 1406 en e-pos: bergmun@telkomsa.net op of voor **19 Augustus 2019**, vanaf die datum van publikasie van hierdie kennisgewing, met vermelding, van u naam, adres of kontakbesonderhede, belange in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan Mnr. K. Abrahams, Stad- en Streeksbeplanner (Oos) by tel nr (022) 913 6000. Die munisipaliteit mag kommentaar, ontvang na die sluitingsdatum weier. Enige persone wat nie kan skryf nie kan gedurende kantoorure na die munisipale kantore gaan waar 'n personeelid van die munisipaliteit so 'n persoon sal help om die persoon se kommentaar of verhoë af te skryf.

MK120/2019

ADV HANLIE LINDE, MUNISIPALE BESTUURDER, Munisipale Kantore, Kerkstraat 13, PIKETBERG, 7320

12 Julie 2019

57978

KAAP AGULHAS MUNISIPALITEIT**OPHEFFING VAN BEPERKENDE VOORWAARDE(S):
ERF 136, STRUISBAAI****KAAP AGULHAS MUNISIPALE VERORDENINGE OP
MUNISIPALE GRONDGEBRUIKBEPLANNING**

Hiermee word kennis gegee dat die Gemagtigde Amptenaar op 9 Julie 2019, voorwaardes B.6(b) wat betrekking het op Erf 136, Struisbaai, soos vervat in Transportakte, T24960/2003 ingevolge Artikel 33(7) van die Kaap Agulhas Munisipale Verordeninge op Grondgebruikbeplanning, opgehef het.

12 Julie 2019

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