

- (5) In terms of section 75(2) of the 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.

2. INTERPRETATION

“Municipality” means the Stellenbosch Municipality.

“Municipal tariff policy” means a tariff policy adopted by the municipality in terms of this By-Law.

“Constitution” means the Constitution of the Republic of South Africa.

“Credit Control and Debt Collection Policy” means the municipality’s Credit Control and Debt Collection Policy as stipulated by S 96(b) and 97 of the Systems Act;

“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: Property Rates Act, 6 of 2004.

3. ADOPTION AND IMPLEMENTATION OF TARIFF POLICY

- (1) 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 Systems Act, the Local Government: Municipal Finance Management Act, 53 of 2003 and any other applicable legislation.
- (2) The municipality shall not be entitled to impose tariffs other than in terms of the valid tariff policy.

4. CONTENTS OF TARIFF POLICY

The municipality’s tariff policy shall, inter alia:

- (1) apply to all tariffs and fees (as per the tariff list) imposed by the municipality pursuant to the adoption of the municipality’s annual budget.
- (2) reflect the principles referred to in section 74(2) of the Systems Act and specify any further principles for the imposition of tariffs which the municipality may wish to adopt.
- (3) specify the manner in which the principles referred to in section 4(2) are to be implemented in terms of the tariff policy.
- (4) specify the basis of differentiation, if any, for tariff purposes between the different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination.
- (5) include such further enforcement mechanism, if any, as the municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection Policy.

5. ENFORCEMENT OF TARIFF POLICY

The tariff policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the municipality’s tariff policy.

6. EFFECTIVE DATE

This By-Law shall take effect on 1 July 2009.

Ian Bruce Roland Kenned, Municipal Manager, PO Box 17, Stellenbosch 7599

10 July 2009

5520

STELLENBOSCH MUNICIPALITY PROMULGATION OF THE RATES BY-LAW

Notice is given in terms of section 6(1) of the Municipal Property Rates Act No 6 of 2004 that the following RATES BY-LAW was approved by the Stellenbosch Municipal Council at the 20th Council Meeting held on 25 June 2009:

PROPERTY RATES BY-LAW

1. PREAMBLE

- (1) Section 229(1) of the Constitution authorizes a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the municipality.
- (2) In terms of section 3 of the Property Rates Act, a municipal council must adopt a policy consistent with the Property Rates Act on the levying of rates on rateable properties in the municipality.
- (3) In terms of section 6(1) of the Property Rates Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.
- (4) In terms of section 6(2) of the Property Rates Act, by-laws adopted in terms of section 6(2) may differentiate between different categories of properties; and different categories of owners of properties liable for the payment of rates.

2. INTERPRETATION

“Municipality” means the Stellenbosch Municipality.

“Municipal rates policy” means a rates policy adopted by the municipality in terms of this By-Law.

“Constitution” means the Constitution of the Republic of South Africa.

“Credit Control and Debt Collection Policy” means the municipality’s Credit Control and Debt Collection Policy as stipulated by S 96(b) and 97 of the Systems Act.

“Property Rates Act” means the Local Government: Municipal Property Rates Act, 6 of 2004.

“rate or rates” means a municipal rate on property as envisaged in S 229 of the Constitution.

3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

- (1) The municipality shall adopt and implement a rates policy consistent with the Property Rates Act on the levying of rates on rateable properties in the municipal area.
- (2) The municipality shall not be entitled to levy rates other than in terms of the valid rates policy.

4. CONTENTS OF RATES POLICY

The municipality’s rates policy shall, inter alia:

- (1) apply to all the rates levied by the Municipality pursuant to the adoption of the Municipality’s annual budget.
- (2) comply with requirements for:
 - (a) the adoption and contents of a rates policy specified in section 3 of the Property Rates Act.
 - (b) the process of community participation specified in section 4 of the Property Rates Act.
 - (c) the annual review of a rates policy specified in terms of section 5 of the Property Rates Act.
- (3) specify any further principles, criteria and implementation measures consistent with the Property Rates Act for the levying of rates which the Municipality may wish to adopt.
- (4) include such further enforcement mechanisms if any, as the Municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection Policy.

5. ENFORCEMENT OF RATES POLICY

The rates policy of the Municipality shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the municipality’s rates policy.

6. OPERATIVE DATE

This By-Law shall take effect on 01 July 2009.

Ian Bruce Roland Kenned, Municipal Manager, PO Box 17, Stellenbosch, 7599

10 July 2009

5521

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION OF CERTAIN ERVEN, SWELLENDAM

Notice is hereby given that the Council intends to, in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) do the following subdivisions in order to do a housing project. The subdivision of:

1. Erven 5694–5704 into 18 Portions of $\pm 192\text{m}^2$ each;
2. Erf 5681 into 2 Portions of $\pm 250\text{m}^2$ each;
3. Erven 5477–5484 into 16 Portions of $\pm 250\text{m}^2$ each;
4. Erven 5499–5505 into 10 Portions of $\pm 170\text{m}^2$ each;
5. Erven 5632–5633 into 3 Portions of $\pm 192\text{m}^2$ each;
6. Erven 5548–5550 into 4 Portions of $\pm 192\text{m}^2$ each;
7. Erven 5590–5599 into 2 Portions of $\pm 264\text{m}^2$ each;
8. Erf 5680 into 2 Portions of $\pm 144\text{m}^2$ each;
9. Erven 5524–5527 into 6 Portions of $\pm 192\text{m}^2$ each; and
10. Erven 5529–5536 into 10 Portions of $\pm 192\text{m}^2$ each.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the under mentioned on or before 11 August 2009. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

WF Hendricks, MUNICIPAL MANAGER, Municipal Office,
Swellendam

Notice: 110/2009 10 July 2009

5525

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING VAN SEKERE ERWE, SWELLENDAM

Kennis geskied hiermee dat die Raad van voornemens is om in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) die volgende onderverdelings te doen, met die oog op 'n behuisingsprojek. Die onderverdeling van:

1. Erwe 5694–5704 in 18 Gedeeltes $\pm 192\text{m}^2$ elk;
2. Erf 5681 in 2 Gedeeltes van $\pm 250\text{m}^2$ elk;
3. Erwe 5477–5484 in 16 Gedeeltes van $\pm 250\text{m}^2$ elk;
4. Erwe 5499–5505 in 10 Gedeeltes van $\pm 170\text{m}^2$ elk;
5. Erwe 5632–5633 in 3 Gedeeltes van $\pm 192\text{m}^2$ elk;
6. Erwe 5548–5550 in 4 Gedeeltes van $\pm 192\text{m}^2$ elk;
7. Erwe 5590–5599 in 2 Gedeeltes van $\pm 264\text{m}^2$ elk;
8. Erf 5680 in 2 Gedeeltes van $\pm 144\text{m}^2$ elk;
9. Erwe 5524–5527 in 6 Gedeeltes van $\pm 192\text{m}^2$ elk; en
10. Erwe 5529–5536 in 12 Gedeeltes van $\pm 192\text{m}^2$ elk.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 11 Augustus 2009. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

WF Hendricks, MUNISIPALE BESTUURDER, Munisipale Kantoor,
Swellendam

Kennisgewing: 110/2009 10 Julie 2009

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