

MANTSOPA LOCAL MUNICIPALITY

BY-LAWS RELATING TO THE TARIFF POLICY

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The Local Municipality of Mantsopa hereby publishes the Tariff Policy By-laws set out in the Schedule hereto. These By-laws have been adopted by the Municipal Council on 29 January 2008 and are promulgated by the municipality in terms of Section 156(2) of the Constitution of the Republic of South Africa, 1996 and in accordance with Section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

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1. Definitions

In the interpretation of these By-laws, words in the masculine gender include the feminine, the singular includes the plural and *vice versa* and the following words and expressions shall have the meanings respectively assigned to them hereunder, unless such meanings are repugnant to or inconsistent with the context in which they occur:-

“**Council**” - the Mantsopa Local Municipal Council;

“**cost to be recovered**” - the cost of purchasing, the cost of changing the product to the delivered, capital cost, administrative and support systems cost;

“**domestic consumers**” - in regard to the electricity services, it includes private dwelling houses, residential flats and hostels if provided with a separate meter;

“**bulk consumers**” - in regard to the electricity service, it exclude domestic consumers and relates to any consumer whose electricity demand exceeds 100 KVA per month for an uninterrupted period of 12 months;

“**commercial and general consumers**” in regard to the electricity service, it excludes domestic consumers and relates to any consumer whose maximum electricity demand is less than 100 KVA per month for a period of 12 months;

“**Municipality**” - the Mantsopa Local Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection

with these By-laws 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;

“off-peak supply” - it is an electricity supply on written request to bulk consumers during off peak hours or contributed to the Council’s maximum demand whichever is the greatest;

“temporary consumers” includes builders, carnivals, fairs, amusement parks and any consumer of a temporary nature.

2. Cost of services to be recovered

- (1) Council shall levy charges for the delivery of services.
- (2) The levied charges shall recover the cost to deliver the following services:-
 - (a) electricity;
 - (b) refuse removal;
 - (c) sanitation/sewerage; and
 - (d) water.

3. Surpluses obtained

- (1) The Council may obtain surpluses on the following services:-
 - (a) electricity and water: 10%; and
 - (b) sanitation/sewerage and refuse removal: 10%.

4. Services co-funded by property tax

- (1) Council may charge regularity tariffs to recover cost to deliver the following services:-
 - (a) libraries;
 - (b) cemeteries;
 - (c) nature reserves;
 - (d) pleasure resorts;
 - (e) fire services; and
 - (f) information services.
- (2) Council may adjust the service charges annually with the CPI on 1 July each year.

5. Electricity services

- (1) Council may provide 50 units free to indigent households in terms of the indigent policy of Council.
- (2) Council may charge the following tariffs:-

- (a) basic charge differentiated amongst various consumers.
- (3) Council may charge the following tariffs:-
 - (a) availability charges based on consumption, type of stands and nature of consumers;
 - (b) consumption charges per KWH:-
 - (i) domestic consumers;
 - (ii) commercial and general consumers;
 - (iii) bulk consumers;
 - (iv) temporary consumers;
 - (v) selected bulk consumers (up to 7% surcharge is applicable);
 - (c) consumption charges (per KVA demand):-
 - (i) bulk consumers;
 - (ii) off-peak hours;
 - (iii) selective bulk consumer (a surcharge of 7% is applicable);
 - (d) special charges:-
 - (i) test of meter;
 - (ii) special reading;
 - (iii) connection fees;
 - (e) VAT is not included in the tariffs and must and be added.
- (4) Council may lower business tariffs in line with NER (National Electricity Regular) policy and incentive schemes of Council.
- (5) All electrical supplies to be metered.

6. Refuse removal

- (1) Council subsidises refuse removal to the indigent households as determined in the indigent policy.
- (2) Council may charge the following rates:-
 - (a) refuse removals to private dwellings, hospitals, churches, boarding houses, sport clubs, charitable institutions: once a week per bin;
 - (b) block of flats: per flat;
 - (c) removal from business premises, offices, industrial premises and government

institutions: per bin;

- (d) three times per week;
- (e) five times per week;
- (f) compacted refuse: per removal;
- (g) per mass container;
- (h) medical waste: per removal;
- (i) renting of mass containers;
- (j) vacuum tank services:-
 - (i) special removals;
 - (ii) garden refuse;
 - (iii) guiliding rubble or bulk refuse;
- (k) removal of dead animals;
- (l) cleaning premises of long grass, weeds, shrubs and accumulation of refuse;
- (m) rending cleansing services out of town;
- (n) sale of plastic bags;
- (o) all other services for which provision has not been made;
- (p) VAT is not included and should be added.

7. Sanitation/sewerage

- (1) Council may grant a subsidy for the indigents as defined in the Indigent Policy.
- (2) Council shall apply the principle of equality for this service.
- (3) Council may charge the following tariffs:-
 - (a) application fees (building plans);
 - (b) usage charges (operational charges) differentially;
 - (c) availability charges:-
 - (i) based on size of land;
 - (ii) special usage;
 - (d) work charges:-
 - (i) sealing openings;

- (ii) re-openings sealed;
- (iii) removing blockages;
- (iv) alterations to gullies;
- (v) connection to sewer;
- (e) VAT is not included and must be added.

8. Water services

- (1) 6 (six) KL is provided free of charge for all households.
- (2) Council may charge the following tariffs:-
 - (a) availability charges;
 - (b) consumption charges;
 - (i) metered supply;
 - (aa) a sliding scale will be applicable to domestic consumers and will be as follows:-
 - 0-6 KL
 - 7-20 KL
 - 21-40 KL
 - above 40 KL;
 - (bb) with water restrictions an increased tariff may be charged on the following sliding scale:-
 - 0-6 KL
 - 7-20 KL
 - 21-40 KL
 - above 40 KL;
 - (c) metered supply;
 - (i) with water restrictions the sliding scale will be the same as mentioned in sub Section (2)(b)(i)(aa);
 - (d) metered supply: businesses and industries;
 - (i) the Council may charge a uniform tariff per KL for businesses and industries;

- (e) charges for connections to the main;
- (f) charges for connection of water supply;
- (g) sundry charges:-
 - (i) testing of metres;
 - (ii) special readings;
 - (iii) any other services not mentioned;
- (h) filling of a swimming pool.

9. Property tax

- (1) A subsidy is granted to indigent persons as defined in the indigent Policy. Council may charge property tax on the site value only.
- (2) The different entities are charged differently on their own valuation rolls.
- (3) Council shall compile a valuation roll for the whole area so that the whole area will be charged uniformly.
- (4) Council may allow discounts on the following categories:-
 - (a) pension is based on annual income;
 - (b) grand-in-aid to registered welfare organisations, welfare organisations which performs charitable work institution for veterans, amateur sport grounds, Boy Scouts or similar organisations and allowed institutions on defined in the Cultural Institutions Act, 1969.
- (5) Council may place a priority on property tax for collection of revenue not exceeding a 25% of the budgeted revenue.

10. Repeal of By-laws

Any By-laws relating to Tariff Policies adopted by the municipality or any municipality now comprising an administrative unit of the Municipality is repealed from the date of promulgation of these By-laws.

11. Conflicting By-laws

If there is any conflict between a provision in these By-laws and a provision of any other By-law of the Council, the provisions of these By-laws prevail.

12. Date of commencement

These By-laws commence on the date of publication thereof in the *Provincial Gazette*.

13. Short title

This By-law shall be called the Tariff Policy By-law (3 of 2007) of the Local Municipality of Mantsopa.

