

**THE CITY OF KLERKSDORP LOCAL MUNICIPALITY  
DRAFT FIRE SERVICE BY-LAWS**

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The City of Klerksdorp Local Municipality hereby promulgates the by-laws set out below for its area of jurisdiction in terms of section 16 of Act 99 of 1987 ( Fire Brigade Services Act).

## PART I

### DEFINITIONS

1. In these by-laws, unless the context indicates otherwise –

**“access door”** means any door that provides access to an emergency route;

**“activity”** means any work that needs to be performed to test, to service, to renew and/or to replace an extinguisher, hose reel, fire installation and/or service installation;

**“animals”** any animal that is kept for domestic or agricultural purposes within the are of the local authority;

**“area”** any residential or any other area within the municipal boundaries;

**“building”** includes –

- (a) Any other structure, whether temporary or permanent, irrespective of the materials used in its erection, erected or used for or in connection with –
  - (i) the accommodation or convenience of human beings and animals;
  - (ii) the manufacture, processing, storage, display or sale of any goods;
  - (iii) the provision of any service;
  - (iv) the destruction or treatment of refuse or other waste materials; and
  - (v) the cultivation of any plant or crop;
- (b) any wall, swimming-bath, swimming pool, reservoir or bridge, or any other structure connected with it;
- (c) any fuel pump or any tank used in connection with it;
- (d) any part of a building, including a building as defined in paragraph (a), (b) or (c); and any facility or system, or part or portion of it, within or outside but incidental to a building, used for the provision of water supply, drainage sewerage, storm water discharge, electrify supply or other similar service in respect of the building;

**"Building control officer"** means any person appointed or deemed to be appointed as building control officer by a local authority in terms of section 5 of the National Building Regulations and building Standards Act, 1977 (Act 103 of 1977);

**"certificate of appointment"** means an identification document issued by the Chief Fire Officer to a member of the fire Service as set out in Annexure IV to these by-laws;

**"certificates of fitness"** means a certificate contemplated in section 22 of these by-laws, which certificate has been issued by the Service and authorises a person to occupy designated premises (which are a public building);

**"certificate of registration"** means a certificate issued by the Service in terms of section 26 of these by-laws which authorises a person to occupy registered premises, or to use the premises for spray-painting activities, or for the storage or handling of hazardous substances;

**"Chief Fire Officer"** means the person appointed by the controlling authority in terms of section 5(1) of the Fire Brigade Services Act, 1987 (Act 99 of 1987) and includes any member of the Service who exercises any power or performs any duty delegated by the Chief Fire Officer to the member under section 19 of said Act, and also includes an Acting Chief Fire Officer appointed in terms of section 5(3) of the same Act; and Manager: Fire Services has the same meaning;

**"code of practice"** means code of practice as defined in section 1 of the Standards Act, 1993 (Act 29 of 1993);

**"controlling authority"** means the local authority in control of the Service as defined in the Fire Brigade Services Act, 1987 (Act 99 of 1987);

**"control room"** means a room on any premises which is specially designed, built and equipped to co-ordinate and control an emergency situation in or on the premises in question;

**"council"** means the duly constituted City of council of Klerksdorp

**"designated premises"** means any premises designated by the Fire Service with a view to an emergency evacuation plan as contemplated in section 21 of these by-laws;

**“device”** means any vehicle, mechanical or electrical implement, electrical motor, machine, instrument, apparatus or other implement of which the whole or any part is used or is capable of being used for, in or in connection with the manufacture, treatment, provision, delivery, supply, packaging, labeling, storage, conveyance, loading and unloading, handling, preparation, serving or administering of any grouped hazardous substance, and includes any delivery pump, filling device, spray-painting device and mechanical hoist;

**“ discharge”** means the ignition or activation of fire works, whatsoever;

**“distance to be covered”** means the distance that a person would in normal circumstances have to cover to exit a room, measured from the furthest point in such room;

**“ dump”**, in relation to a grouped hazardous substance, means to deposit, discharge, spill or release that substance (whether or not the substance in question is enclosed in a container), or to have it or permit it to be deposited, discharged, spilled or released, or to deposit, discharge, spill or release it in such a way or place, or under such circumstances or for such a period, or to have it or permit it to be so deposited, discharged, spilled or released with the intention that reasonably indicates that the substance in question has been abandoned or discharged; and “dumping”, “spilling” and “spill into” have a corresponding meaning;

**“emergency”** means an incident or eventuality that poses or may pose a serious threat to any person or property, and **“emergency situation”** has a corresponding meaning;

**“emergency evacuation plan”** means a written procedure and a set of detailed plans as contemplated in Annexure III;

**“emergency route”** means that part of an escape route which provides the occupiers of any building with protection from fire and which leads to an escape door;

**“escape door”** means any door at the end of an emergency route, and includes any door leading from inside to the outside of a building;

**“escape route”** means the entire path of travel, measured from an escape door to the furthest point in any room in building;

**“explosive(s)” means –**

- (a) gunpowder, nitroglycerine, dynamite, gun cotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance, whether similar to those herein mentioned or not, which is used or manufactured with a view to producing a practical effect by explosion or a pyrotechnic effect;
- (b) any fuse, rocket, detonator, cartridge, and every adaptation or preparation of an explosive;
- (c) any other substance which the President may from time to time by proclamation in the Government Gazette declare to be an explosive;
- (d) a petrol bomb; and
- (e) any container, apparatus, instrument or article which –
  - (i) contains any inflammable substance and can be used or adapted so that it can be used to cause an explosion or a fire; or
  - (ii) was made or can be adapted to cause, in combination with or by means of any inflammable substance, an explosion or a fire;

**“extinguishing stream”** means the amount of water that the Fire Service needs to be extinguish a fire;

**“facility”** means any storage tank, whether above ground or below ground, or any transportable or refillable container that can be used for the keeping of hazardous substances, and includes the fuel tank of a motor vehicle, aircraft, vessel, ship or boat;

**“feeder route”** means that part of an escape route which allows travel in two different directions to access doors of at least two emergency routes;

**“fire area”** means the area of jurisdiction of the controlling authority in which provision is made for fire protection, and “area” has a corresponding meaning as defined in SABS 090 of 1972;

**“fire-fighting equipment”** means any portable fire extinguisher, mobile fire extinguisher, hose reel of fire hydrant;

**“fire grading”** means, with regard to materials, components and elements used in the construction and finishing of buildings, those materials, components and elements which have been tested and classified in accordance with SABS 0177, Parts II to V as amended, as the case may be;

**“fire incident”** means a fire on any premises in the area;

**“fire installation”** means any water installation which conveys water solely for fire-fighting purposes.

**"fire risk category"** means, in relation to a fire area, that area which falls into one of the following categories:

(a) High-risk area:

- (i) Any area in which the fire risk and the risk of the spread of fire are high, for example a factory area; a high-density shopping area, warehouse and commercial building; a timber yard; a wooden building; and a residential or other building that is higher than three storeys, and includes any building in which hazardous processes are carried out or housed regularly.
- (ii) A plantation.

(b) Moderate-risk area:

Any area in which factories, commercial buildings are generally detached from each other and are not more than three storeys high, and which, owing to the detached nature of the buildings, and because the materials processed or stored in those buildings are not regarded as highly dangerous, the fire risk and the risk of the spread of fire are not as high as in a high-risk area, and includes an area that is not expressly classified as a high-or low-risk area as contemplated in these by-laws.

(c) Low-risk area:

Any area that is suburban or semi-rural, having predominantly detached duet, cluster and/or townhouse developments, where the fire risk and the risk of the spread of fire are slight or insignificant;

**"fireworks"** means explosives under Class 7, Division 2, shop goods only, as contemplated in Regulation 9.1 under the Explosives Act, 1956 (Act 26 of 1956) as amended;

**"grouped hazardous substance"** means a group of hazardous substances as contemplated in section 1 of the Hazardous Substances Act, 1973 (Act 15 of 1973) as amended;

**"hazardous substance"** means any substance, mixture of substances, product or material that has been declared to be a Group I, II, III, IV, V, VI, VII, VIII or IX hazardous substances in terms of section 2(1) of the Hazardous Substances Act, 1973 (Act 15 of 1973) as amended;

**"inspector"** means a member of the service appointed as an inspector



in terms of section 2(5) of Act 26 of 1956 as amended in order to control fireworks in so far it concerns the storage, use and sale thereof;

**“member”** means a member of the Service as contemplated in section 6 and 6A(5) of the Fire Brigade Services Act, 1987 as amended;

**“National Building Regulations”** means the regulations published by Government Notice R 2378 of 13 October 1990 I Government Gazette 12780, as amended;

**“normative reference list”** means the list of SABS specifications or codes of practice which are contained in Annexure V to these by-laws;

**“occupier”** means any person who actually occupies or has control over any premise, irrespective of the title under which he/she occupies or has control over premises;

**“owner”** in relation to land or premises, means the registered owner of the land or premises, and includes any person who receives the rental or profit from the land or premises from any tenant or occupier, whether for his/her own account or as an agent for a person who is entitled to the rental or profit or who has an interest therein, and, in relation to a sectional title scheme in terms of the Sectional Titles Act, 1986 (Act 95 of 1986) as amended, for the purposes of section 18 of the Act, the body corporate as contemplated in the Sectional Titles Act, 1986, and, in the case of a deceased or insolvent estate, the executor or the curator respectively;

**“power insulating switch”** means a bipolar switch that can be activated with an L-type key of which one end is fitted with a bayonet-type socket switch;

**“premises”** means land, a building or other construction or structure, or any part of it, and includes a train, boat, ship, aircraft or other vehicle, excluding, where applicable, the fuel tank of any such vehicle; and

any building or room in which explosives are stored, kept or handled for the purpose of sale; when a building is divided into more than one room, each room so used shall be considered to be separate premises, shall have the same meaning;

**“public building”** means any building where people gather to view theatrical and operatic performances, orchestral and choral recitals, and cinematographic screenings, or to attend or participate in indoor sports activities, including any place where people dance or practice or perform any physical activity, and  
**“occupancy”** means, with regard to a public building, the attendance of or participation in the activities referred to above;

**“public place”** means any square, park recreation ground or pen space which –

- (a) is vested in the local authority or
- (b) the public has the right to use, or
- (c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-Generals office and has been provided for or reserved for the use of the public or the owners of erven in such township;

**“rational design”** means any design involving a process of reasoning and calculation, and includes any such design which is appropriate in the application of a code of practice or other similar design;

**“registered premises”** means premises in respect of which the Service has issued a certificate or permit for spray-painting activities and the storage, handling and use of hazardous substances, as well as a certificate or permit to occupy premises;

**“retail dealer”** means a person or concern that, for the purposes of dealing in explosives, supplies such explosives to any other person for use by that person and not for resale;

**“room”** means any room or other partitioning in a building;

**“Service”** means the Fire Service established by the controlling authority as contemplated in section 1 of Act 99 of 1987 as amended;

**“service installation”** means any automatic extinguishing installation, fire pump connector, fire pump, emergency power and/or standby generator, fire detection system, fire locating system, fire alarm system, emergency lighting system, emergency evacuation communication system, mechanical ventilation system, pressure regulating system, smoke ventilation system, hoists and symbolic safety signs, and includes the installation of smoke and fire door assemblies;

**“spill into”** (see the definition of “dump”);

**“spraying permit”** means a permit issued by the Service in terms of section 48 of these by-laws;

**“spraying room”** means any room, building or structure that is designed, built, equipped or erected solely for spraying or coating vehicles, parts of vehicles, or any other objects with Group III hazardous substances and/or combinations of Group III hazardous substances, or with any other substance, to form a decorative and/or corrosion resistant layer, or for any purpose incidental thereto, and “spraying booth” and “submersion tank” as well as any related process involving electrolysis, have a corresponding meaning;

**“storeroom”** means a room which is constructed, equipped and maintained as contemplated in section 47 of these by-laws;

**“storey”** means that part of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between such floor and the ceiling above it-

- (a) The ground storey will be regarded as the storey in which there is an entrance to the building from the level of the adjoining ground or, if there is more than one such storey, the lower or lowest of these storeys;
- (b) a basement will be regarded as any part of the building which is below the level of the ground
- (c) an upper storey will be regarded as any storey of the building which is above the level of the ground storey; and
- (d) the height, expressed in storeys, will be regarded as that number of storeys which includes all storeys other than a basement;

**“temporary structure”** means any structure that is apparently temporary in nature;

**“vehicle”** includes a semi-trailer or trailer which has at least four wheels with independent axles and suspension systems and can be hitched to a truck-tractor, a tank truck or any other motor vehicle as contemplated in the Road Traffic Act, 1996 (Act 93 of 1996) as amended, as the case may be;

**“wheel blocks”** means wedge-shaped blocks, manufactured from material which, when scraped against the surface of any other object or material, does not produce sparks or generate static electricity; and material, does not produce sparks or generate static electricity; and

**“wholesale dealer”** means a person or concern that, for the purpose of trade, supplies explosives to any other dealer for resale.

## PART II

### ADMINISTRATIVE PROVISIONS

#### ORGANISATION OF THE FIRE SERVICE

2. (1) The controlling authority may, subject to section 3(3) of the Fire Brigade Services Act, 1987, establish and maintain a Service within its area, which includes the appointment of personnel and the acquisition of vehicles, machinery, equipment, devices and accessories that may be necessary to operate the Service efficiently, and the Service is intended to be used for-
  - (a) preventing the outbreak or spread of a fire;
  - (b) fighting or extinguishing a fire;
  - (c) the protection of life or property against a fire or other threatening danger;
  - (d) the rescue of life or property from a fire or other threatening danger;
  - (e) subject to the provisions of the Health Act, 1997 (Act 63 of 1977), the provision of an ambulance service as a integral part of the Service; or
  - (f) the performance of any other function connected with any of the matters referred to in subsection (1)(a) to (e).
- (2) (a) The Chief Fire Officer, who is appointed by the controlling authority as contemplated in section 5 of the Fire Brigade Services Act, 1987, is in charge of the Service.
- (b) Whenever the Chief Fire Officer is for any reason unable to perform his/her duties of office, the controlling authority will appoint a member of the Service as Acting Chief Fire Officer to perform the duties and functions of the Chief Fire Officer.
- (3) The controlling authority may, in terms of an agreement as contemplated in section 12 of the Fire Brigade Services Act, 1987, employ its Service within or outside its area of jurisdiction, or within or outside the Province of North West, against payment

of the tariffs determined in Annexure I to these by-laws, or against payment or on the conditions contained in the agreement concerned.

### DRIVING FIRE SERVICE VEHICLES

3. (1) Any member of the Service may, with the written authority of the C Chief Fire Officer, drive a Fire Service vehicle if he/she has applicable driver's license for the vehicle in question as required by the Road Traffic Act, 1996 (Act 93 of 1996) as amended.
- (2) A member of the Service who is duly authorized to do so, as contemplated in subsection (1), must drive a Fire Service vehicle in accordance with the Road Traffic Act, 1996 as amended, and any regulations made under the said act.
- (3) Any member of the Service who fails to comply with the provisions of this section is guilty of an offence.

### PROCEEDURE AND DUTIES DURING AN EMERGENCY SITUATION

4. (1) The Chief Officer and/or a member of the Service who is in charge of an emergency situation must, in respect of every emergency situation in which he/she or they is/are in charge, ensure that –
  - (a) adequate manpower and the appropriate apparatus and equipment are made available and are used without delay;
  - (b) the situation is assessed on arrival at the premises in question, and that additional equipment and/or assistance that he/she or they may deem necessary is sent for without delay, where applicable, as agreed upon in and subject to the agreement as referred to in section 2(3) of these by-laws; and
  - (c) all pertinent information, including places, times and relevant particulars, is recorded during an emergency situation, and that the recorded information is preserved in accordance with the provisions of the National Archives of South Africa Act, 1996 (Act 43 of 1996), and any regulations made under the act.
- (2) All persons and/or bodies, including any State department as contemplated in section 17 of the Fire Brigade Services Act, 1987 as amended, the South African Police Service and the Department of Justice, who wish to inspect any information referred to in subsection (1)(c) must send a written application to the Chief Fire Officer, accompanied by the fees prescribed in Annexure I to these by-laws, together with an appropriate substantiation as to why the information is required.
- (3) Any press release concerning emergency situations or any matter connected with an emergency situation must be in accordance with the policy guidelines determined by the controlling authority.

### **PRETENDING TO BE MEMBER OF THE FIRE SERVICE**

5. (1) No person, except a member, may wear any official clothing, uniform, badge or insignia of the Service, which creates or may create the impression that he/she is a member of the Service.
- (2) No person may falsely represent himself/herself as member of the Service or pretend to be a member of the Service.
- (3) Any person who so pretends to be or represents himself/herself as a member of the Service must, irrespective of whether he/she has been requested to do so, identify himself/herself by producing the relevant certificate of appointment and /or mark of appointment, as defined in Annexure IV to these by-laws, or by furnishing proof of identity within a reasonable period.
- (4) Any person who contravenes or fails to comply with this section is guilty of an offence.

### **POWERS OF MEMBERS**

6. (1) Every member of the Service, including the Chief Fire Officer, has all the powers provided for in Act 99 of 1987.
- (2) Any member of the service may -
  - (a) seize any certificate of fitness, certificate of registration or spraying permit provided for in these by-laws if the conditions of or endorsements in the document are not being complied with, or if the member has reasonable grounds to suspect that unauthorized changes have been made to the document;
  - (b) institute the relevant prosecution in connection with subsection (2)(a) or have the prosecution instituted, as the case may be;
  - (c) seize anything (hereafter called "object") on any premises that is connected with a spraying permit, certificate of registration or certificate of fitness and may provide reasonable proof of a contravention of any condition of or endorsement in such permit or certificate, and remove the object or have the object removed to a place of safe custody: Provided that the seizure does not exempt any person from any other relevant provisions of these by-laws: Provided further that such seizure will, subject to section 20 of the Act, be subject to the following conditions:
    - (i) The Chief Fire Officer must grant prior approval in writing for the seizure.

- (ii) Official proof of seizure must be issued to the person from whom the object has been seized, together with a description of the object.
  - (iii) After an order issued in terms of Act 99 of 1997 or these by-laws has been compiled with in full or after a prosecution in terms of section 21 of the said Act 99 of 1987 has been instituted and finalized, as the case may be, any object seized must be returned to the person from whose possession it was taken.
- (3) It shall be lawful for any member, to seal off any building or premises by the temporary closing of any street, passage or place which he may deem necessary for public safety and to the effective fighting of a fire or dealing with any other emergency, which may give rise to a fire or explosion and it shall be lawful for him to remove, using no more forces than is reasonably necessary, any person who refuses to leave any street, passage or place so closed after having been required by such member to do so.
- (4) Designated members of the Service must be -
  - (a) suitably trained and certified as peace officer and be appointed as such in terms of Government Notice R159 of 2 February 1979, as amended;
  - (b) appointed as deputy messengers of the court in terms of section 15(2) of the Magistrates' Courts Act, 1944 (Act 32 of 1944) as amended; and
  - (c) appointed as inspectors of explosives in terms of section 2(5) of the Explosives Act, 195556 (Act 26 of 1956) as amended, regarding the storage, sale and use of fireworks;
  - (d) appointed as inspectors in terms of section 8 of the Hazardous Substances Act, 1973 (Act 15 of 1973 as amended, and all members have the power -
    - (i) in terms of the provisions of section 56, read with section 57, of the Criminal Procedure Act, 1977 (act 51 of 1977), to issue summons involving a spot fine;
    - (ii) in terms of the provisions of section 341 of the Criminal Procedure Act, 1977, to issue spot fines for certain minor offences;



- (iv) in terms of the provisions of section 44 of the Criminal Procedure Act, 1977, to issue a warrant of arrest;
- (v) in terms of the provisions of section 41 of the Criminal Procedure Act 1977, to ask the names and to arrest persons without a warrant if duly authorized to do so; and
- (vi) in terms of the provisions of section 54 of the Criminal Procedure Act, 1977, to serve summons in order to secure the attendance of the accused in a magistrate's court.

#### **MAKING FIRE SERVICE EQUIPMENT AND MANPOWER AVAILABLE**

7. (1) With the approval of the controlling authority, the Service may, at the request of any body or person and at the tariffs determined in Annexure I to these by-laws, use any equipment and/or manpower at its disposal to provide any special service in connection with the aims of the Service.
- (2) The said equipment and/or manpower may be withdrawn summarily if equipment and/or manpower is required elsewhere for or in connection with an emergency situation.

### **PART III**

#### **FIRE PROTECTION AND FIRE-FIGHTING**

##### **COMBUSTIBLE MATERIAL AND REFUSE**

8. (1) No person may store any combustible material of whatever nature, or have it stored or permit to be stored in such a manner and in such a position as to likely pose a fire hazard to any human being, animal, building or premises.
- (2) No person may allow grass, weeds, reeds, shrubs, trees or any like vegetation to become overgrown on premises to such an extent that it may pose a fire hazard or a probable fire hazard to any adjacent premises and/or any other person's property.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

##### **MAKING FIRES**

9. (1) No person may, within the area, make an open uncontrollable or unattended fire or permit a fire to be made in such a place and/or in such a manner as to pose a real or potentially real threat to any human being, animal, building, premises or other property: Provided that this prohibition is not applicable to –
- (a) a fire in an approved, purpose-made stove, fireplace or hearth which is an integral part of a structure;
- (b) a fire for preparing food on private premises or premises set aside for that purpose; and
- (c) a device for preparing food, which device is heated by means of electricity or liquid petroleum gas and is positioned in such a way that the device pose no threat to life or property to life or property on any premises.
- (2) No person may, without the written authority of the Service, burn any refuse, wood, straw or other combustible materials within the area, or have them burnt within the area, or have them burnt or permit them to be burnt within the area, unless the refuse, wood, straw or other combustible materials are burnt inside an approved purpose-made incinerator or incinerating device, subjected to the provisions of sub section (1) above.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

## FIREBREAKS

10. (1) The owner or occupier of premises in the area may not permit the premises to be or become overgrown with grass, weeds, reeds, shrubs and trees to the extent that the grass, weeds, reeds, shrubs and trees may pose a real or potentially real fire hazard to any adjoining premises or other premises or property.
- (2) The owner or occupier of –
  - (a) an erf or premise situated within a proclaimed township in the area must remove the fire hazard or ensure that the fire hazard is removed by –
    - (i) cutting any grass, reeds and/or weeds which may reasonably be connected with the fire hazard to a maximum height of 150 mm above ground level;
    - (ii) cutting around any shrubs and/or trees which may be standing in the area being cut;
    - (iii) pruning, chopping down or sawing off such shrubs and/or trees, as the case may be; and
    - (iv) removing all chopped and/or sawn off residue from the premises or ensuring that the residue is removed; and
  - (b) an agricultural holding or farm situated in the area must reduce the potential fire hazard by physically clearing a safety fire belt, at least 5 m wide (measured parallel from each boundary line which borders the premises to the inside of the premises) so that no vegetation or residue whatsoever remains on this belt, and the owner or occupier must at all times maintain the belt or ensure that the belt is maintained in such condition: Provided that where obstructions occur within the said 5m belt, a 5m belt also be maintained around those obstructions.
- (3) Notwithstanding the above, the provisions as contemplated in the National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998) as amended, applies mutates mutandis for the application of this section.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

## INSPECTION OF PROPERTIES AND INSTRUCTIONS TO OCCUPIERS

11. (1) Any member as contemplated in subsection 6(4) may in the execution of all delegated powers in terms of relevant and applicable legislation enter any premises at any reasonable time to conduct inspections.
- (2) Such member may, arising from any condition referred to in subsection (1), serve on the occupier(s) of those premises or any other premises written instructions, and fire protection directives and requirements that are necessary to rectify the conditions on or in the premises in order to reduce any fire risk and/or to protect life and property, and determine a deadline for compliance with the instructions, directives and requirements.
- (3) (a) Whenever a condition exists or is found in or on any premises, whether or not structural in nature, or anything else that may increase the fire risk or pose a threat to life or property, and the condition or anything else cannot be rectified immediately, or if costs need to be incurred to rectify it, the owner of the premises concerned must, after receiving the rectification directives referred to in subsection (2), inform the Chief Fire Officer forthwith in writing about the measures which he/she intends taking to rectify the condition, and submit a programme with a deadline to the Service for approval.
- (c) The Chief Fire Officer may approve the proposed measures and deadline with or without amendments may give instructions for compliance with the measures.
- (4) Any person who fails to comply with a written instruction referred to in subsection (2) and (3) is guilty of an offence.

## ACCESSIBILITY OF FIRE-FIGHTING EQUIPMENT

12. (1) Fire-fighting equipment and the appropriate service installations must be installed so as to be readily accessible at all times.
- (2) Any person who, in whatever way, causes or permits fire-fighting equipment and the appropriate service installations not to be readily accessible is guilty of an offence.

## FIRE PROTECTION REQUIREMENTS FOR PREMISES

13. (1) In addition to any other provisions contained in these by-laws, the Building Regulations, published under Government Notice of R 2484 26 October 1990 as amended, which are contained in Code of Practice SABS 0400 and called "The Application of the

National Building Regulations” and any additional Building Regulations published for application in the area, are, for the purposes of the enforcement of these by-laws in relation to fire

protection requirements, applicable mutates mutandis to

premises in the area.

- (2) If any superfluous water unavoidably spills into or is collected in a basement for whatever reason during fire extinguishing activities, adequate means must be provided to convey the water so spilled or collected to a storm water drain.
- (3) No high-and/or low-voltage transformer room(s) in any building may be situated on any level other than the ground level:  
Provided that-
  - (a) the access to the transformer room(s) must be situated on the outside of the building; and
  - (b) provision is made for adequate access to the transformer room(s) for fire-fighting activities and/or maintenance.
- (4) Whenever an approved sprinkler system is required in accordance with the provisions of SABS 0400; SABS 087, Part III; and SABS 089, Part I, the sprinkler system must be planned, designed and installed in accordance with the guidelines of SABS 0287 for automatic sprinkler installations and in consultation with the Service.
- (5) Any person who fails to comply with any of the provisions of subsections (2), (3), (4), and (5), or any provisions contained in Part A, Part K, Part M, Part O, Part T, Part V and Part W of SABS 0400, as amended, where the provisions relate to fire protection matters, is guilty of an offence.

#### **ACCESS FOR FIRE-FIGHTING AND RESCUE PURPOSES**

- 14. (1) All premise in the area from a date of promulgation of these by-laws, must be planned, designed and constructed so as to ensure that-
  - (a) provision is made (in addition to the street reserve) in the premises for the parking and operating of fire Service machines and/or equipment on a climate-proof and weatherproof parking surface that is at least 10 m wide and runs the full length of the side elevation which borders the surface;
  - (c) if a building does not front onto street, an access road is provided, the dimensions and carrying capacity of which must be suitable for the fire engines used by the Service (obtained from statistics of the Service's fire engines), with the length, width and tonnage of the machines: Provided that the dimensions must be equal to the largest machine that is likely to be used on the premises in question; and

- (d) whenever any entrance arch spans a driveway to a group housing, cluster housing or townhouse complex, or is constructed over an access to a shopping center or office complex, the dimensions of the opening of the arch must be at least un-obstructively 3,5 m wide and 4,2 m high: Provided that if the dimensions of the entrance arch are less, another access or service gate to the premises must be provided, which gate is capable of being opened to 3,5 m.
- (2) (a) The appropriate street number of every built-up premises within the area must be displayed clearly on the street boundary of the premises in question. These numbers must be 75 mm high and must be visible from the street.
- (b) The owner or occupier of any premises must maintain the street number to ensure that it is legible at all times.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **UPKEEP AND MAINTENANCE OF FIRE-FIGHTING EQUIPMENT**

- 15. (1) The owner of any premises must ensure that –
  - (a) all fire extinguishing equipment or other appropriate service installations that have been provided or installed in or in connection with the premises are maintained in a good working condition by a competent person and/or firm approved by the SABS as contemplated in SABS 1475 and registered in terms of SABS 1475;
  - (b) portable and mobile fire extinguishers and hose reels are serviced and maintained in accordance with the provisions of SABS 0105 and SABS 1475;
  - (c) fire installations and any relevant service installations are inspected and serviced in accordance with the specifications of the manufactures; and
  - (e) A registered person inspects installations at least every twelve calendar months.
- (2) Any person who checks services, renews, replaces or works on any fixed service installation must –
  - (a) on completing the work, certify that the service installation in question is fully functional; and
  - (b) notify the Service immediately in writing if he/she finds that the service installation in question cannot, for whatever reason, be readily repaired to its functional state.

- (3) The owner of any premises must keep a comprehensive service record of all fire-fighting equipment and any other appropriate service installation on his/her premises and submit the record to the service every twelve months.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **EXTRACTOR FAN SYSTEMS**

- 16. (1) Extractor fan systems and related ducts or similar chimney systems must be designed and installed in such a manner as to grant adequate access (that is clearly marked) for trouble-free inspections, maintenance and repairs to the relevant mechanisms.
- (2) Every filter, damper, screen or conduit that forms an integral part of a system referred to in subsection (1) must be regularly cleaned, maintained and checked to ensure that fatty residues or any other combustible residues do not accumulate.
- (3) The conduit and outlet of any system referred to in subsection (1) must be installed so as not to pose a fire hazard or probable fire hazard to any premises or property.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **RATIONAL DESIGNS**

- 17. (1) The construction, design and/or erection of –
  - (a) hangars;
  - (b) helicopter pads;
  - (c) grain silos;
  - (d) atriums;
  - (e) air traffic control towers;
  - (f) towers for communications or other uses;



- (g) military structures or buildings;
- (h) thatched structures larger than 20 m<sup>2</sup> and situated within 4,5 m of any boundary line;
- (i) tents and any other temporary structures for holding public gatherings;
- (j) open-plan commercial and industrial premises, of which the distance to be covered to escape doors and/or exit doors exceeds 45m; or
- (k) any other structure or building in the opinion of the Chief Fire Officer.

In the area must comply with an acceptable rational design which meets all applicable requirements of Regulation T1 (1) of the National Building Regulations, published under Government Notice R 2378 of 12 October 1990 as amended.

- (2) Subject to the provisions of subsection (1), provision must also be made, in the case of hangars or helicopter pads, for
  - (a) the drainage of any liquid from the floor of the aircraft hangar or helipad and/or approach to the hangar;
  - (b) the channeling of any liquid to a drainage area which is effectively connected to a separator well;
  - (c) the prevention of any liquid from spreading from the floor of the aircraft hangar or helipad to any rooms, adjacent buildings or to the outside of the hangar; and
  - (d) earthing devices for discharging static electricity.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **DUMPING SITES**

- 18. (1) The design, layout and construction of any dumping site of whatever nature must be done in conjunction with the instructions of the Department of Water Affairs and Forestry (Department of Environment Affairs) and those of the Service.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence

## EMERGENCY EVACUATION PLANS

19. (1) The owner or occupier of designated premises must –
  - (a) within 30 days after the premises have been designated by the Service, prepare a comprehensive emergency evacuation plan for that premises, in triplicate, and have it ready for inspection and approval by the Service, in accordance with the guidelines prescribed in Annexure III to these by-laws;
  - (b) constitute an internal fire protection committee from among the internal staff and occupiers to assist with the planning and organization of a fire protection programme, which programme includes regular, scheduled fire evacuation drills on the premises;
  - (c) ensure that –
    - (i) the emergency evacuation plan is revised and updated
    - (ii) updated records of revised emergency evacuation plans, fire protection programmes, evacuation drills and related documents are kept and maintained at all times; and
    - (iii) the emergency evacuation plan and relevant documents are at all times available in a control room for inspection by the Service; and
  - (d) identify a predetermined place of safety outside, but in the vicinity of, the designated premises, where occupiers may gather during an emergency situation for the purpose of compiling a list of survivors.
- (2) The Service may from time to time –
  - (a) provide directives for updating and/or amending an emergency evacuation plan;
  - (b) instruct the owner or occupier of designated premises in writing to implement such fire protection programmes that in the opinion of the Chief Fire Officer are necessary to ensure the safety of the occupiers of the designated premises; and
  - (b) require the owner or occupier of designated premises to furnish the Service with a certified copy of any emergency evacuation plan and/or relevant documents on such day and at such time place

as the Service may determine.

- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **CERTIFICATE OF FITNESS FOR ALL PUBLIC BUILDINGS**

20. (1) The owner of any public building, or of any temporary structure which is erected or intended for holding public gatherings, must apply in writing to the Service for the issuing of a certificate of fitness for every type of gathering or for the proceedings envisaged in the premises or structure, and must pay the fees, as determined in Annexure I to these by-laws, when submitting the application form (the design guidelines appear in Annexure II to these by-laws).
- (2) No certificate of fitness will be issued for a public building unless the relevant provisions of these by-laws have been complied with.
- (3) A certificate of fitness issued to the owner of a public building will be endorsed with the following information, where applicable:
- (a) The trade name and street address of each occupier
  - (b) The type of activity of each occupier
  - (c) The name of the persons on the executive
  - (d) The permissible number of people in proportion to the usable floor area
  - (e) The number of emergency exits and their widths
  - (f) A cancellation clause in the event of any applicable provision of these by-laws being disregarded
  - (g) An obligation on the part of the holder of the certificate to-
    - (i) display the certificate prominently on the premises at all times; and
    - (ii) maintain the certificate in a legible condition at all times
  - (h) A date year and serial number
  - (i) The date of expiry of the certificate
- (4) Subject to the provisions of section 22 of these by-laws, a certificate of fitness is not required for a public building which has been legally erected on the commencement of these by-laws.

- (5) If the trade name of a public building changes, the holder of the certificate of fitness must ensure that the change is brought to the attention of the Service immediately and in writing.
- (6) No certificate of fitness will be issued or renewed, as the case may be, unless and until the controlling authority –
  - (a) is in possession of a set of plans approved by Service as referred to in section 23; and
  - (b) has received the prescribed application form defined in Annexure II to these by-laws, which form has been completed in full and correctly.
- (7) The holder of certificate of fitness must ensure that he/she is at all times in possession of a valid certificate of fitness.
- (8)
  - (a) Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of fitness has been issued will result ipso facto in the cancellation of the certificate of fitness, including any other authorization granted in terms of these by-laws.
  - (b) The provisions of this subsection are not applicable to any action, which result in the removal in the temporary removal of something for the purpose of effecting repairs or replacements in respect of the premises.
- (9)
  - (a) The owner must submit, on or before the first working day of December of each year, together with the prescribed fees determined in Annexure I to these by-laws, an application for the renewal of the certificate of fitness to the Service on the prescribed form: Provided that if the Service for some reason requires plans of the premises in question for the purposes of the renewal application, the plans must accompany the application.
  - (b) The Service may send a reminder in respect of the renewal.
- (10) Any person who fails to comply with the provisions of this section or who alters or attempts to alter a certificate of fitness, or knowingly allows the certificate to be altered, is guilty of an offence.

#### **WATER SUPPLY FOR FIRE-FIGHTING**

- 21. (1) In any township development, a township developer must provide as follows for water supply for fire-fighting.

- (a) Double supply mains from the supply source to the distribution reservoirs and double pumps for delivery of the water supply: Provided that if the system has more than one reservoir and the reservoirs are supplied with water via separate supply mains and pumps, the mains and pumps may be regarded as double if the reservoirs are connected to each other.
  - (b) The water supply from reservoirs must be reticulated so as to ensure that the supply to the same area can be Provided from more than one direction.
  - (c) The storage capacity of reservoirs and the rate of replenishment must be taken into account when calculating the water supply potential of that particular area.
- (2) The extinguishing stream and the duration of the stream must at least be equivalent to the requirements set out below for the various risk categories: Provided that the stream may be regarded as the total simultaneous delivery from all fire hydrants within a radius of 270 m of any of the hydrants.

**REQUIRED EXTINGUISHING STREAM  
PER FIRE RISK CATEGORY**

1	2	3
<b>FIRE RISK CATEGORY</b>	<b>EXTINGUISHING STREAM (LITRES PER MINUTE) (MINIMUM)</b>	<b>DURATION OF STREAM (HOURS) (MINIMUM)</b>
High risk	11 500	6
Moderate risk	5 750	4
Low risk	2 300	2

- (3) The required extinguishing stream must be available to the fire-fighting team immediately on arrival at a fire or any other Emergency situation.
- (4) Direct liaison between the Service and the Chief Engineer: Water Supply of the controlling authority is required to enable the Chief Engineer to Increase the water supply to the emergency situation if an emergency situation occurs during peak times for domestic water consumption or if there is any other factor that may contribute to a diminished water supply.
- (5) (a) The minimum stream from each fire hydrant and the maximum distance between fire hydrants for the various risk areas are, subject to subsection (5)(b), as follows:

### STREET FIRE HYDRANTS: DELIVERY AND DISTANCES

1	2	3
FIRE RISK CATEGORY	REQUIRED DELIVERY FROM EACH FIRE HYDRANT, MEASURED DURING COMMUNITY'S PEAK CONSUMPTION (LITRES PER MINUTE)	MAXIMUM DISTANCE BETWEEN FIRE HYDRANTS IN ALL TRAFFIC ROUTES (METRES)
High risk	1 600	120
Moderate risk	1 150	180
Low risk	900	240

- (b) Even if a street or road is shorter than provided for in the above table, a fire hydrant must be placed in the road or street reserve in question, after consultation with the Service.
- (6) Fire hydrants must be inspected by the Service at least once a year, and a flow and pressure test must be conducted on the stream to determine whether the stream complies with the provisions of subsection (5).
- (7) The position of all fire hydrants must be properly plotted for operational use by the Service.
- (8) The distribution system must be equipped with control valves positioned so that, if the pipe system (excluding the branches) is damaged or needs to be repaired, it will not be necessary to close off a branch or a portion of any pipe for more than 150 m in high-risk areas or more than 300 m in moderate- and low-risk areas.
- (9) If any risk area is developed or redeveloped in such a manner that the risk area falls into the high-risk category, the water reticulation must be
- (10) Any building developer who requires a water connection to the water reticulation system of the controlling authority must submit a complete set of approved fire
- obtain a water connection form, as set out in Annexure II to these by-laws, from the Service for submission for the Chief Engineer: Water Supply of the controlling authority: Provided that –
- (a) if the premises are protected by a sprinkler installation, a water connection must be calculated and designed for each sprinkler installation in accordance with appropriate design criteria, and size, delivery pressure and flow of the water connection must be calculated in advance by the engineer responsible;
- (b) if the Service requires a larger water connection for the premises to ensure that fire-fighting equipment functions in accordance with the appropriate design requirements as set out in Part W of SABS 0400, the owner of the premises must provide the required water connection; and

- (c) the size, work pressure and delivery flow of any water connection, as contemplated in subsection (10)(a), must be calculated and designed according to the provisions of Part W of SABS 0400 and SABS 0252 Part 1.

#### **REGISTRATION APPLICATIONS FOR EXISTING PREMISES**

- 22. (1) If an owner rebuilds, alters, extends or changes the floor layout of an existing public building that has been legally erected and used, or if ownership or control of the premises changes, no existing certificate of fitness, certificate of registration or spraying permit, as defined in Annexure II to these by-laws, will be renewed, unless and until all the appropriate provisions of these by-laws regarding an original application have been compiled with.
- (2) No additions or alterations may be made to any existing registered premises unless and until the owner of such premises has submitted a plan, as determined in section 23 of these by-laws, of the existing premises and of the proposed work to the Manager Civil Engineering and the Chief Fire Officer and they have approved the plan.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

**PART IV****HAZARDOUS SUBSTANCES****APPLICATION FOR APPROVAL OF PLANS**

- owner
23. (1) Subject to the provisions of the National Building Regulations and building Standards Act, 1977 (Act 103 of 1977) as amended, every owner of premises on which is a building in respect of which a floor layout change, addition, alternation, upgrading and/or renovation is envisaged, or premises on which bulk, above-ground and underground installations and any other structures are to be erected for the use, storage or handling of hazardous substances or connected with such use, storage or handling, must submit plans in triplicate to the controlling authority, on the prescribed form obtainable from the office of the Building Control Officer: Provided that gas manifold installations of which the capacity does not exceed 1 130 l and which the Building Control Officer regards as "minor building work" for approval and registration purposes in terms of section 13 of the National Building Regulations and Building Standards Act, 1977 as amended, are subject only to sketches and an audit inspection by the Service and as defined in the checklist in Annexure VI to these by-laws.
- (2) The prescribed fees payable to the Service for the approval of plans are determined in Annexure I these by-laws, but these fees do not include the fees charged by the Building Control Officer for the approval of plans.
- (3) The Service will not accept any plan (except for a plan regarded by the Building Control Officer as "minor building work") unless the official certification of submission of the Building Control Officer appears on it.
- (5) No construction work may be started with on any premises unless the building contractor is in possession of the relevant plans that have been officially certified as approved by the Plan Analysis Section and/or the Hazardous Substances Section of the Service, as the case may be. For the duration of construction work on the premises the plans in question must be available for inspection by the Service.
- (6) The approval of any plan by the controlling authority will be null and void if, within one year of the date of such approval the buildings or constructions have not been erected in accordance with the approved plans.
- (7) Any owner of premises or any person who on behalf the owner is



involved in any activity contemplated in this section who fails to comply with the provisions of this section is guilty of an offence.

### ISSUING OF CERTIFICATES OF REGISTRATION

- 24 (1) No person may on any premises use, handle or store quantities of hazardous substances in excess of the quantities mentioned below or permit to be used, handled or stored, unless and until the person is in possession of a certificate of registration as defined in Annexure II to these by-laws, issued in respect of the specific quantities and appropriate devices on approved premises: Provided that if only one of the groupings mentioned below is present on the premises and the applicable maximum permissible quantity is not exceeded, the provisions of this section are not applicable :

**Group I: Explosives**

Fireworks	No exemption
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**Group II: Gases**

2.1 Flammable gases	Total cylinder capacity may not exceed 50kg
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2.2 Non-flammable gases	Total cylinder capacity may not exceed 333 kg
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2.3 Toxic gases	No exemption
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**Group III: Flammable liquids**

3.1 With flash points $\leq 18^{\circ}\text{C}$	Total quantity may not exceed 100 L
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3.2 With flash points $> 18^{\circ}\text{C}$ but $\leq 23^{\circ}\text{C}$	Total quantity may not exceed 100 L
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3.3 With flash points $> 23^{\circ}\text{C}$ but $\leq 61^{\circ}\text{C}$	Total quantity may not exceed 1 100 L
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3.4 With flash points $> 61^{\circ}\text{C}$ but $\leq 100^{\circ}\text{C}$	Total quantity may not exceed 1 100 L
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**Group IV: Flammable solids**

4.1 Flammable solids	Total quantity may not exceed 250 kg
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4.3	Water-reactive substances	No exemption
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5.1	Oxidising agents	Total quantity may not exceed 200 kg
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5.2	Group I organic peroxides in packets	No exemption
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5.3	Group II organic peroxides in packets	Total quantity may not exceed 200 kg
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6.1	Group I toxic substances in packets	Total quantity may not exceed 5 kg
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6.2	Group II toxic substances in packets	Total quantity may not exceed 50 kg
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6.3	Group III toxic substances in packets	Total quantity may not exceed 500 kg
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6.4	Infected substances	No exemption
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**Group VIII: Corrosive /Caustic substances**

8.1	Group I acids in packets	Total quantity may not exceed 50 kg
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8.2	Group II acids in packets	Total quantity may not exceed 200 kg
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8.3	Group III acids in packets	Total quantity may not exceed 1 000 kg
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8.4	Group I alkaline substances in packets	Total quantity may not exceed 50 kg
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8.5	Group II alkaline substances in packets	Total quantity may not exceed 200 kg
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**Group IX: Miscellaneous substances**

9.1 Liquids Total quantity may not exceed 1 000 kg

9.2 Solids Total quantity may not exceed 210 kg

- (2) No person may, on any unregistered premises, store, use or handle any of the hazardous substances referred to in subsection (1), or have them stored, used or handled, or permit them to be stored, used or handled, unless the hazardous substances are stored, used or handled in such place or in such manner as to ensure that –
  - (a) no hazardous substances or fumes of the substance come into contact or are likely to come into contact with any fire, flame, naked light or other source of ignition that may cause the hazardous substance or fumes to catch fire;
  - (b) the escape of human beings or animals is not hindered or obstructed in the event of a fire or an emergency situation.
- (3) No person may, on any unregistered premises, use or handle hazardous substances, or have them used or handled or permit them to be used or handled, unless the hazardous substances are stored, used or handled in such place or in such manner as to ensure that –
- (4) Hazardous substances may be stored on unregistered premises only if the hazardous substances are stored in strong, labeled containers that seal tightly when not in use.
- (5) No certificate of registration will be issued in respect of premises for the use, handling or storage of hazardous substances, unless all the applicable provisions of these by-laws have been complied with and a written application for registration, on the prescribed form, as described in Annexure II to these by-laws, has been submitted to the Service, together with the fees prescribed in Annexure I to these by-laws.
- (6) When a certificate of registration is issued, the certificate must be endorsed with the following conditions, namely that the certificate –
  - (a) must all times be displayed in a weather proof container in a conspicuous place on the premises designated by a member of the

Service;

- (b) must be maintained in a legible condition at all times;
- (c) must reflect the groups and the quantities of hazardous substances for which the premises have been registered;
- (d) must reflect the number of above-ground and/or underground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility;
- (e) must reflect the number of storerooms and the total capacity of each storeroom;
- (f) must reflect the number of gas installations, the type of gas installation and total capacity of each installation;
- (g) must specify the number of storage facilities for other hazardous substances, and reflect the volumes intended for each facility;
- (h) must reflect a serial number;
- (i) must indicate whether the issue of such certificate is permanent or temporary;
- (j) must reflect the period of validity and the expiry date of the certificate : Provided that the period of validity will be only twelve calendar months, calculated from the date of issue, and written application for renewal of the certificate reaches the Service at least one calendar month prior to the expiry date;
- (k) will not be transferable from premises to premises;
- (l) must, subject to the provisions of section 22 of these by-laws, be transferable from owner to owner and/or from control to control on the same premises: Provided that -
  - (i) application for such transfer is made to the Service on the prescribed form; and
  - (ii) if the trade name of the premises changes, the holder of the spraying permit and/or certificate of registration must ensure that the change is immediately brought to the attention of the Service;
- (m) will not be issued unless the Service is in possession of a set of approved plans as required by section 23 of these by-laws; and

- (n) will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted.
- (7) (a) Any person who has legal certificate of registration in his/her possession may apply in writing on the prescribed form to have the total quantity of flammable liquids and number of underground tanks, storerooms, gas installations and other storage areas amended, according to need, and the form must be accompanied by the prescribed fee.
- (b) The Service will approve an application only if the proposed amendments comply with the provisions of these by-laws.
- (c) If the application is approved, the applicant must submit his/her certificate of registration to the Service for amendment.
- (8) The Service may send a holder of a certificate of registration a reminder times in possession of a valid certificate of registration.
- (9) The holder of a certificate of registration must ensure that he/she is at all times in possession of a valid certificate of registration.
- (10) Any person who fails to comply with the provisions of this section, or who alters a certificate of registration or who attempts to alter the certificate or permits the certificate to be altered is guilty of an offence.

### SUPPLY OF HAZARDOUS SUBSTANCES

- 25. (1) No person may –
  - (a) supply more hazardous substances than the quantities referred to in section 24(1) of these by-laws to any unregistered premises, or have them supplied or permit them to be supplied;
  - (b) deliver or supply more hazardous substances than the quantity specified in the applicable certificate of registration, or hazardous substances of a group other than that specified in such certificate of registration to any premises or person, or have them delivered or supplied or permit them to be delivered or supplied....
- (2) No person may handle any container containing a hazardous substance in such a manner that will damage or may damage that container, or permit the container to be damaged.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence

### EXEMPTIONS

26. (1) Notwithstanding anything to the contrary in these by-laws –
- (a) flammable liquids will not be deemed to be stored, handled or transported whenever the liquids are in the fuel tank of a motor vehicle
  - (b) flammable liquids will not be deemed to be stored, handled or transported whenever the liquids are in the fuel tank of a stationery engine: Provided that the volume of the fuel tank does not exceed 1 100 l and the fuel tank is surrounded by a liquid-proof retaining wall filled with –
    - (i) granite ballast with a nominal diameter of at least 440 mm; or
    - (ii) quartzite ballast with a nominal diameter of a least 50 mm:

Provided further that the fuel tank must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

### RENEWAL OF SPRAYING PERMITS AND/OR CERTIFICATES OF REGISTRATION

27. (1) Any holder of a certificate of registration or spraying permit must, before the first working day of December each year, submit an application for renewal of the certificate or permit to the Service on the prescribed form, which form must be accompanied by the fees prescribed in Annexure I to these by-laws: Provided that the Service may require further, additional and/or amended plans of the premises in question for the purposes of renewal.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

### TEMPORARY STORAGE OF HAZARDOUS SUBSTANCES

28. (1) The Service may grant a temporary certificate of registration for a period of not more than six (6) months to any person who, for bona fide reasons, requires more hazardous substances on the premises than the quantities contemplated in section 24(1) of these by-laws: Provided that –

- (a) if the hazardous substances are required for, or in connection with, excavations, construction work and road construction, the quantity must be limited to 14 000 l;
  - (b) an application is submitted on the prescribed form, accompanied by the fees prescribed in Annexure I to these by-laws, together with the plans required by section 23 of these by-laws; and
  - (c) the duration of the temporary storage is to the discretion of the Chief Fire Officer.
- (2) Any person whose application for a temporary storage tank is approved must ensure that –
- (a) the storage tank is surrounded by a liquid-proof retaining wall filled with –
    - (i) granite ballast with a nominal diameter of at least 40 mm; or
    - (ii) quartzite ballast with a nominal diameter of at least 50mm.

Provide that the storage tank must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank;
  - (b) provision is made for the run-off of any possible rainwater from the retaining walls or retaining embankments;
  - (c) the storage tank is not erected within 5 m of any erf boundary, building, excavation, road and/or driveway;
  - (d) no source of ignition or potential ignition is brought within 5 m of the storage tank;
  - (e) symbolic signs prohibiting smoking and open flames, at least 300 mm x 300 mm in size, are affixed to all sides of the temporary installation;
  - (f) a minimum of two 9kg dry chemical fire extinguishers are installed within 10 m of the temporary installation; and
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **DELIVERY OF HAZARDOUS SUBSTANCES**

29. (1) Any person delivering hazardous substances to any supplier or user –

- (a) may not, while delivering, park any delivery vehicle on or across a pavement or on or across a public road;
  - (b) may not, while delivering, let any delivery hose lie on or across a pavement, public road or other premises, or through or over a building or have it lying there;
  - (c) must ensure that, while delivering, a 9kg dry chemical fire extinguisher is ready at all times;
  - (d) must ensure that, during the transferal of hazardous substances, the delivery vehicle is physically earthed with the storage facility to which the hazardous substances are being transferred;
  - (e) must ensure that, while delivering, the delivery vehicle is in such a position that it can be removed quickly and easily in the event of an emergency situation without exacerbating the situation; and
  - (f) must ensure that no hazardous substance is transferred from a delivery vehicle to a facility that is leaking or broken.
- (2) The owner of any device connected with or used for the delivery of a hazardous substance must ensure that the device is designed for the specific purpose, and is in a safe and good working condition.
  - (3) The person in charge of any delivery process of a hazardous substance must ensure and take reasonable precautionary measures to ensure that no hazardous substance is spilled during delivery on any surface when the substance is transferred from a delivery vehicle to a storage facility.
  - (4) No person may transfer any hazardous substance to a motor vehicle, aircraft, vessel, ship or boat while the power source thereof is in operation or permit it to be transferred.
  - (5) No person may transfer a hazardous substance to an aircraft unless and until the aircraft has been earthed with the transferal device by means of an earth cable.
  - (6) No person who fails to comply with the provisions of this section is guilty of an offence.

### PROHIBITION OF CERTAIN ACTIONS

- 30. (1) Any person who stores, uses or handles hazardous substances on premises or has them stored, used or handled or permits them to be stored used or handled on the premises may not -



- (a) perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably result in or cause a fire or an explosion; and
  - (b) perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably obstruct the escape to safety of any human being or animal during an emergency situation.
- (2) No person may dump any hazardous substance in or spill any hazardous substance into any borehole, pit, sewer, drain system or surface water, or permit any hazardous substance to be dumped in or spilled into any borehole, pit, sewer, drain system or surface water.
  - (3) No person may discard hazardous substances in any manner other than by having the substances removed or permitting the substances to be removed by an organization which is fully equipped to do so.
  - (4) No person may light, bring or use any fire or anything else that produces or is capable of producing an open flame, within 5 m of any area where, to his/her knowledge, hazardous substances are stored, used or handled, or permit the fire to be lit, brought or used within 5 m of such area.
  - (5) No person may use any device in connection with hazardous substances in any basement level in a building, excluding a gas welding device and/or gas cutting device for the sole purpose of welding and/or cutting in connection with the maintenance of that building, or have the device used or permit the device to be used or permit the device to be used in any basement level.
  - (6) No person may, while there is another person in or on a bus (except for the driver of the bus, or any other person in charge of the bus), fill the fuel tank of that bus, or have it filled or permit it to be filled, or transport any hazardous substances in or on such bus, except in the fuel tank, or have it transported or permit it to be transported.
  - (7) Any person who fails to comply with the provision of this section is guilty of an offence.

#### **“NO SMOKING” SIGNS**

- 31. (1) The owner of a building must, in areas where flammable and/or explosive hazardous substances are used, stored and handled, display symbolic signs prohibiting smoking and open flames, as the case may be. These signs must conform with SABS 1186 and be of the appropriate size as specified by the Service and be displayed prominently in appropriate places.

- (2) Any owner who fails to comply with the provisions of subsection (1) is guilty of an offence.
- (3) Any person who disregards the prohibition in terms of subsection (1) or permits the prohibition to be disregarded is guilty of an offence.

### FIRE-FIGHTING EQUIPMENT

32. (1) Notwithstanding anything to the contrary in these by-laws, the person to whom the certificate of registration in terms of section 24 of these by-laws and/or spraying permit in terms of section 48(1) of these by-laws has been issued must ensure that all premises to which such certificate of registration and or spraying permit applies are equipped with -
- (a) portable fire extinguishers, as specified in SABS 1567 (carbon dioxide type), SABS 810 (dry chemical type), SABS 1573 (foam type) and SABS 1571 (transportable type), of a minimum capacity of 9 kg or 9 l, as the case may be, in a ratio of one fire extinguisher to every 100 m<sup>2</sup> or part of it: Provided that the Service may specify the type of fire extinguisher to be provided additionally, if the Service is of the opinion that exceptional hazardous or risks necessitates a larger number of fire extinguishers, in a consequential smaller ratio stated above, be installed;
  - (b) hose reels, as specified in SABS 543 (hose reels), connected to a water supply as reflected in Part W of SABS 0400, enabling each hose reel to maintain a flow of 0,5l per second at a work pressure of 300 kPa;
  - (c) fire hydrants, with couplings as specified in SABS 1128, Part II (Fire fighting equipment – Couplings), in a ratio of at least one to every 1 000 m<sup>2</sup> or part of it; and
  - (d) approved sprinkler systems in any above-ground facility, of which the capacity is 9 m<sup>3</sup> or larger, with the exception of temporary storage facilities as referred to in section 28 of these by-laws, and installed in positions indicated on the plans referred to in section 23 of these by-laws.
- (2) Fire-fighting equipment must be inspected and maintained by a registered person in accordance with the provisions of SABS 0105 and SABS 1475 at least once every twelve months to the satisfaction of the Service.
  - (3) If fire-fighting equipment is not positioned prominently, the position of the equipment must be indicated by symbolic safety signs in accordance with the specifications of SABS 1186 and to the satisfaction of the Service.

- (4) Any person who fails to comply with the provisions of this section is guilty of an offence .

### **REPORTING OF FIRES, ACCIDENTS AND DUMPING**

33. (1) The occupier of any premises must immediately report any fire, accident or dumping involving hazardous substances on the premises in question that has caused damage to property, the ecology of the environment or injury to human beings or animals to the Service.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **SAMPLING**

34. (1) Whenever a member of the Service inspects any premises and suspects that a substance on the premises is hazardous, the member may take a sample of any relevant substance for analysis: Provided that -
- (a) any sample so taken must be taken in the presence of the owner, occupier or any other third party;
  - (b) any sample must be divided into two equal parts and be sealed in similar containers with the following information on the containers:
    - (i) The address and the location of the premises
    - (ii) The trade name of the premises or concern
    - (iii) The name and signature of the persons who are present, as contemplated in subsection (1)(a)
    - (iv) The date on which and time at which the sample was taken
    - (v) A description of the exact location on the premises where the sample was taken; and
  - (c) any sample so taken must, at the expense of the owner of the premises in question, be taken immediately to an accredited institution as determined by the Service for an analysis and a report: Provided further that the results of the analysis may, subject to the rules of the law of evidence, be used as evidence in any potential legal steps that the Service may consider and/or deem necessary, as the case may be.

### **STORAGE TANKS AND DEVICES THAT HAVE BECOME OBSOLETE**

35. (1) The owner or user of any storage tank and/or related device that has become obsolete must, in accordance with the provisions of section 37 of these by-laws remove the tank or device or have the tank or device removed, or fill up such tank with matter approved by the Department of Environmental affairs.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **ACCESS TO STORAGE TANKS FOR REPAIRS AND MAINTENANCE**

36. (1) No person may enter or permit any other person to enter any storage tank which contained Group III hazardous substances, unless that person is wearing an effective self-supporting breathing apparatus or until such tank has been de-aerated and made free of gas and fumes, as provided for in SABS 089, Part I as amended.
- (2) No person may enter any storage tank which contained Group III hazardous substances unless that person is attached to a rescue rope controlled by a responsible person who is at all times taking appropriate measures to ensure the safety and welfare of all persons involved.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **INSTALLATION, ERECTION, REMOVAL AND DEMOLITION**

37. (1) In addition to any other applicable legislation, any person who intends to erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement and floor layout in respect of the premises or anything connected with the premises, or have any of the above erected, installed, removed, demolished, extended or changed, must notify the Service of his/her intentions at least three working days prior to the commencement date and estimated completion date, and this notification must be on the form described in Annexure II to these by-laws.
- (2) Any failure to act as contemplated in subsection (1) will ipso facto cancel the certificate of registration and/or spraying permit, as the case may be, insofar as such failure is connected with the matter, as well as any other authorization, including an exemption granted in terms of these by-laws: Provided that the provisions of this section are not applicable whenever –
- (a) anything is removed temporarily for carrying out repairs thereto or in connection therewith;

- (b) any above-ground or underground equipment and/or parts of the equipment are replaced; and
  - (c) any above-ground or underground storage tanks are replaced with tanks of the same capacity.
- (3) (a) No structure, installation or building may, after completion of the action referred to in subsection (1), be erected again on the premises in question, unless application for the approval of plans, as contemplated in section 23 of these by-laws, is made again.
- (b) After completion of the structure, building or installation, application must be made again for a certificate of fitness, spraying permit and/or certificate of registration in accordance with the provisions of PART IV, HAZARDOUS SUBSTANCES, of these by-laws.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

#### **GROUP I HAZARDOUS SUBSTANCES**

38. (1) All Group I hazardous substances (explosives) must be handled, used, stored and transported in accordance with the provisions of SABS 0228, 0229, 0232 and 0263, the Explosives Act, 1956 (Act 26 of 1956) as amended, and the hazardous Substances Act, 1973 (Act 15 of 1973) as amended, and any regulations made under these acts, as the case may be.
- (2) (a) No person may use or explode any explosives within the area unless the Chief Fire Officer has been notified of this in writing at least 7 days prior to its commencement.
- (b) The Chief Fire Officer may impose any fire protection measures it deems necessary according to the circumstances in question.
- (3) No person may discharge any fireworks within the area, and no person may permit the discharge of any fireworks without the permission of the Chief Fire Officer.
- (4) Any person who by any act or omission commits a breach of any of these sub sections shall be guilty of an offence, and the explosives or fireworks, if any, in any respect, may be confiscated, in which case the cost of disposal thereof shall be borne by the accused.

## **GROUP II HAZARDOUS SUBSTANCES PORTABLE CONTAINERS**

39. (1) All portable metal containers and related devices for Group II hazardous substances must be manufactured, marked, maintained, filled and stored in accordance with the provisions of SABS 019, SABS 0228, SABS 0238, as the case may be.
- (2) All portable metal containers for liquid petroleum gas must be stored, filled and/or installed in accordance with the provisions of SABS 0228, SABS 0229, SABS 019 and SABS 087, Parts I to VIII, as the case may be.
- (3) All portable containers for Group II hazardous substances must at all times be transported, stored and/or installed in a vertical position.

### **Bulk containers**

- (4) All bulk containers for Group II hazardous substances must be designed, manufactured, maintained and installed in terms of the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended, and any regulations made under the act; SABS 019; SABS 087, Part III; and the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) as amended, and any regulations made under the act, as the case may be.

### **Manifold installations**

- (5) (a) No Group II hazardous substance may, for any reason whatsoever, be used, stored, handled or installed indoors in any manifold installation or otherwise on any premises.
- (b) The provisions of this section are not applicable to the storage, use, handling or installation of a portable liquid petroleum gas container of a maximum water capacity of 45 l inside a detached private dwelling-house (H4 occupancy classification in terms of Regulation A20 of the Building National Regulations), on condition that the container is used solely for bona fide residential purposes: Provided that liquid petroleum gas will only be permitted indoors on condition that the prospective user is capable of furnishing the Service with scientifically based proof that there is sufficient natural ventilation from the room to the outdoors to ensure that any gas concentration in the room that may be caused by a leakage or potential leakage of the gas and/or by a negligent action in respect of the use of the gas, will be so neutralized

as not to be within the recognized explosive limits for the gas.

- (i) Any person who furnishes proof of certification, as contemplated subsection (5)(b), must be an approved professional engineer or other registered competent person and, in terms of Regulation A19 of the National Building Regulations, be appointed by the owner or occupier of the building in question.
  - (ii) Scientifically based detailed calculations and tests must be the basis of such proof of certification.
- (6)
  - (a) No person may, without the permission of the Chief Fire Officer, use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices and/or hydrogen balloons indoors, for whatever purpose.
  - (b) In enforcing this subsection, the concept of "hydrogen gas" includes any gas compound hydrogen gas, unless the non-flammable nature and/or non-explosiveness of the gas compound can be certified scientifically.
  - (c) The provisions of section 39(5)(b) of these by-laws are applicable mutates mutandis to this section.
- (7) Whenever any person uses acetylene welding devices and/or cutting devices indoors, the devices must be used strictly in accordance with the requirements of SABS 0238: Provided that the Chief Fire Officer may prescribe fire protection requirements concerning the installation, storage and use of the devices.
- (8) The installation within the area of underground pipelines for any Group II hazardous substance, and branches or manifolds of pipelines, as the case may be, is mutates mutandis subject to the provisions of section 22, 23, 24, 25, 27, 29 and 31 of these by-laws.

#### **Underground pipelines**

- (9)
  - (a) Any underground pipeline for a Group II hazardous substance must comply with the following requirements:
    - (i) The owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1 600 L per minute at a work

pressure of 300 kPa, and these fire hydrants must be parallel to the pipeline at every pump station within area. The owner must maintain the fire hydrants in a working condition at all times.

- (ii) The owner of the pipeline must provide sufficient cathodic protection for the pipeline and maintain the cathodic protection in a working condition at all times.
  - (iii) The pipeline must be marked with markers approved by the Chief Fire Officer and must be maintained in a functional condition at all times by the owner of the pipeline.
  - (iii) The installation and extension of the pipeline and/or branches to consumers' premises, and the maintenance of the pipeline within the area, must in to be done according to a recognized standard approved by
  - (v) No construction work above or below the ground may be done within 16 m of the pipeline reserve, unless the construction company is in possession of written authorization to do so, which authorization has been issued by the controlling authority and the owner of the pipeline.
- (10) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **GROUP III HAZARDOUS SUBSTANCES**

#### **TANK MANUFACTURE**

40. (1) No person may install, use or utilize or attempt to install, use or utilize any storage tank for the underground storage of Group III hazardous substances, unless the tank has been manufactured in accordance with the provisions of SABS 1535.
- (2) Any person who installs, uses or utilizes or attempts to install, use or utilize any underground storage tank which does not comply with the requirements of SABS 1535 is guilty of an offence.



## INSTALLATION OF STORAGE TANKS

41. (1) Any storage tank for Group III hazardous substances must be installed in accordance with the provisions of SABS 0400; SABS 089, Parts I, II and III; SABS 0108 and SABS 086, as the case may be: Provided that –
- (a) all storage tanks installed indoors must be installed in accordance with the provisions of SABS 0131, Parts I, II and III, as the case may be;
  - (b) all pumps and filling devices installed indoors must be in purpose-built, registered premises;
  - (c) all installations, as contemplated in subsection (1)(a) and (b), as the case may be, are subject mutates mutandis to the provisions of section 23 (Application for the approval of plans) and section 24 (Issuing of certificates of registration) of these by-laws, as the case may be; and
  - (d) all above-ground storage tanks may be installed in bulk depots only, except those storage tanks contemplated in section 28 of these by-laws.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

**PART V****CONSTRUCTION OF VEHICLES, AS WELL AS TRANSPORTATION AND  
TRANSPORT PERMITS****CONSTRUCTION OF VEHICLES FOR  
GROUPS I, II, III, IV, V, VII, VIII AND IX HAZARDOUS SUBSTANCES**

42. (1) Any road tanker for the transportation of Groups II, III, V, VI, VIII and IX hazardous substances must be constructed with the provisions of SABS 0189, SABS 1398 and SABS 0233, as the case may be, and must be labeled in accordance with the provisions of SABS 0232, the Hazardous Substances Act, 1973 (Act 15 of 1973) as amended, and any regulations made under the act.
- (2) Any vehicle other than a road tanker used for transporting any hazardous substance, as defined in section 2(1) of the Hazardous Substances Act, 1973, (Act 15 of 1973) as amended must –
- (a) be built large and strong enough to transport the quantity of hazardous substances intended to be transported in or on the vehicle;
  - (b) have at least two independent axle systems, each with its own suspension system, excluding a trailer that forms part of an articulated vehicle;
  - (c) be equipped with a safe mechanical lifting device for loading and offloading containers that contain or have contained hazardous substances and of which the gross mass is 25 kg or more;
  - (d) be equipped with a strong safety edge or safety railing of at least 1 m high, measured from the surface of the body to the top of the body;
  - (e) be provided with strong, during straps to fasten containers that contain or have contained hazardous substances securely to the body: Provided that the said straps must be anchored firmly to the bodywork of the vehicle and be fitted with a reversible cog winch mechanism that can be locked;
  - (f) have electrical wiring that complies with the requirements of SABS 314 and be maintained in accordance with SABS 314;

- (g) have at least two static-free wheel blocks;
  - (h) have a power insulating switch, excluding the ignition switch, close to the battery in a position that is readily accessible in an emergency;
  - (i) have a spark-proof and static-free tank that has been designed, constructed and equipped to protect the consignment optimally from shock during an accident so that there is little likelihood of the hazardous substance catching alight in transit: Provided that portable containers that contain or have contained Group II hazardous substances may only be transported in an open-bodied vehicle; and
  - (j) have a valid roadworthy certificate as prescribed by the Road Traffic Act, 1996 (Act 93 of 1996) as amended, and any regulations made under the act.
- (3) Any vehicle transporting hazardous substances for which a transport permit is required as contemplated in section 44 of these by-laws must be equipped with at least two 9kg dry chemical fire extinguishers, which extinguishers must be-
  - (4) The cabin, body, cargo space or tank, as the case may be, fuel tank chassis and engine of any vehicle that transports hazardous substances must be permanently and effectively earthed electrically with each other.
  - (5) Any person who, in the area, transports any group of hazardous substance in a road tanker or in any other vehicle contrary to any requirements contained in this section, or has it so transported or permits it to be so transported, is guilty of an offence.

#### **DUTIES, RESPONSIBILITIES AND SKILLS OF A DRIVER OF A VEHICLE FOR HAZARDOUS SUBSTANCES**

- 43. (1) Any driver of a vehicle referred to in section 42 of these by-laws must have skills and appropriate documents in terms of the

Road Traffic Act, 1996 (Act 93 of 1996), and the Road Transportation Act, 1977 (Act 74 of 1977), must act in accordance with SABS 0189, SABS 023 Hazardous Substances Act, 1973 (Act 15 of 1973), and the regulations made under the act

- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **FIRE SERVICE TRANSPORT PERMIT**

44. (1) The owner of any vehicle used for transporting hazardous substances in the area must, subject to section 45 of these by-laws, have a valid transport permit in term of this section for transporting hazardous substances: Provided that -
- (a) each vehicle for which such a permit has been issued must comply with the provisions of section 42 of these by-laws;
  - (b) the application form, defined in Annexure II to these by-laws and obtainable from the Service, must be completed correctly and in full;
  - (c) the application form must be accompanied by the fees prescribed in Annexure I to these by-laws; and
  - (d) the application must be submitted for processing to the hazardous substances registration office of the Service at least five days (excluding Saturdays, Sundays and public holidays) prior to the proposed test date.
- (2) The above transport permit must -
- (a) indicate the date of issue and the date of expiry;
  - (b) be valid for a period of twelve months from the date of issue;
  - (c) indicate the name, in block letters, of the issuing officer and bear the officer's signature;
  - (d) indicate a year-linked serial number;
  - (e) indicate the group and quantity of hazardous substances to be transported;
  - (f) indicate the registration number of the vehicle in question;
  - (g) be displayed in a purpose-made waterproof container

attached to the side of the chassis frame supporting the tank, load level or load space; and

- (h) at all times be maintained in a legible condition.
- (3) The service may send a reminder for renewal of the transport permit to the owner of the vehicle(s). It will not indemnify any transport permit holder in the case of non receipt of a reminder from possible prosecution
- (4) Any person who fails to comply with the provisions of this section, or who alters or attempts to alter a transport permit or who permits it to be altered is guilty of an offence.

### EXCEPTIONS WITH REGARD TO TRANSPORT PERMITS

45. (1) Subject to the provisions of section 44 of these by-laws, the following quantities of hazardous substances are not, while in transit (except where otherwise indicated), subject to the issuance of a transport permit as contemplated in the said section 44:

(a) **Single-load hazardous substance(s)**

- |     |                     |                   |   |
|-----|---------------------|-------------------|---|
| 1.  | <b>Group I:</b>     | <b>Explosives</b> | No exemption                                  |
| 2.  | <b>Group II:</b>    | <b>Gases</b>      |   |
| 2.1 | Flammable gases     |                   | Total cylinder capacity may not exceed 50 kg  |
| 2.2 | Non-flammable gases |                   | Total cylinder capacity may not exceed 333 kg |
| 2.3 | Toxic gases         |                   | No exemption:                                 |

Provided that any gas cylinders which are inside a frame work attached to a heavy goods vehicle and which are intended for heating the product being transported are exempt from these provisions.

- |     |   |                          |                                     |
|-----|---|--------------------------|-------------------------------------|
| 3.  | <b>Group III:</b>                           | <b>Flammable liquids</b> |                                     |
| 3.1 | with flash points $\leq 18^{\circ}\text{C}$ |                          | Total quantity may not exceed 100 L |

3.2	With flash points $> 18^{\circ}\text{C}$ but $\leq 23^{\circ}\text{C}$	Total quantity may not exceed 420 l
3.3	With flash points $> 23^{\circ}\text{C}$ but $\leq 61^{\circ}\text{C}$	Total quantity may not exceed 1 100 l
3.4	With flash points $> 61^{\circ}\text{C}$ but $\leq 100^{\circ}\text{C}$	Total quantity may not exceed 1 100 l
4.	<b>Group IV: Flammable solids</b>	
4.1	Flammable solids	Total quantity may not exceed 250 kg
4.2	Pyrophoric substances	No exemption
4.3	Water- reactive substances	No exemption
5.	<b>Group V: Oxidizing agents and organic peroxides</b>	
5.1	Oxidizing agents	Total quantity may not exceed 200 kg
5.2	Group I organic peroxides in packets	No exemption
5.3	Group II organic peroxides in packets	Total quantity may not exceed 200 kg
6.	<b>Group VI: Toxic/Infective substances</b>	
6.1	Group I toxic substances in packets	Total quantity may not exceed 5 kg
6.2	Group II toxic substances in packets	Total quantity may not exceed 50 kg
6.3	Group III toxic substances in packets	Total quantity may not exceed 500 kg

6.4	Infective substances	No exemption
7.	<b>Group VII: Radioactive materials</b>	<b>No exemption</b>
8.	<b>Group VIII: Corrosive/Caustic substances</b>	
8.1	Group I acids in packets	Total quantity may not exceed 50 kg
8.2	Group II acids in packets	Total quantity may not exceed 200 kg
8.3	Group III acids in packets	Total quantity may not exceed 1 000 kg
8.4	Group I alkaline substances in packets	Total quantity may not exceed 50 kg
8.5	Group II alkaline substances in packets	Total quantity may not exceed 200 kg
8.6	Group III alkaline substances in packets	Total quantity may not exceed 1000 kg
9.	<b>Group IX: Miscellaneous substances</b>	
9.1	Liquids	Total quantity may not exceed 210 l
9.2	Solids	Total quantity may not exceed 210 kg
(b)	<b>Multiple-load hazardous substances</b>	No exceptions.

**PART VI**  
**STOREROOMS FOR HAZARDOUS SUBSTANCES**  
**REQUIREMENTS FOR STOREROOMS**

**Capacity**

46. (1) The certificate of registration issued for any storeroom for hazardous substances as contemplated in this section must indicate the group and the largest quantity of hazardous substances which may be kept in the storeroom.

**Danger notices in storeroom**

- (2) No person may use any storeroom or permit any storeroom to be used for Group III hazardous substances, unless –
- (a) symbolic safety signs prohibiting open flames and smoking, at least 290 mm x 290 00 in extent, manufactured in accordance with the provisions of SABS 1186, are affixed in the storeroom; and
  - (b) the relevant groups of hazardous substances and the corresponding quantities of the substances which may be stored in the storeroom are indicated in 75mm high red letters against a white background on the outside of the door(s) to the storeroom.

**Display of certificate of registration**

- (3) The certificate of registration for a storeroom, with the contents of the certificate clearly visible, must be kept and maintained in a legible condition in a weatherproof container on the outside of a door normally used as the entrance to the storeroom.

**Construction of storerooms (excluding storerooms in recognized bulk depots and bulk installations)**

- (4) The construction of any storeroom must be in accordance with the following requirements:
- (a) (i) The walls must be of brick or concrete.
  - (ii) The floor must be of concrete.
  - (iii) The roof must be of reinforced concrete of which the



composition must offer fire resistance of at least 120 minutes.

- (b) Notwithstanding the provisions of subsection (4)(a)(iii), the roof of a storeroom may be manufactured from any other non-combustible material if –
  - (i) the storeroom adjoins a higher wall that has no opening at anyplace within 10 m above the storeroom and has no openings within 5 m of any side thereof; and
  - (ii) the storeroom is not situated within 5 m of any adjacent building and/or boundary of any premises.

#### **Doors**

- (5) Any storeroom must be equipped with Class B-type fire doors manufactured and installed in accordance with SABS 1253:
  - (a) the said doors must open to the outside and have a lock or locks as are approved by the Chief Fire officer;
  - (b) whenever the distance to be covered from any storeroom is 4m or more, the storeroom must have at least two Class B- type fire doors, which doors must be installed as far from each other as is practicable; and
  - (c) any door providing access to a storeroom must all times be capable of being opened easily from the inside without the use of a key.

#### **Windows**

- (6) All window frames must be manufactured of steel and must –
  - (a) be fitted with wire glass with a minimum thickness of 8mm; and
  - (b) have window panels with a maximum size of 450 mm x 450 mm;

Provided that no window must be capable of being opened.

#### **Catch pit**

- (7) Any storeroom must be designed and constructed so that the floor

of the storeroom is recessed below the level of the door sill to form a catch pit: Provided that –

- (a) the catch pit formed by such recessed floor or sill must have a capacity capable of accommodating the total quantity of hazardous substances able to be stored in the storeroom, plus 10 %;
- (b) the catch pit must be covered at door sill level with a strong, stable, non-combustible and oxidation-free grill, which grill must serve as a floor on which corrosion-free shelves and/or the contents of the storeroom must be placed;
- (c) an access hatch for cleaning purposes must be placed in a suitable position on the grill floor; and
- (d) the catch pit must, as its lowest level, have a non-corrosive drainage valve for cleaning purposes and for product recovery.

#### **Ventilation**

- (8) Any storeroom must be so designed and constructed to ensure that the collection of fumes of hazardous substances is effectively ventilated, whether naturally or mechanically, in all parts of the storeroom. The fumes must be released into the open air at a place or places where the fumes are not likely to come into contact with any source of ignition which may ignite such fumes.

#### **Natural ventilation**

- (9) The owner or person in charge of any storeroom must effectively ventilate the storeroom at a minimum cycle of 30 total air changes per hour by installing non-combustible airbricks, at least 1140 mm x 215 mm in extent, with non-corrosive gauze wire of which the nominal opening diameter must be least 0,5 mm: Provided that the airbricks are –
  - (a) provided in at least three external walls; and
  - (b) positioned 10 mm above the level of the sill and 100 mm below the roof and not more than 450 mm apart.

#### **Mechanical ventilation**

- (10) Whenever natural ventilation as contemplated in subsection (9) cannot be effected and the depth of the sill level exceeds 300 mm, the owner or the person in charge of a storeroom must equip the

storeroom with a mechanical inlet and outlet ventilation system designed and installed for this purpose: provide that –

- (a) the capacity of the system must be able to change the cubic air content in the storeroom at least 30 times an hour;
- (b) the vanes of the system must be manufactured from a static-free material;
- (c) the fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
- (d) all ventilators must be attached firmly to the inside of the walls;
- (e) the bottom ventilators must be affixed as close as possible to the level of the sill; and
- (f) all ventilation openings and/or air duct openings must be installed in the opposite wall, 100 mm above the level of the sill to ensure cross-ventilation in conjunction with the said mechanical ventilator.

#### **Electrical equipment**

(11) The owner or person in charge of a storeroom must ensure that –

- (a) all electrical apparatus, fittings and switchgear used or installed in any storeroom are protected and installed in accordance with the equipment of the appropriate class and division type for the particular area in terms of the provisions of SABS 0108;
- (b) all switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SABS 0108 must be situated outside the storeroom and positioned so as not to come into contact or possibly come into contact with fumes escaping from the storeroom;
- (c) all metal parts and electrical fittings and any device in or in connection with a storeroom are earthed effectively with each other and the ground;
- (d) switches actuating any mechanical ventilation system are situated outside the storeroom;

- (e) any mechanical ventilation system is on at all times, except whenever the system is switched off for repairs and/or replacement purposes: Provide that if the mechanical ventilation system breaks down, the system must be repaired without delay, and if the system breaks down irreparably, the system must be replaced without delay; and
- (f) whenever any storeroom is not staffed, all electrical apparatus and fittings, with the exception of the mechanical ventilation system, are switched off.

#### **Electrical installations installed by qualified electricians**

- (12) All electrical installations must be installed and certified by a suitably qualified electrician: Provided that the certificate must be submitted to the Service for record purposes immediately after installation.

#### **Storerooms constructed from other, non-combustible materials**

- (13) Notwithstanding the provisions of this section, a storeroom may be constructed from other, non-combustible materials: provided that –
  - (a) the storeroom is not constructed within 30 m of any other building and/or the boundary of premises;
  - (b) the storeroom is surrounded with liquid-proof retaining walls or embankments that are capable of accommodating the quantity of hazardous substances able to be stored in the storeroom, plus 10%; and
  - (c) the floor of or space within these retaining walls or embankments is also liquid-proof to prevent ecological contamination.

#### **Unauthorized access**

- (14) No person may enter, have any other person enter or permit any other person to enter any storeroom without the express permission of the occupier or any other responsible person who is in charge of such storeroom.

#### **Abuse of a storeroom**

- (15) No person may –
  - (a) use any storeroom, or have the storeroom used or permit the storeroom to be used for any purpose other than for the

storage, use or handling of hazardous substances in the storeroom;

- (b) employ any other person in any storeroom or permit the person to work in the storeroom unless all the doors of the storeroom are wide open and/or the mechanical ventilation system is on; and
  - (c) place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the passages or in front of any door(s) of any storeroom.
- (16) Any person who uses a storeroom or permits a storeroom to be used and does not comply with the provisions of this section is guilty of an offence.

### **KEEPING AND HANDLING HAZARDOUS SUBSTANCES IN A STOREROOM**

47. (1) Any storeroom referred to in section 48 of these by-laws may be used for keeping any grouped hazardous substance, with the exception of Group I hazardous substances (explosives), as defined in section 2(1) of the Hazardous Substances Act, 1973 (Act 15 of 1973): Provided that all chemically reactive hazardous substances must be separated from each other by means of compartmental liquid-proof fire partition walls to the satisfaction of the Service, which fire partition walls must extend from the bottom of the catch pit to 1 m above the highest stack of each group inside the storeroom.
- (2) Notwithstanding the provisions of section 46 of these by-laws, any grouped hazardous substance contemplated in this section, with the exception of Group I hazardous substance (explosives), may also be stored, handled and used inside any structure contemplated in SABS 0263 and kept in terms of SABS 0263: Provided that any storeroom will be subject mutatis mutandis to the provisions of sections 22, 23 and 24 of these by-laws, as the case may be.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

**PART VII****SPRAY-PANTING MATTERS AND SPRAYING PERMITS****REGISTRATION OF SPRAY-PAINTING ROOMS**

48. (1) (a) No person may spray, coat, plate or epoxy-coat any vehicle, or parts of a vehicle, or any other articles, objects or buildings, or parts thereof, or permit them to be sprayed, coated, plated or epoxy-coated, whether indoors or outdoors, with a Group III hazardous substance or with liquid compounds of a Group III hazardous substance, or with any other hazardous substance, unless such person is in possession of a spraying permit in accordance with the requirements of Annexure II to these by-laws.
- (b) If circumstances require it, any motor vehicle, article or object, or any parts thereof, may be sprayed in any place other than in an approved spraying room and/or spraying booth by any person who possesses a spraying permit for the premises in question, provided that there is little likelihood of the proposed activities' posing a real danger or causing an emergency situation for any human being, animal or property.

**Prohibition of certain actions**

- (2) No person may use or handle hazardous substances, or permit hazardous substances to be used or handled, on unregistered premises, unless a member of the Service is satisfied that the hazardous substances will be used or handled in a place and in a manner that will ensure that –
- (a) no hazardous substance or fumes come or area able to come into contact with any fire, flame or naked light, or any other source of ignition which is likely to set hazardous substances or fumes alight; and
- (b) the escape of human beings or animals is not hampered or hindered in the event of a fire or an emergency situation.

**Display and conditions of spraying permit**

- (3) A spraying permit is issued on the following conditions:
- (a) The spraying permit must at all times be displayed

prominently in a weatherproof container on the premises in a place designated by a member of the Service.

- (b) The spraying permit must be legible at all times.
- (c) The number of spraying rooms and/or spraying booths must be indicated on the spraying permit.
- (d) A serial number must be indicated on the spraying permit.
- (e) The spraying permit must reflect the period of validity and date of expiry: Provided that the period of validity will, notwithstanding the date of issue of the permit, expire on 31 December of each year.
- (f) The spraying permit is not transferable from premises to premises.
- (g) In the case of reconstructing, the spraying permit is, subject to the provisions of section 22 of these by-laws, transferable from control or from owner to owner on the same premises: Provided that –
  - (i) application must be made for transfer to the Service on the prescribed form; and
  - (ii) if the trade name of the premises changes, the holder of the spraying permit must ensure that the changes is immediately brought to the attention of the Service.
- (h) The Chief Fire Officer must be in possession of a set of approved plans as referred to in section 23 of these by-laws.
- (i) The spraying permit will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted to the Chief Fire Officer.
- (j)
  - (i) Any person who is legally in possession of a spraying permit must apply to the Chief Fire Officer in writing on the prescribed form if he/she wishes to amend the number of spraying rooms and/or spraying booths, according to need.
  - (ii) The fees prescribed in Annexure I to these by-laws must accompany such application. The Chief Fire Officer will grant the spraying permit only if the proposed amendments comply with the relevant provisions of these by-laws.

- (iii) Whenever the Chief Fire Officer approves such an application the person concerned must hand the spraying permit to the Chief Fire Officer to be amended.
- (4) The Chief Fire Officer may send a reminder for the renewal of registration to the owner or occupier of registered premises. It will not indemnify any registration certificate holder in the case of non receipt of a reminder from possible prosecution.
- (5) The holder of a spraying permit or certificate of registration must ensure that he/she is always in possession of a valid spraying permit and/or certificate of registration.
- (6) Any person who fails to comply with the provisions of this section, or who alters a spraying permit or attempts to alter a spraying permit or permits a spraying permit to be altered is guilty of an offence.

#### **CONSTRUCTION AND DESIGN OF SPRAY-PAINTING ROOMS**

- 49. (1) The construction of a spraying room and/or spraying booth must be in accordance with the following requirements:
  - (a) The floor must be of concrete.
  - (b) The walls must be of brick and/or concrete.
  - (c) The roof must be of reinforced concrete.
  - (d) The doors must be Class B-type fire doors as contemplated in SABS 1253.
  - (e) The window frames must be of steel and have window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm.
- (2) The provisions of subsection (1) are not applicable to the erection of a spraying room and/or spraying booth if, in terms of the design thereof, the room or booth complies with the following requirements:
  - (a) The framework of the entire structure, including the door assemblies, must have a sturdy steel profile with a minimum wall thickness of 2,5 mm.
  - (b) The framework, including any doors, must be clad on both



sides with sheet metal with a minimum thickness of 1,3 mm.

- (c) If the sheet metal is joined, the joins and/or joints of the sheet metal so joined, including any door assembly forming an integral part of the whole, must be fume-, flame- and liquid-proof.
  - (d) The floor must be of concrete or metal.
  - (e) The window frames must be of steel with window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm.
  - (f) All materials used must have a fire integrity grading of at least 60 minutes.
  - (g) A pre fabricated unit will be suitable only and when evaluated by the SABS or CSIR and such unit has been found to be suitable for the particular intended purpose.
- (3) The unit formed through the combination of components referred to in subsections (1) and (2), including any services constituting an integral part of the unit or required in the unit, must be constructed, installed and finished so that all surfaces are smooth to prevent any furring which may hamper the ventilation, washing and cleaning process.

#### **Location of and access to a spraying room**

- (4) (a) Notwithstanding the door(s) granting access for motor vehicles or other objects to be sprayed in any spraying room, a spraying room must have at least two hinged doors for the purposes of escaping, which doors must-
  - (i) open to the outside;
  - (ii) be at least 800 mm x 2 000 mm in extent;
  - (iii) be positioned in opposite sides, provided that, whenever there is any object in the spraying room for processing, the distance to be covered to any of the doors may not exceed 4 m; and
  - (iv) be fitted with locking mechanisms that can be opened easily from the inside without the use of a key.
- (b) Any spraying room must be located so that it is at all times

separated from other activities and/or areas by means of an escape opening of at least 1 200 mm wide, which escape opening must at all times be kept free of any obstruction, refuse or combustible materials.

- (c) If any activity and/or process which is operated adjacent to a spraying room may pose a probable fire danger to the spraying room, the said escape opening of 1 200 mm must be identified by fire partition walls with a fire resistance of at least 60 minutes, and the height of these walls must be at least 300 mm higher than the roof of the spraying room.
- (d) Any spraying room contemplated in subsection (2) may be erected indoors and outdoors against fire walls: Provided that not more than two sides of the spraying room may border the fire walls.

#### **Water floors**

- (5) (a) A spraying room may have a sunken water-filled floor covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free grill that is capable of bearing the weight of the heaviest object in the spraying room.
- (b) The water in the sunken floor must be circulated through an effective non-combustible and cleanable filtering system by means of a closed-circuit pump circulation system of non-corrosive metal pipes with a suitable diameter and wall thickness.

#### **Electrical equipment**

- (6) All electrical apparatus, lights, fittings and switchgear used or installed in any spraying room must be protected and installed in accordance with the equipment of the appropriate class and division type for the particular area in terms of the provisions of SABS 0108.
- (7) All switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SABS 0108 must be situated outside the storeroom and positioned so as not to come into contact or possibly come into contact with fumes escaping from the spraying room;
- (8) Switches actuating any mechanical ventilation system must be situated outside the spraying room.

- (9) All metal parts and electrical fittings and any device in or in connection with a spraying room must be earthed effectively with each other and the ground.
- (10) A suitably qualified electrician must install and certify all electrical installations: provided that the certificate must be submitted to the Chief Fire Officer for record purposes immediately after installation.

#### **Mechanical ventilation**

- (11) Any spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed for this purpose:  
Provided that –

- (a) the capacity of the system must be able to change the cubic air content in the spraying room at least 30 minutes an hour;
- (b) the vanes of the system must be manufactured from static-free materials;
- (c) the fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
- (d) all ventilators must be attached firmly to the inside of the walls;
- (e) the bottom ventilators must be affixed as close as possible to the level of the sill; and
- (f) all ventilation openings and/or air duct openings must be installed in the opposite wall, door(s) or roof to ensure cross-ventilation in conjunction with the said mechanical ventilation system.

#### **Fire dampers, fire detectors and fire alarms**

- (g) A fire damper must be affixed in front of any air purification filter, or any part of a filter forming an integral part of the ventilation system, on the inside of the spraying room, which fire damper must be manufactured and installed in accordance with the provisions of SABS 193: Provided that the fire damper must-
- (h)
- (i) close automatically by means of a sensor that is suitably located and actuated by a rise of more than 10 ° C in the predetermined working temperature;

- (ii) be so installed that the damper will remain in position even if the air duct distorts during a fire; and
  - (iii) be provided with an overriding fusible link.
- (j) The sensor contemplated in subsection (11)(9)(i) must also-
- (i) be capable of turning off the ventilation system and any heating device used in connection with the spraying room in the event of a fire or whenever there is a rise of more than 10 ° C in the predetermined working temperature inside the spraying room; and
  - (ii) activate a visual and audible alarm inside and outside the spraying room.

#### **Positioning of ventilation outlets**

- (12) All outlet openings must be designed and positioned so as to release all fumes into the open air at a place at least 1 m above a roof or 4 m above the ground level and least 5 m from any opening of a building.
- (13) The ventilation system must function whenever any activities related to spray-painting take place in the spraying room.

#### **Display of signs prohibiting open flames and smoking**

- (14) No person may use any spraying room or permit any spraying room to be used, unless and until symbolic signs prohibiting open flames and smoking, at least 290 mm x 290 mm in extent, manufactured and installed in accordance with the provisions of SABS 1186, are affixed to the inside and outside of all doors of the spraying room.

#### **Maintenance of spraying rooms**

- (15) All spraying rooms must be maintained at all times in accordance with provisions of this section.

#### **Unauthorized access**

- (16) No person may enter a spraying room or permit any other person to enter a spraying room without the express permission of the owner and/or occupier or any other responsible person in charge of the spraying room.

#### **Abuse of spraying room**

- (17) No person may –
- (a) use any spraying room or permit any spraying room to be used for any purpose other than for practicing or exercising activities related to spray-painting in the spraying room;
  - (b) employ any other person in a spraying room or permit any other person to work in the spraying room unless the mechanical ventilation system is on; and
  - (c) place any obstruction or hindrance, or have any hindrance or obstruction to be placed in the escape openings or in front of any doors of the spraying room.

#### **Provision of fire-extinguishing equipment**

- (18) (a) Any spraying room must have a 9 kg dry chemical fire extinguisher on the inside, as well as 9kg dry chemical fire extinguisher and a 9kg carbon dioxide-type fire extinguisher on the outside, which extinguishers must be installed in positions determined by the Chief Fire Officer.
- (b) All spraying rooms must be protected by a fire hose reel referred to in section 32(1)(b) of these by-laws.

#### **Drying kiln/Heating devices**

- (19) Whenever any manifold installation of a Group II hazardous substances forms an integral part of the heating of a spraying room, the manifold installation must be in accordance with the provisions of SABS 087, Part I, and relevant provisions of these by-laws will apply mutates mutandis in the application of this section.
- (20) Any person who fails to comply with the provisions of this section is guilty of an offence.

### **PART VIII**

#### **ANIMALS**

#### **HANDLING ANIMALS DURING EMERGENCIES**

50. (1) Provision must be made for the professional handling of animals during an emergency on any premises, but particularly at zoological gardens, feedlots, stables, research institutions, veterinary

practices and/or places of veterinary science study: Provided that the Service may -

- (a) authorize a suitably qualified person to handle and/or put down the animals during an Emergency situation, as the case may be; and
  - (b) recover all costs involved in the matter from the owner or the institution responsible for the care of the animals.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

## **PART IX**

### **PENALTIES**

#### **PENALTIES FOR CONTRAVENTIONS**

51. Any person who contravenes or fails to comply with any provision of these by-laws, including any condition or requirement for a certificate of registration or spraying permit, or any instruction by a member of the Service, is guilty of an offence and on conviction liable to a fine not exceeding R5 000,00 or, in default of payment, liable to imprisonment for a period not exceeding six months.

## **PART X**

### **GENERAL**

#### **OPERATION OF THESE BY-LAWS IN RELATION TO OTHER LAWS**

52. The provisions of these by-laws shall be in addition to and not in substitution for any other law which is not in conflict with or inconsistent with these by-laws.

#### **REPEAL OF BY-LAWS**

53. The following by-laws are hereby repealed -
- (a) the by-laws relating to Fire Brigade Services published under Administrator's Notice 1771 of 23 December 1981 as amended;

- (b) the by-laws relating to the storage, use and handling of flammable liquids and substances published under Administrator's Notice 258 of 07 March 1979 as amended;
- (c) standard water supply by-laws published under Administrator's Notice 21 of 5 January 1977 as amended.

**SHORT TITLE**

55. These by-laws will be called the Fire Service By-laws and its provisions shall come into operation on a date fixed by proclamation in the Government Gazette.

**PART XI**  
**ANNEXURES**  
**ANNEXURE I**  
**TARIFFS**

**FEES PAYABLE TO THE SERVICE IN TERMS OF SECTION 10 OF THE FIRE BRIGADE SERVICES ACT, 1987 (ACT 99 OF 1987), FOR PROVIDING FIRE Service SERVICES**

**A. FEES FOR HAZARDOUS SUBSTANCES AND FIRE PROTECTION SERVICES**

1.	DESCRIPTION OF SERVICE	TARIFF( As determined by council from time to time)
(1)	Registration of bulk depots	R00.00
(2)	Issuing of a spraying permit	R00.00
(3)	Issuing of a certificate of registration for the storage, handling and use of any hazardous substance contemplated in section 26 of these by-laws	R00.00
(4)	Issuing of a transport permit	R00.00
(5)	Issuing of a certificate of fitness for a public building	R00.00
(6)	Approval of plans in respect of hazardous substances	R0.00
(7)	Inspection of a building for the issuing of a Certificate of occupancy	R0.00
(8)	Release of information contemplated in section 4 of these by-laws	R0.00

**2. GENERAL DIRECTIVES FOR THE PAYMENT OF THE ABOVE**



**FEES**

- (1) All certificates of registration, certificates of fitness and/or spraying permits will be valid for twelve calendar months. A written application for the renewal of the certificate or permit must reach the Service at least one calendar month prior to the expiry thereof.
- (2) When application is made for registration, the appropriate application form, correctly completed in full, must be accompanied by the prescribed fees.
- (3) All the appropriate application forms are available from the Service and must be completed in full and, where applicable, be duly signed.
- (4) If, for whatever reason, the Service rejects an application for any certificate of fitness or any permit, the applicant must, within 14 days (excluding weekends and public holidays) of the date of rejection, take weekends and public holidays) of the date of rejection, take corrective steps to ensure that the document in question is issued at no additional cost, failing which the applicant must pay the prescribed fees again.
- (5)
  - (a) The tariff for premises that are liable to registration in respect of paragraph 1(2) or (3), or a combination of them, is that singular amount as contemplated in paragraph A.1., irrespective of the combination of items: Provided that such combination applies to one premises and is under the same control.
  - (e) If there are different divisions and/or affiliates within a business and/or company situated on the same premises but each division and/or affiliate is managed separately, each division and/or affiliate is liable to registration separately.

**A. RENTAL PAYABLE FOR MAKING FIRE SERVICE EQUIPMENT AVAILABLE**

**1. USE OF VEHICLES**

**(1) CALL OUT TARIFF**

**TYPE OF VEHICLE**

**TARIFF(as**

**determined by council from time to time)**

**(a) Light**

**R0.00**

(b)	Medium	R0.00
(c)	Heavy	R0.00
(d)	Rescue	R0.00
(e)	Special	R0.00

**(2) TARIFF PER VEHICLE PER HOUR OR PORTION OF AN HOUR**

**TYPE OF VEHICLE**

**TARIFF ( As**

**determined by council from time to time)**

(a)	Light	R0.00
(b)	Medium	R0.00
(c)	Heavy	R0.00
(d)	Rescue	R0.00
(e)	Special	R0.00

(The time is calculated from arrival up to departure.)

**2. USE OF CREW MEMBERS**

Tariff per member per hour or portion of an hour

R0.00

( The time is calculated from arrival up to departure.)

**3. USE OF MATERIALS**

The tariff that is levied, is that of materials used, at cost, plus an administrative levy of 10% of such material: Provided that if any materials for which the controlling authority has prescribed a tariff are used, such tariff will apply.

**4. USE OF THE SERVICE OUTSIDE THE JURISDICTION OF THE CONTROLLING AUTHORITY**

The tariffs set out in this Annexure, plus a surcharge of 50%, will be levied if the service is used outside the area of jurisdiction.

**5. REBATE**

If the Service is used for a building that is used exclusively for residential purposes, the Chief Fire Officer may, at his/her sole discretion, limit the total amount payable in respect of paragraphs 1 and 2 above to a maximum of R2 000,00.

**6. EXEMPTIONS**

The fees payable in terms of paragraphs 1 to 5 above are not applicable to property of the controlling authority, unless the property is leased. The fees are also not applicable to grass fires, veld fires and refuse fires on empty erven within the area of the controlling authority

**B. ADJUSTMENT IN FEES PAYABLE TO THE SERVICE AS CONTEMPLATED IN PARAGRAPHS A AND B OF THIS ANNEXURE**

The Service must ensure that all fees referred to in paragraphs A and B of this annexure are adjusted to keep trend with inflation according to the user price index.

**ANNEXURE II****OFFICIAL DOCUMENTS****A. GENERAL**

1. The Service must design and draw up all official documents in connection with these by-laws in accordance with the prevailing policy, and the documents must comply with the specific needs and requirements of the Service and the controlling authority, but must not detract from directives and provisions of these by-laws.
2. All official documents must all times be completed in triplicate; the original copy is for the client and the remaining two copies for the Service for administration purposes.

**B STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS**

The following items must be indicated in all documents:

1. The logo of the Service and/or controlling authority
2. The full name of the premises in question
3. The name of the suburb in question
4. The street address of the premises in question, in full
5. The postal address of the premises in question, in full, including the postcode (on all application forms)
6. Full particulars of the occupier of the premises or the firm on the premises
7. The telephone and fax numbers of the business in question (on all application forms)
8. The signature of the issuing officer
9. The date on which the document was issued
10. The expiry date of the document
11. The type of document, such as:

- (a) "Application for a bulk depot certificate of registration"

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or "Bulk depot certificate of registration"

- (b) "Application for a certificate of fitness" or "Certificate of fitness"
- (c) "Application for a certificate of registration/spraying permit" or "Certificate of registration/Spraying permit"
- (d) "Application for a transport permit" or "Transport permit"
- (e) "Application for approval of plans" or "Application for inspection for the issuing of a certificate of occupancy"

12. Any other relevant information , such as:

- (a) The groups and subgroups of hazardous substances for which registration is required
- (b) The required quantity of each group of hazardous substance
- (c) The manner in which the substances are to be stored, for example -
- (i) in an underground storage tank;
  - (ii) in an above-ground storage tank;
  - (iii) in a hazardous substance store; or
- (d) An indication of all spray-painting rooms and submersion tanks, as the case may be

13. A watermark (on all permits and certificates)

14. A serial number (on all permits and certificates)

15. A receipt number (on all permits and certificates)

16. The official stamp of the Service.

**C. OFFICIAL DOCUMENTS IN CONNECTION  
WITH THESE BY-LAWS**

**1. APPLICATION FORMS**

- (a) The purpose for which application forms are to be used must appear at the top of all application forms.
- (b)
  - (i) All application forms must have all the administrative information as contained in paragraph B. STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS.
  - (ii) On all application forms, space must be left in which the correct application fee, as contained in Annexure I of these by-laws, can be indicated prominently in red figures.
  - (iii) A warning must appear below the space for the application fee to the effect that the applicant is granted only 14 working days (weekends and public holidays excluded) to make any corrections that may be indicated on the checklist, without any additional cost, but that if the said period of 14 days is exceeded, the prescribed fee must be paid again before any permit or certificate will be issued.
- (c) A suitable checklist must form part of each application form and must be drawn up chronologically in accordance with the appropriate requirements contained in these by-laws and/or relevant SABS codes of practice and/or specifications, as the case may be.
- (d) At the top of each checklist –
  - (k) it must be stated that the checklist is for office use only;
  - (ii) space must be set aside for the date, time and place of the appointment for an inspection; and
  - (iii) space must be set aside for particulars of the contact person who will represent the applicant during the inspection.
- (e) At the end of each checklist, space must be set aside for-
  - (i) the signature of the member of the Service who completed the checklist;

- (ii) the date on which the checklist was completed; and
  - (iii) an indication of whether or not the application is successful.
- (f) Provision must also be made on each application form for-
- (i) full particulars of the registration officer who received the application fee;
  - (ii) the method of payment, for example cash, postal order or cheque; and
  - (iii) an official receipt number.

## 2. PERMITS AND CERTIFICATES

- (1) The purpose for which permits and certificates are to be used, as contemplated in paragraph **A.1 DESCRIPTION OF SERVICE** in Annexure I must appear at the top of all permits and certificates.
- (2) All permits and certificates must have all the applicable administrative information as contained in paragraph **B. STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS**.

## 3. TRANSPORT PERMIT

In addition to the contents in terms of the administrative provisions contained in paragraph **B. STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS**, a round disc with the following information must form part of the official documentation of the Service in the case of transport permits:

- (1) The registration number of the vehicle in question
- (2) The chassis number of the vehicle in question
- (3) The type of vehicle, for example a semi-trailer, trailer, flat-deck truck or tanker
- (4) The gross vehicle mass of the vehicle in question
- (5) The tare of the vehicle in question
- (6) The type of load to be transported, for example a single load

or a multiple load, and the quantity to be transported in litres or kilograms, as the case may be

- (7) The group of hazardous substance(s) to be transported, for example Group I, II or III, or a combination of them, as the case may be
- (8) Where applicable, the make of vehicle
- (9) The date of issue of the permit
- (10) The date of expiry of the permit
- (11) The signature of the issuing officer
- (12) A serial number
- (13) A watermark.



**ANNEXURE III****EMERGENCY EVACUATION PLANS****A. GENERAL**

1. Any emergency evacuation plan must contain at least the following information under the headings listed below. All emergency evacuation plans must be updated at least once a year or, alternatively, whenever the key staff member referred to in the plan leaves the employ of the employer.
2. All emergency evacuation plans must be drilled at least twice a year, and all the staff members must participate. The employer must also ensure that all the disciplines involved are notified in writing of an emergency evacuation plan drill at least 21 calendar days prior to the proposed date of the drill.
3. All staff members of an employer must be aware of the emergency evacuation plan of the employer. Whenever an emergency evacuation plan is updated, the designated person responsible must collect and destroy all old plans that the emergency management members have in their possession to eliminate confusion as to the validity and accuracy of the emergency evacuation plan.
4. Any emergency evacuation plan must be compiled in the dominant, official language(s) (which must be an official language of the Republic) of the employer.

**B. IMPLEMENTATION OF EMERGENCY EVACUATION PLANS**

1. The emergency evacuation plan must be drawn up so that any sensitive information that may appear in the document can easily be removed to make it available to specific persons in the emergency management team.
2. **DEALING WITH AND FURNISHING INFORMATION CONTAINED IN THE EMERGENCY EVACUATION PLAN**
  - (1) **THE EMERGENCY EVACUATION PLAN IN ITS ENTIRETY**
    - (a) The entire emergency evacuation plan must be made available to every member of the emergency management team.

- (b) A number of copies must be kept in a safe in the control room.

**(2) EMERGENCY TELEPHONE NUMBERS AND BOMB THREAT QUESTIONNAIRE**

Emergency telephone numbers and the bomb threat questionnaire must be on hand at all telephones on the premises.

**(3) DUTIES AND RESPONSIBILITIES OF EMERGENCY PERSONNEL**

All staff members involved must be informed in writing of their particular duties and responsibilities in this regard.

**(4) ACTION PLANS AND EMERGENCY ACTIONS**

Action plans must be available to all staff members to ensure that every staff member knows exactly what to do in an emergency.

**(5) PLANS OF THE LAYOUT OF PREMISES AND ESCAPE ROUTES**

Plans of the layout of the premises and escape routes must be put up permanently at all exits and strategic points on the premises.

**3. TRAINING OF STAFF MEMBERS**

- (1) Staff members must be trained in the following:
  - (a) First aid and/or fire fighting
  - (b) Emergency aid
  - (c) Emergency evacuation procedures
  - (d) Emergency management techniques

(Drills of the emergency evacuation plan are an excellent training programme and offer the opportunity for the improvement of the plan.)

**C. THE CONTENT OF AN EMERGENCY EVACUATION PLAN**

- 1. Any emergency evacuation plan must contain the following:

- (1) Emergency telephone numbers
- (2) The following general information:
  - (a) The address of the premises in question
  - (b) The nature of the activities on the premises
  - (c) The number of staff members present on the premises at any time
  - (d) An indication of whether or not there is a control room on the premises
  - (e) An indication of whether or not there is an alarm system on the premises
  - (f) Particulars of contact persons
- (3) An area study with the following information:
  - (a) History of incidents on the premises in question
  - (b) Important features/landmarks with regard to the location of the premises
  - (c) Key information of adjacent premises
- (4) Particulars regarding socio-economic or other threats and the potential impact of these threats on premises
- (5) Particulars of the following equipment available on the premises:
  - (a) Equipment in the control room
  - (b) Fire-fighting and first-aid equipment throughout the premises
  - (c) Any other equipment
- (6) The following information on manpower:
  - (a) Emergency management
  - (b) Continuity officers

- (c) Fire teams
- (d) First-aid teams
- (7) The duties and responsibilities of members of the emergency team
- (8) Action plans and emergency procedures
- (9) Plans of the buildings and topographical maps of the premises
- (10) An emergency plan register with the following information:
  - (a) updated register of emergency evacuation plan
  - (b) Drill register of emergency evacuation plan
- (11) A bomb threat questionnaire

## ANNEXURE IV

### IDENTIFICATION OF DESIGNATED OFFICER

#### 1. REQUIREMENTS FOR THE CERTIFICATE OF APPOINTMENT

The following particulars as prescribed in section 3 of Government Notice No. R159 of 2 February 1979, must appear on the certificate of appointment in at least any of the official languages of the Republic, where applicable:

- (I) The full name of the person appointed;
- (II) the persons identify number;
- (III) the persons signature;
- (IV) the persons photograph
- (V) a description; of the capacity in which the persons is appointed;
- (VI) the name of the employer who made the appointment; and
- (VII) The signature and official stamp of the employer or responsible person.

#### 2. POWERS OF MEMBERS OF THE SERVICE

The powers of designated members of the Service must appear on the reverse of the certificate of appointment or, alternatively, on a supplementary card of the same size, and this card must be attached to the certificate of appointment, with the following information, in at least two of the official languages of the Republic, where applicable:

### POWERS

The bearer of this certificate is a PEACE OFFICER in terms of Government Notice R159 of 2 February 1979, as amended, and has been appointed a DEPUTY MESSENGER OF THE COURT in terms of section 15(2) of the Magistrates' Courts Act, 1944 (Act 32 of 1944).

#### 3. APPOINTMENT AS INSPECTOR OF EXPLOSIVES

- (1) All designated members must also possess certificates of appointment, issued by the Chief Inspector of Explosives in terms of section 2(5) of the Act, for the purposes of policing and enforcing the law with regard to the storage, sale and use of fireworks.
- (2) The layout details of the certificate of appointment must correspond in *toto*

to the layout details set out in paragraphs A and B above, and the bearer must produce this certificate as identification together with the certificate of appointment referred to in paragraph A.

- (3) The following information, in at least two of the official languages of the Republic, where applicable, must appear on the certificate:

#### **POWERS**

**The bearer of this certificate is an INSPECTOR OF EXPLOSIVES in terms of section 2(5) of the Explosives Act, 1956 (Act 26 of 1956), with regard to the STORAGE, SALE AND USE OF FIREWORKS**

## ANNEXURE V

## NORMATIVE REFERENCE LIST

**THIS REFERENCE LIST MUST STILL BE VERIFIED WITH THE SABS AND THEN UPDATED.**

## NORMATIVE REFERENCES

Where reference is made in these by-laws to an SABS number, the reference relates to a document bearing the number and title indicated in the following table:

1	2	3	4
SABS NO	TITLE		
193	Fire-dampers		
543	Fire hose reels (with hose)		
1186	Symbolic safety signs		
1253	Fire door assemblies		
087	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations Part III  Part VI		
089	Code of practice for the petroleum industry Part III		
0105	The classification, use and routine Maintenance of portable fire extinguishers		