

**Bylaws for the regulation of bursaries from the study bursary fund**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
(1)	Deciding to establish a study bursary and loan fund	Council	None		
	Determining the amounts of money to be deposited in/credited to the study bursary and loan fund	Council	None		
(2)	Granting bursaries to applicants	Council	Municipal Manager		
	Approving applicants for the purpose of granting bursaries	Council	Municipal Manager		
	Approving courses offered by educational institutions for which applicants may receive bursaries	Council	Municipal Manager		
(4)(i)	Receiving applications of bursaries	Manager: Corporate Services	None		
(4)(ii)	Receiving proof of admission to an institution before payment is made	-	Director Corporate Governance	1. Only tuition fees may be paid 2. A bursary may not exceed R 10,000	
(4)(iii)	Verifying that an applicant is a KOSH resident and a South Africa citizen	-	Director Corporate Governance		
(4)(iv)	Annually identifying posts in which future expertise will be needed	-	Municipal Manager	1. Bursaries may be awarded only according to the needs of the Municipality 2. After consultation with the managers directly accountable to the Municipal Manager	
(4)(v)	Considering and approving other students who qualify in terms of the bylaws, where no priority posts were identified	Council	Municipal Manager		
(4)(vi)	Ensuring that a bursar who has completed her/his studies works a year for the Municipality for every year during which she/he received a bursary	-	Director Corporate Governance	1. Only if a vacancy is available 2. See – (a) section (4)(xiii)(a) (b) section (4)(xiv)(b)	
(4)(vii)	Evaluating applications for bursaries by awarding points	-	Director Corporate Governance		
(4)(viii)	Considering and granting a bursary	Bursary Committee	None	1. Only if the actual cost of tuition	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	exceeding R 10,000 per annum			exceeds R 10,000 per year 2. Subject to written proof of the actual tuition fees payable	
(4)(ix)	Paying the amount of the bursary to the relevant educational institution or the bursar concerned	-	Chief Financial Officer	1. Payment may be made to the bursar if she/he submits proof that she/he has paid the amount owed 2. Payments made to the relevant institution shall be made half-yearly	
(4)(xi)	Ensuring that a bursar submits her/his academic results after each semester	-	Director Corporate Governance		
	Considering whether a bursary will be continued after receiving a bursar's academic results for the first semester	Council	Municipal Manager		
(4)(xii)	Monitoring whether a bursar is continuing her/his studies and the course in respect of which she/he has been granted a bursary	-	Director Corporate Governance	See – (a) section (4)(xiv)(a) (b) section (4)(xiv)(b)	
	Notifying a bursar that she/he forfeited her/his bursary	-	Director Corporate Governance		
	Calculating the amount of the debt owing to the Municipality in the event that a bursar discontinues her/his studies or changes her/his course of study	-	Chief Financial Officer	15% interest shall be charged and payable in respect of a bursary that must be reimbursed	
	Collecting amounts owing to the Municipality in respect of a forfeited bursary	-	Chief Financial Officer		
(4)(xiii)(b)	Receiving notification from a bursar who has completed her/his studies that she/he refuses to take up employment with the Municipality	-	Director Corporate Governance		
	Determining the rate at which interest on an amount owing shall be levied and paid by a bursar who has completed her/his studies and who refuses employment with the Municipality	Council	None		
	Determining the amount of the debt	-	Chief Financial		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	owing by a bursar who refuses employment with the Municipality		Officer		
	Collecting amounts owing to the Municipality by a bursar who refuses employment with the Municipality	-	Chief Financial Officer		
(4)(xiii)(c)	Determining the amount owing and due by a bursar whom the Municipality could not employ when she/he completed her/his studies but who has been employed by another employer	-	Chief Financial Officer	1. Only 40% of the amount of the bursary is recoverable 2. No interest is payable 3. See section (4)(xiv)(b)	
	Collecting the amount owing by a bursar whom the Municipality could not employ when she/he completed her/his studies but who has been employed by another employer	-	Chief Financial Officer		
(4)(xiii)(d)	Obtaining written proof of a bursar's death or medical condition	-	Director Corporate Governance		
(5)	Considering and granting an application by an employee for a loan from the study bursary fund	Council Bursary Committee	Municipal Manager		
	Approving courses for which the Municipality may grant loans to employees from the study bursary fund	-	Municipal Manager		
	Recognising institutions/institutes in respect of which the Municipality may grant loans to employees from the study bursary fund	-	Municipal Manager		
(5)(i) and (ii)	Determining the amount of a loan that may be granted to an employee from the study bursary fund	-	Municipal Manager		
	Determining the amount of the instalments in which a loan granted to an employee from the study bursary fund must be repaid	-	Municipal Manager	The amount of the instalments shall be such that – (a) the full amount of the loan must be repaid within one year; (b) the instalments are equal	
	Obtaining a stop-order against her/his	-	Director Corporate	See section (5)(iv)	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	salary from an employee to whom a loan from the study bursary fund has been granted for the repayment of the loan		Governance		
	Determining the balance of a loan granted to an employee from the study bursary fund who leaves the Municipality's employ before the full amount thereof has been repaid	-	Chief Financial Officer		
	Deducting the amount owing by an employee who had a loan in terms of the study bursary fund and who leaves the Municipality's employ or who dies before the full amount thereof has been repaid from her/his final pay	-	Chief Financial Officer	See section (5)(vi)	
(5)(iii)	Receiving proof that an employee to whom a loan from the study bursary fund has been granted, has been admitted to an institute	-	Director Corporate Governance		
(5)(v)	Deciding whether to claim immediate repayment of the full amount of a loan granted to an employee from the study bursary fund if she/he fails to pay any instalment due	Council	Director Corporate Governance	After consultation with the Chief Financial Officer	
	Determining the rate at which interest shall be raised and payable in respect of a loan from the study bursary fund granted to an employee when an employee fails to pay any instalment due	Council	None		
(5)(vii)	Paying the amount of the loan granted to an employee from the study bursary fund to the relevant educational institution or the employee concerned	-	Chief Financial Officer	1. Payment may be made to the employee if she/he submits proof that she/he has paid the amount owed 2. Payments made to the relevant institution shall be made half-yearly	
6	Receiving applications from employees for study loans for their children/ dependents	Bursary Committee	Director Corporate Governance		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
7	Receiving applications from councillors for study loans from the study bursary fund		Director Corporate Governance		
	Considering an application of a councillor for a study loan from the study bursary fund		Municipal Manager		
	Approving courses for which the Municipality may grant loans to councillors from the study bursary fund		Municipal Manager		
	Recognising institutions/institutes in respect of which the Municipality may grant loans to councillors from the study bursary fund		Municipal Manager		

## Standing orders

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(2)	Granting permission to a councillor to leave a meeting prior to its closure	Speaker	None	After consultation with the Council Whip	
2(3)	Determining a fine to be paid by a councillor who failed to attend a meeting without leave of absence from that meeting being granted to her/him	Council	None		
3(1)	Determining whether a sufficient number of councillors have assembled to commence with a Council meeting	-	Speaker	After consultation with the Council Whip	
3(2)	Calling for a vote to determine whether a further period should be allowed for a quorum for a Council meeting to assemble after 15 minutes after such meeting should have commenced have expired	-	Speaker	After consultation with the Council Whip	
	Determining the further period, not exceeding 15 minutes, to be allowed for a quorum for a Council meeting to assemble after 15 minutes after such meeting should have commenced have expired	Majority of the councillors present at the time	None		
3(3)	Determining the date, time and venue of an adjourned Council meeting which must be held because a Council meeting could not take place for lack of a quorum	Speaker	None	<b>NOTE:</b> S 3(3) of the bylaws appear to be contrary to the provisions of s 29(1) of the Local Government: Municipal Structures Act 1998	
	Giving notice of an adjourned meeting	-	Municipal Manager	Such notice must be served at least 48 hours prior to an adjourned meeting is scheduled to commence (See s 5(1))	
3(4)	Ensuring that the names of the councillors who was present at the time a Council meeting which did not take place for lack of quorum was scheduled to commence are recorded in the minutes of such meeting	-	Director Corporate Governance		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(1)	Designating one or more persons to count the number of councillors present at any time during a meeting	Speaker	None	After consultation with the Council Whip	
	Determining whether a quorum is present during a Council meeting	-	Speaker	After consultation with the Council Whip and the Municipal Manager	
	Adjourning a meeting if a quorum could not be assembled during a Council meeting after the call-bell has been rung	Speaker	None	After consultation with the Council Whip	
4(2)	Convening an adjourned meeting to dispose of business not dealt with during a meeting that was adjourned for lack of a quorum	Speaker	None	<b>NOTE:</b> S 4(2) of the bylaws appear to be contrary to the provisions of s 29(1) of the Local Government: Municipal Structures Act 1998	
	Deciding whether any unfinished business standing over due to a Council meeting being adjourned before it finished its business for lack of a quorum and which originated from a special Council meeting convened pursuant to a request of councillors in terms of s 29(1) of the Local Government: Municipal Structures Act 1998 should be held over to the next ordinary Council meeting	-	Speaker	After consultation with the Council Whip	
5(1)	Serving notice of an adjourned meeting	-	Director Corporate Governance	Such notice must be given at least 48 hours prior to an adjourned meeting is scheduled to commence	
6(1)	Deciding whether a report of the Executive Mayor which was not specified/included in the notice of a meeting is urgent and should be considered	-	Speaker	After consultation with the Council Whip	
7(2)	Bringing forward any business to be considered during a meeting	Council	None		
7(3)	Determining whether a proposal of condolence or congratulations is opposed and, therefore, lapses	-	Speaker		
8(1)	Preparing the minutes of Council	-	Director Corporate	See section 8(5)	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	meetings		Governance		
	Submitting the minutes of a Council meeting for confirmation	Speaker	Municipal Manager	Such submission may only be made at the next ordinary Council meeting	
8(2) and (3)	Deciding to allow a motion relating to the correctness of minutes submitted for confirmation	Speaker	None		
	Signing the minutes of a Council meeting after corrections, if any, have been made thereto	-	Councillor presiding at the time the minutes are adopted		
8(5)	Approving the minutes of a Council meeting regarding business transacted by the Council-in-committee	-	Council	Such approval must be performed – (a) by the Council-in-committee; and (b) within 60 days after the meeting to which such minutes relate	
9(1)(a)	Allowing a question at a meeting arising from a matter in the report of the Executive Mayor	Speaker	None		
9(1)(b)	Receiving written notice of a question from a councillor concerning the general work of the Municipality not arising from or connected to any item in the report of the Mayor, which she/he intends to put at a meeting	City Secretary	-	Five days notice of the question must be given	
	Furnishing a copy of a notice of a question submitted by a councillor concerning the general work of the Municipality not arising from or connected to any item in the report of the Mayor to the Speaker and the Mayor, which she/he intends to put at a meeting	City Secretary	-		
	Ensuring that a notice submitted by a councillor regarding her/his intention to put a question during a meeting concerning the general work of the Municipality not arising from or connected to any item in the report of the Mayor is included in the notice of a	-	Director Corporate Governance		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	meeting				
9(2)	Deciding whether a question received during the course of a Council meeting relates to a matter that is of urgent importance	Speaker	None		
9(3)	Preparing a written reply to a written question received from a councillor	-	Municipal Manager		
	Furnishing a councillor with a written reply to a written question	-	Municipal Manager		
9(4)	Convening a Council meeting within one month at which the Executive Mayor shall reply to written questions and questions submitted during a Council meeting concerning a matter not arising from a report of the Mayor	Speaker	None	After consultation with the Council Whip	
	Giving notice of a meeting to be held for the Executive Mayor to reply to written questions and questions submitted during a Council meeting concerning a matter not arising from a report of the Mayor	-	Director Corporate Governance		
	Deciding whether an extended period is required for holding a Council meeting during which the Executive Mayor shall reply to written questions and questions submitted during a Council meeting concerning a matter not arising from a report of the Executive Mayor	Council	Speaker	After consultation with the Council Whip, the Executive Mayor and the Municipal Manager	
9(5)	Designating a person to reply to a question put by a Councillor on behalf of the Council	-	Speaker	After consultation with the Council Whip	
9(6)	Considering a request by a councillor who is of the opinion that the reply to her/his question is not clear adequate for elucidation and/or amplification	Speaker	None		
9(7)	Considering whether a question by a	Speaker	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	councillor should be disallowed for lack of clarity or being out of order				
10(2)	Ensuring that every item (except an item submitted for information) relating to a matter in respect of which the Mayoral Committee has no delegated powers, contains a recommendation	-	Municipal Manager	<b>NOTE:</b> Powers cannot lawfully be delegated or sub-delegated to the Mayoral Committee	
11	Ensuring that a report of the Executive Mayor (except a report accepted by the Speaker as a matter of urgency) is served at least 48 hours prior to the Council meeting during which such report shall be considered	-	Municipal Manager		
12(1)	Calling on a councillor, other than the Executive Mayor, to submit the Executive Mayor's report to a Council meeting	Speaker	None	After consultation with the Executive Mayor	
12(2)	Deciding to vary the order of recommendations contained in the Executive Mayor's report in respect of which the Executive Mayor has no delegated powers	Speaker	None		
12(5)	Permitting debate regarding the matters in the Executive Mayor's report which have been delegated to her/him	-	None		
12(5)(a)	Deciding to extend the period of one hour for a debate of the matters in the Executive Mayor's report which have been delegated to her/him	Council	Speaker		
12(5)(c)	Rejecting a proposal during a debate regarding the matters in the Executive Mayor's report which have been delegated to her/him other than a proposal that the Executive Mayor reconsider her/his resolution	Speaker	None		
12(5)(d)	Affording a councillor the opportunity, during or after a debate regarding the	Speaker	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	matters in the Executive Mayor's report which have been delegated to her/him, to request that her/his opposition to a resolution regarding a matter in respect of which the Executive Mayor has delegated powers and the reasons therefore be recorded in the minutes				
	Recording a councillor's opposition to a resolution and the reason therefore to a resolution regarding a matter in respect of which the Executive Mayor has delegated powers and the reasons therefore be recorded in the minutes		Director Corporate Governance		
12(6)(a)	Obtaining the consent of the members of the Mayoral Committee to withdraw an item (in the Executive Mayor's report before the Council)	Executive Mayor  Councillor called upon by the Speaker to submit the Executive Mayor's report	None		
12(6)(b)	Obtaining the Executive Mayor's consent to amend any item (in the Executive Mayor's report before the Council)	Executive Mayor  Councillor called upon by the Speaker to submit the Executive Mayor's report	None		
12(7)	Nominating a councillor to close, on her/his behalf, the debate on an item in the Executive Mayor's report	Executive Mayor  Councillor called upon by the Speaker to submit the Executive Mayor's report	None		
13(1)	Receiving a memorandum containing the representations it intends to make to the Council from a deputation	Municipal Manager	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
13(2)	Submitting a memorandum containing the representations a deputation intends to make to the Council to the Executive Mayor	Municipal Manager	Director Corporate Governance		
	Deciding to receive a deputation who submitted a memorandum containing the representations it intends to make to the Council and deal with the matter raised in the memorandum	Executive Mayor	None		
13(3)	Reporting to the Council that – (a) neither the Executive Mayor or the Mayoral Committee has the delegated power to deal with a matter raised in a memorandum containing the representations a deputation intends to make to the Council; or (b) she/he/it is of the opinion that the matter so raised should be placed before the Council	Executive Mayor Mayoral Committee	None		
	Considering a report of the Executive Mayor/ Mayoral Committee regarding the matter raised in a memorandum containing the representations a deputation intends to make to the Council	Council	None		
	Deciding whether to grant an interview to a deputation	Council	None		
	Allowing a deputation to address the Council without written notice having been given	Speaker	None	After consultation with the Council Whip	
14(1)(b)	Receiving a motion from a councillor	City Secretary	-		
	Ensuring that a motion is included in the summons for a meeting	City Secretary	-	See section 14(6)	
	Maintaining a register in which motions received from councillors are recorded	-	Director Corporate Governance		
14(1)(c)	Granting leave for a motion to be	Speaker	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	included in the summons for a meeting though it was not received at least five days prior to a meeting				
14(1)(d)	Deciding to move a motion on behalf of its author if the author will be absent from the Council meeting where it is moved, when the Speaker puts the motion to the order	A councillor representing the same party as the mover	None	After consultation with the Council Whip	
	Determining a substitute to move a motion on behalf of its author if the author will be absent from the Council meeting where it is moved, when the Speaker puts the motion to the order	Councillor submitting the motion	None	After consultation with the Council Whip	
	Notifying the Municipal Manager in writing of the substitute nominated to move a motion on behalf of its author if the author will be absent from the Council meeting where it is moved, when the Speaker puts the motion to the order	Councillor submitting the motion	None		
14(2)	Acknowledging receipt in writing of motion submitted by a councillor	City Secretary	-		
14(3)	Deciding whether a motion submitted by a councillor and included in the summons for a meeting is eligible for consideration	Speaker	None	See also sections 14(7) and (8) and 15	
14(6)	Dating and numbering motions received from councillors	City Secretary	-		
14(9)	Considering a recommendation of the Executive Mayor to rescind or amend a decision of the Council	Council	None		
14(10)	Determining which motions included in a summons for a meeting are unopposed and which are opposed	Speaker	None		
	Putting opposed motions to the order	Speaker	None		
15	Deciding the eligibility for consideration of a proposal made during a meeting	Speaker	None		
15(c)	Deciding whether a motion or proposal	Speaker	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	justifies further investigation				
17	Considering a report of the Executive Mayor regarding a motion or proposal (other than a proposal that the Executive Mayor reconsiders a resolution made by her/him) which is designed to decrease or increase the approved budget	Council	None		
18	Considering a report of the Executive Mayor regarding a motion or proposal affecting the amendment of a law or the making or amendment of a bylaw	Council	None		
19(1)	Deciding whether a proposal made during the debate on a motion or another proposal is eligible for consideration	Speaker	None		
20(1)	Deciding whether a proposal to amend a motion or proposal made during the debate on that motion or proposal is eligible for consideration	Speaker	None		
20(5)	Deciding whether an amendment to a motion or proposal that has been carried renders another proposed amendment to the amended motion or proposal unnecessary or pointless	Speaker	None		
22(5)	Ensuring that a question the consideration of which has been postponed to a fixed date is included in the list of questions to be considered on that date	-	Director Corporate Governance		
24	Deciding whether a proposal should be regarded as a "motion of course"	Speaker	None		
28(1)	Permitting a speech to be continued for one or more further periods of 10 minutes after the first 15 minutes have expired	Speaker	None		
28(2)	Waiving the time limitation on a speech in regard to a statement made on the Speaker's behalf	Speaker	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
29(1)	Allowing a councillor to speak more than once on any matter under consideration by the Council	Speaker	None		
29(2)	Permitting the Executive Mayor or another councillor called upon by the Speaker to submit the Executive Mayor's report to make an explanatory statement regarding any item contained in that report	Speaker	None		
30	Ensuring that a councillor directs her/his speech to the matter under discussion or to an explanation or a question of order	Speaker	None		
	Ensuring, unless the Council decides differently, that no discussion of a matter in respect of which a decision by a judicial or administrative tribunal is pending takes place	Speaker	None		
	Considering a proposal that a matter in respect of which a decision by a judicial or administrative tribunal is pending may be considered	Council	None		
31(1)	Calling a councillor's attention to irrelevance, tedious repetition, unbecoming language, breach of order	Speaker	None		
	Directing a councillor to discontinue her/his speech	Speaker	None		
	Directing a councillor who persistently disregards the authority of the Chair to retire from the meeting	Speaker	None		
32(1)	Causing a councillor who persistently disregards the directions of the Speaker to be ejected from the meeting	Speaker	None		
32(2)(c)	Laying a charge against a councillor for - (a) refusing or failing to comply with the Speaker's directions, (b) returning to a meeting which she/he	-	Speaker		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	was directed to retire from before it closes, or (c) resisting any attempt to eject her/him from a meeting				
	Determining a fine payable by a councillor who is convicted of an offence relating to her/his refusal or failure to comply with the Speaker's directions, returns to a meeting which she/he was directed to retire before it closes or resists any attempt to eject her/him from a meeting	Council	None		
	Collecting a fine payable by a councillor	-	Chief Financial Officer		
33(2)	Allowing a councillor who rose to appoint of order or who wishes to give a personal explanation to be heard forthwith	Speaker	None		
33(3)	Ruling on a point of order or the admissibility of a personal explanation	Speaker	None		
34(1)	Putting a motion or proposal to the vote	Speaker	None		
	Declaring the result of a vote on a motion or a proposal	Speaker	None		
34(2)	Granting a councillor the opportunity to demand – (a) that her/his vote against a motion or proposal be recorded in the minutes; (b) a division	Speaker	None		
	Ensuring that a councillor who demanded that her/his vote against a motion or proposal be recorded, is recorded in the minutes of the meeting	-	Director Corporate Governance		
34(3)	Acceding to a demand that a division be called	Speaker	None		
	Ringling the call-bell for a period of 30 seconds at the direction of the Speaker	-	Municipal Manager		
	Closing all entrances to the venue where	-	Municipal Manager		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the meeting is held				
	Preventing councillors from leaving or entering the venue of the meeting after the doors have been closed until after the results of the division was declared	-	Municipal Manager		
34(4)	Putting the motion or proposal in respect of which the division was called to the vote	Speaker	None		
	Recording the vote of every councillor in respect of the proposal or motion in respect of which the division was called in the separately minutes	Municipal Manager City Secretary	None		
34(8)	Considering a matter referred back to the Executive Mayor where the vote on it resulted in an equality of votes and the Speaker refused to cast her/his casting vote	Executive Mayor	None		
35(1)	Appointing the members of the Rules Committee	Speaker	None		
35(2)	Presiding during meetings of the Rules Committee	Speaker If the Speaker is absent, the members present must elect from their number a chairperson	None		
35(3)	Referring a matter relating to the Rules and Orders to the Rules Committee	Speaker	None		
35(4)	Requesting that a ruling of the Speaker as to the interpretation of the Rules and Orders be recorded in minutes of the Council meeting where such interpretation is made or tabled	Any member of the Rules Committee	None		
	Keeping and maintaining a register of the Speaker's rulings on the interpretation of the Rules and Orders	City Secretary	-		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
35(5)	Signing the entry in the register of rulings of the Speaker kept by the City Secretary	Speaker	None		
35(6)	Reconsidering and confirming, amending or revoking the decision of the Speaker as to the interpretation of the Rules and Orders	Rules Committee	None		
35(7)	Requiring the Speaker, during the meeting where she/he made a ruling as to the interpretation of the Rules and Orders, or within five days thereafter, to submit the matter to the Rules Committee	Councillor who requested that the Speaker's ruling on the interpretation of the Rules and Orders be minuted	None		
	Considering the ruling of the Speaker regarding the interpretation of the Rules and Orders	Rules Committee	None		
	Submitting a report of the Rules Committee regarding a ruling of the Speaker regarding the interpretation of the Rules and Orders to the Council	-	Municipal Manager		
36(3)	Directing an officer to remove or cause the removal of a person (except a councillor) from the venue of the meeting or ordering that the public gallery be vacated	Speaker	None		
36(4)	Laying a charge against a person for – (a) not treating the Council Chamber with dignity and respect; (b) not standing whenever the Speaker enters or leave the Council Chamber; (c) failing to remove a person (excluding a councillor) from the meeting when directed to do so; and (d) failing to vacate the public gallery when ordered to do so	-	Municipal Manager	<b>NOTE:</b> The reference in the first part of s 34(1) to subsection (1) is incorrect and should be a reference to subsection (3)	
37(1)(a)	Moving during a Council meeting that the Council considers a matter put to the order or which is under discussion in	Any councillor	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	committee				
37(1)(b)	Moving during a Council meeting taking place in committee, that the Council considers a matter put to the order or which is under discussion in open Council	Any councillor	None		
37(4)	Directing a councillor speaking to forthwith discontinue her/his speech and declaring the Council to be in committee	Speaker	None	If information is disclosed or about to be disclosed in the course of a speech which may be prejudicial to the Council and the inhabitants of the Municipality	
37(7)	Determining when the items in respect of which a proposal that they be considered in committee or open council, as the case may be, will be considered	Speaker	None		
37(9)	Ensuring that all persons present at the time the Council goes in committee, except councillors, the Municipal Manager, City Secretary and such other officials as the Speaker may require, leave the venue and do not return for the duration of the proceedings in committee	-	Municipal Manager		
37(10)	Directing an official to – (a) eject or the cause the ejection of any person, except councillors, the Municipal Manager, City Secretary and such other officials as the Speaker may require, who remains in the venue after the Council has decided to meet in committee, or (b) to take steps to prevent the entry of any person into the venue for the duration of the proceedings in committee	Speaker	None		
38	Deciding to supply the agenda of a Council meeting to a newspaper	City Secretary	-	1. Provided that an application is made to receive such agenda 2. Subject to any instruction of the Executive Mayor or the Municipal	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
				Manager to withhold any agenda or item in an agenda	
39(2)	Receiving reports from departmental heads	Municipal Manager	None		
	Deciding whether to submit a report she/he received from a departmental head, to the Executive Mayor	Municipal Manager	None		
	Submitting a report that has to be considered by the Council in terms of any law	Municipal Manager	None		
	Requiring the Municipal Manager to submit a report she/he received from a departmental head, to the Executive Mayor or the Council	Executive Mayor Council	None		
39(3)	Referring a report back to the departmental head who submitted it for amendment or making additions	Municipal Manager	None		
	Making comments on or make a recommendation in respect of any report she/he submits	Municipal Manager	None		
40	Determining the date, time and venue of Mayoral Committee meetings	-	Executive Mayor		
41(1)	Signing a notice convening a Mayoral Committee meeting	Executive Mayor	Municipal Manager		
41(3)	Delivering/serving notice of a Mayoral Committee meeting to every member thereof	-	Director Corporate Governance		
41(3)	Reporting the reasons why the Mayoral Committee has failed to meeting at least once during which an ordinary Council meeting is held	Executive Mayor	None		
43	Requesting or permitting any person to attend a Mayoral Committee meeting	Executive Mayor	None		
	Permitting a person who is attending a Mayoral Committee meeting but who is not a member thereof, to speak at such	Executive Mayor	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	meeting				
44(1)	Approving, with or without amendments, the minutes of previous Mayoral Committee meetings	Mayoral Committee	None		
	Signing the minutes of Mayoral Committee meetings approved by the Committee	Executive Mayor	Councillor presiding during the meeting where the minutes are adopted		
44(2)	Requiring that the minutes of a previous Mayoral Committee that had not been circulated to members at least 24 hours prior to the commencement of the meeting during which they must be considered be read	Any member of the Mayoral Committee	None		
45(1)	Deciding to resign as a member of a committee	Any councillor	None		
	Tendering a written resignation as a member of a committee	Any councillor	None		
	Receiving a resignation of a councillor from a committee	Municipal Manager	None		
45(2)	Reporting vacancies in committees to the Council	Executive Mayor	Municipal Manager		
	Deciding to fill a vacancy arising in a committee	Council	None		
45(3)	Nominating a councillor to act in the stead of a committee member to whom leave of absence from a meeting has been granted	Caucus leader of the relevant party	None		
45(4)	Receiving reports from committees	Executive Mayor	None		
46(1)	Deciding whether the publication or disclosure of information regarding a matter may or would be prejudicial to the interests of the Municipality	-	Municipal Manager	After consultation with the Executive Mayor	
	Laying a charge against a councillor for publishing or disclosing a document or record relating to the acquisition of	-	Speaker		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	property by the Municipality, legal or arbitration proceedings involving the Municipality or a matter the publication or disclosure of which may or would be prejudicial to the Municipality				
46(2)	Recommending appropriate sanctions in terms of item 14 of the Code of Conduct for Councillors, with due consideration for item 10 of the Code	Council	None		
47	Preparing and including in the agenda for a Council meeting a list indicating the attendance of meetings by councillors	Municipal Manager	Director Corporate Services		
48	Electing an acting Speaker	Council	None		
49	Submitting a report regarding the alleged failure to comply with or breach of the Code of Conduct for Councillors by a councillor	Speaker	None		
50(a)	Requesting the Council to appoint a disciplinary committee	Speaker	None		
	Appointing a disciplinary committee	Council	None		
50(b)	Instructing the disciplinary committee to investigate and make a finding regarding a alleged breach of, or failure to comply with, the Code of Conduct for Councillors	Speaker	None		
	Investigating an alleged breach of, or failure to comply with, the Code of Conduct for Councillors and making a finding and recommendation	Disciplinary Committee	None		
	Considering a recommendation of the disciplinary committee	Council	None		
50(c)	Replacing a member of the disciplinary committee who has recused her/him from the proceedings of the committee with another councillors representing the same political party	-	Council		

## Cemetery bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Setting ground apart for the purpose of cemetery	Council	None		
	Granting permission to inter a dead body in another place than a cemetery	Council	Municipal Manager	See also s 3	
4	Granting permission to inter a dead body in a cemetery	Chief of Parks	-		
5	Considering an application to inter a dead body free of charge	Council	Director Municipal and Social Services		
	Setting a portion of a cemetery aside for the free interment of dead bodies	-	Director Municipal and Social Services		
	Determining the manner in which a dead body may be interred free of charge	Council	Director Municipal and Social Services		
6	Closing a cemetery for a period	Council	Director Municipal and Social Services		
	Determining the period of time a cemetery shall be closed	Council	Director Municipal and Social Services		
13	Deciding to destroy an animal or bird found in a cemetery	Council	Director Municipal and Social Services		
14	Expressly permitting the riding of a cycle or animal in a cemetery	Council	Director Municipal and Social Services		
16	Consenting to a holding or taking part in a demonstration in a cemetery	Council	Director Municipal and Social Services		
20	Keeping a complaint book for people to enter their complaints	Chief of Parks	-		
23	Determining tariffs in respect of cemeteries	Council	None		
	Collecting any charges due to the Municipality in respect of cemeteries		Chief Financial Officer	In terms of (a) s 30 fees for the interment of a dead body in a public grave must be paid to the Caretaker; (b) s 34, all fees, other than those relating to the interment of a dead body in a private grave in which another dead body has already	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
				been interred, must be paid to, and collected by, the Chief of Parks	
26	Selling the use of a piece of ground for a private grave or plot	Council	Director Municipal and Social Services		
	Receiving applications from person to purchase the use of any private grave or plot	Chief of Parks	-		
	Allotting a grave or plot	Chief of Parks	-		
27	Preparing, maintaining and keeping plans showing the graves and plots that are available	Chief of Parks	-		
30	Determining the position of a public grave	Caretaker	None		
32	Receiving notice, on the form issued by the Municipality, of the intention to inter a dead body	Chief of Parks	-		
35	Agreeing to special arrangements for the alteration of the day or time previously fixed for an interment at the cemetery	Chief of Parks	-		
38	Granting special consent for a grave to be opened within two years of the last interment there-in	Council	Director Municipal and Social Services		
41	Approving a coffin prior to it being placed in a grave	Chief of Parks	-		
42	Granting permission in writing for the bodies of more than 1 adult or more than 2 children to be interred in one public grave at the same time	Chief of Parks	-		
49	Issuing directions to persons within a cemetery participating in a funeral procession or cemetery	Chief of Parks	-		
51	Granting permission to perform music in a cemetery	Council	Director Municipal and Social Services		
55(1)	Granting permission in writing for the exhumation of a dead body	Chief of Parks and the Part-time Medical Practitioner	-	Except in instances where the exhumation is to take place in terms of a warrant issued by the Attorney-General	
60	Expressing the Council's satisfaction that	Council	Director Municipal		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	a person is entitled to re-open a grave		and Social Services		
61	Causing a dead body that was interred in the wrong grave or the removal of which seem advisable to the Council, to be placed in another grave	Council	Director Municipal and Social Services		
63	Granting permission to a person to plant a shrub, plant or flower on a grave	Caretaker	None		
	Consenting to a shrub, plant or flower planted on a grave to be cut or carried away	Chief of Parks	-		
65(1)	Granting permission in writing to a person to erect, alter, paint, clean, renovate, decorate or to otherwise interfere with a memorial work or to cut an inscription in any cemetery	Council	Director Municipal and Social Services		
66	Indicating the position in which a memorial work may be erected on a grave	Caretaker	None		
67	Excluding a memorial work which is of inferior quality or which is likely to disfigure a cemetery	Council	Director Municipal and Social Services		
68	Requiring the owner of a memorial work, in writing, to repair such work when it has fallen in a state of disrepair as to constitute a danger or disfigurement in the cemetery	Council	Director Municipal and Social Services		
	Deciding to publish a notice requiring the owner of a memorial work to repair such work when it has fallen in a state of disrepair as to constitute a danger or disfigurement in the cemetery in a daily newspaper circulating in the area	-	Director Municipal and Social Services		
	Deciding, in the event that the owner of a memorial work to whom notice to repair it has been given, did not respond, to affect the repairs or to remove the memorial	-	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	work				
	Determining the cost of affecting repairs to or to remove a memorial work from a cemetery on the owner thereof	-	Director Municipal and Social Services		
	Recovering the expense incurred in affecting repairs to or to remove a memorial work from a cemetery on the owner thereof	-	Chief Financial Officer		
72(c)	Giving written approval for the construction of a memorial work or any brick or stone work on any grave	Council	Director Municipal and Social Services		
73	Removing a memorial work from any cemetery which infringes the Bylaws	Council	Director Municipal and Social Services		
	Approving the thickness and length of cramps, dowels or pins used to join one part of a memorial work to another part	-	Director Municipal and Social Services		
74(a)	Granting written permission for holes into which cramps, dowels or pins used to join one part of a memorial work to another part may be shallower than 50 mm	Council	Director Municipal and Social Services		
74(e)	Consenting to border stones surrounding a grave being more than 225 mm above the surface of the ground and/or more than 200 mm deep	Council	Director Municipal and Social Services		
74(l)(iii)	Determining the size of the base stone to be used for a monument	Chief of Parks	-		
76	Giving written permission to use a vehicle or truck that has tyres that are less than 100 mm wide and which, in the opinion of the Caretaker, is likely to damage the paths or grounds of a cemetery, to convey stone, brick or a memorial work of portion there-of within a cemetery	Council	Director Municipal and Social Services		
83(d)	Removing an object (except a memorial or a vase of flowers or foliage) placed or	Council	Director Municipal and Social Services		

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
	kept on a grave plot				
84(a)	Consenting to the placement of ash in the wall of remembrance	Chief of Parks	-		
84(e)	Supplying a granite tablet to cover a niche in a wall of remembrance	Council	Director Municipal and Social Services		

**Bylaws for the control of the Faan Meintjies Private Nature Reserve**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
2(1)	Granting special permission to enter the reserve at another place than an entrance, to enter the reserve free of charge and to be within the reserve (outside a rest camp) outside the times determined by the Council	Council	Director Municipal and Social Services		
	Authorising one or more officers to enter the reserve at another place than an entrance, to enter the reserve free of charge and to be within the reserve (outside a rest camp) outside the times determined by the Council	-	Director Municipal and Social Services		
2(2)	Limiting the number of vehicles that wishes to enter the reserve at the same time	Council	Director Municipal and Social Services		
3(1)	Issuing a written voucher of admission to every vehicle entering the reserve	-	Director Municipal and Social Services		
3(2)	Authorising one or more officers who may request a driver of a vehicle to hand over the written voucher authorising her/him to be inside the reserve	-	Director Municipal and Social Services		
3(3)	Reimbursing a further payment for admission, accommodation or other service a person made because she/he did not comply with a request to hand over the written voucher authorising her/him to be inside the reserve	-	Chief Financial Officer		
	Determining the proof that shall be satisfactory to reimburse a further payment for admission, accommodation or other service a person made because she/he did not comply with a request to hand over the written voucher authorising her/him to be inside the reserve	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(1)	Deciding from time to time to close temporarily the reserve or any portion thereof or any road or portion thereof or any rest camp	Council	Director Municipal and Social Services		
4(2)	Authorising one or more officers to access any portion of the reserve, a road or rest camp in the reserve which the Council closed	-	Director Municipal and Social Services		
6	Granting permission to an employee who is required to reside in the reserve for a limited number of her/his relatives or friends or both visiting her/him to enter the reserve without paying the prescribed fees	Council	Director Municipal and Social Services		
7	Authorising one or more officers to perform any of the activities or deeds which visitors to the reserve may not perform or do	-	Director Municipal and Social Services		
7(a)	Granting express written permission to a person to enter the reserve or travel there-in in a vehicle other than a motor vehicle	Council	Director Municipal and Social Services	<b>NOTE:</b> S 23(11) states as follows: <i>“(11) No pets and/or motor cycles shall be permitted in the reserve and caravan park.”</i>	
	Prescribing vehicles, other than motor vehicles, which may be used to enter or travel in the reserve	Council	Director Municipal and Social Services		
7(b)	Granting express written permission to a person to enter any portion of reserve closed to the public or to drive a vehicle in any place other than a road open to the public	Council	Director Municipal and Social Services		
7(c)	Granting express written permission to a person to exceed the speed limit of 25 km/h	Council	Director Municipal and Social Services		
7(d)	Granting express written permission to a person to discard or leave a burning of smouldering object in the reserve	Council	Director Municipal and Social Services	<b>NOTE:</b> S 23(9) forbids any open fire to be left unattended	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
7(e)	Granting express written permission to a person to bring into, or use in the reserve a fire-arm, bow, arrow, catapult or airgun	Council	Director Municipal and Social Services		
7(f)	Granting express written permission to a person to bring an animal or plant into the reserve	Council	Director Municipal and Social Services	<b>NOTE:</b> S 23(11) states as follows: “(11) No pets and/or motor cycles shall be permitted in the reserve and caravan park.”	
7(g)	Granting express written permission to a person to feed, injure or disturb an animal in the reserve	Council	Director Municipal and Social Services	<b>NOTE:</b> S 8(1)(e) of the bylaws expressly prohibits <u>any</u> person to bring into, keep or allow a live animal or pet to roam within the reserve	
7(h)	Granting express written permission to a person to damage or remove a plant in or from the reserve	Council	Director Municipal and Social Services	<b>NOTE:</b> 1. S 18(12) of the bylaws prohibits any person from cutting down or breaking any tree or branches of any tree off for any purpose whatsoever. 2. See also s 19(6) 3. See also s 23(8)	
7(i)	Granting express written permission to a person to light a fire in another place than a rest camp or designated place	Council	Director Municipal and Social Services		
7(j)	Granting express written permission to a person to leave or alight from a vehicle in a place other than a designated place or rest camp	Council	Director Municipal and Social Services		
7(k)	Granting express written permission to a person to be or to remain in the reserve in a place other than a rest camp or place designated by the Council	Council	Director Municipal and Social Services		
	Designating places in the reserve other than rest camps where a person may be or remain	Council	Director Municipal and Social Services		
7(l)	Granting express written permission to a person to stay overnight in the reserve in a place other than a rest camp or place	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	designated by the Council				
	Designating places in the reserve other than rest camps where a person may stay overnight	Council	Director Municipal and Social Services		
7(m)	Granting express written permission to a person to stay overnight in a rest camp without paying the prescribed fees	Council	Director Municipal and Social Services		
7(n)	Granting express written permission to a person to stay overnight in the reserve before she/he has reported to the authorised officer at the reception office of the rest camp	Council	Director Municipal and Social Services		
7(o)	Granting express written permission to a person to hold or give public entertainment or collect money from the public in the reserve	Council	Director Municipal and Social Services		
7(p)	Granting express written permission to a person to exhibit a notice or advertisement in the reserve	Council	Director Municipal and Social Services		
7(q)	Granting express written permission to a person to affix to a tree or any object in the reserve not belonging to her/him, a name, letter, figure, symbol, mark or picture	Council	Director Municipal and Social Services		
8(1)(d)	Authorising one or more officers to give reasonable instructions to persons in the reserve	-	Director Municipal and Social Services		
9(1)	Requesting a person to leave the reserve	Authorised official	Director Municipal and Social Services		
	Authorising one or more officers to request persons to leave the reserve	-	Director Municipal and Social Services		
9(3)	Cancelling an order issued by an authorised officer to leave the reserve	Council	Director Municipal and Social Services	<b>NOTE:</b> S 9(3) of the Bylaws reads as follows: <i>“(3) No person ordered to leave the reserve as afore-mentioned shall re-enter the reserve during the</i>	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
				<i>twelve months following the date of cancellation (of the admission voucher), unless the Council should cancel the order in question or specifically authorised person concerned to re-enter the reserve"</i>	
9(4)	Authorising one or more officers to arrest and detain any person who commits or may have committed a serious crime within the reserve	-			
	Empowering an authorised officer to arrest and detain any person who commits or may have committed a serious crime within the reserve	-			
	Deciding whether a person is committing or may have committed a serious crime within the reserve	An authorised officer who was empowered to make arrests			
10(1)	Deciding to hunt, destroy, catch or remove any game, bird, reptile, animal or other fauna and flora within the reserve	Council			
	Hunting, destroying, catching or removing any game, bird, reptile, animal or other fauna and flora within the reserve	Council			
10(2)	Deciding to dispose of any animal or vegetable product of the reserve	Council			
	Deciding the manner in which any animal or vegetable product of the reserve must be disposed of	Council			
	Disposing of any animal or vegetable product of the reserve	-			
11	Issuing lawful instructions to which all persons within the reserve must comply with	Council			



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
13(1)	Giving instructions to a person driving a vehicle in the reserve about to cross from the left-hand side of the road to the right-hand side	Any official	Director Municipal and Social Services		
13(7)	Instructing the driver of a vehicle in the reserve to stop her/his vehicle on the right-hand side of the road with its front facing on-coming traffic	-	Director Municipal and Social Services		
16	Receiving a report from the driver of a vehicle in the reserve which was involved in, or contributed to, an accident in which a human being or an animal was killed or injured	Any official	Director Municipal and Social Services		
18(2)	Leasing the reception area	Council	Director Municipal and Social Services		
	Determining the rent payable in respect of the renting of the reception area	Council	None		
	Collecting the rent payable for renting the reception area	-	Chief Financial Officer	<b>NOTE:</b> S 18(14) empowers the Municipal Manager, upon receipt of a written application to authorise free admission	
18(3)	Supplying the lessee of the reception area with 40 free admission vouchers	Chief of Parks	-		
18(10)	Determining the cost the Municipality incurred in cleaning and tidying the reception area where the lessee failed to do so	-	Director Municipal and Social Services		
	Recovering the amount of the cost the Municipality incurred in cleaning and tidying the reception area where the lessee failed to do so, from the lessee	-	Chief Financial Officer		
18(13)	Signing a certificate to be used in any dispute or court proceedings between the Municipality and a lessee of the reception area in respect of any loss of, or damage caused (or deemed to have been	Municipal Manager	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	caused) to any property of the Municipality				
19(7)	Signing a certificate to be used in any dispute or court proceedings between the Municipality and a lessee of overnight facilities in respect of any loss of, or damage caused (or deemed to have been caused) to any property of the Municipality	-	Director Municipal and Social Services		
20(1)	Approving dates and times during which officials may conduct sightseeing tours by bus	Chief: Parks	Director Municipal and Social Services		
20(2)	Approving dates and times during which the Nature Conservation Officer may conduct sightseeing tours on foot	Chief: Parks	Director Municipal and Social Services		
21(1)	Receiving applications for the renting of chalets	Chief of Parks	Director Municipal and Social Services		
21(4)	Determining the replacement value of any articles, furniture, fittings or other property that were lost or damage during the stay of a lessee in a chalet	-	Director Municipal and Social Services		
	Recovering the expense incurred in replacing of any articles, furniture, fittings or other property that were lost or damage during the stay of a lessee in a chalet	-	Chief Financial Officer		
21(6)	Authorising one or more officers who shall have the right to enter any chalet at any reasonable time	-	Director Municipal and Social Services		
21(7)	Determining the amount of a refund to be paid to the lessee of a chalet who cancels her/his reservation prior to the date on which it should commence	-	Director Municipal and Social Services		
	Reimbursing the rental/portion of the rental paid by the lessee who cancelled her/his reservation of a chalet prior to the	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	date on which it should commence				
21(8)	Agreeing to an arrangement with the lessee of a chalet to occupy a chalet earlier than 15:00 on the first day of the lease and/or later than 10:00 on the last day of the lease	-	Director Municipal and Social Services		
22	Fixing terms and conditions for using the facilities in the reserve	Council	Director Municipal and Social Services		
23(1)	Receiving applications for the renting of a caravan stand	Chief: Parks	Director Municipal and Social Services		
	Compiling an application form for applying to rent a caravan stand	-	Director Municipal and Social Services	<b>NOTE:</b> S 23(2) of the bylaws determines as follows: “(2) <i>The hirer of a caravan stand shall, not occupy the stand unless the charges as determined by the Council from time to time.</i> ”	
23(5)	Determining the amount of the rental of a caravan stand to be refunded to the lessee for cancelling her/his reservation	-	Director Municipal and Social Services		
	Reimbursing the rental/portion of the rental paid by the lessee who cancelled her/his reservation of a caravan stand prior to the date on which it should commence	-	Chief Financial Officer		
23(15)	Making reservations for the use of the barbecue facilities at the shelter, the kitchen and hall of the reception area for caravan campers.	-	Director Municipal and Social Services		

### Livestock market bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Deciding to erect one or more live stock markets	Council	None		
	Setting one or more sites aside for constructing live stock market(s)	Council	None		
5(1)	Receiving applications to conduct live stock sales	-	Director Economic Growth		
	Granting applications for conducting live stock sales	Council	Director Economic Growth		
5(2)	Receiving applications to conduct live stock sales at another place than a live stock market	-	Director Economic Growth		
	Granting applications for conducting live stock sales at another place than a live stock market	Council	Director Economic Growth		
6	Receiving applications for conducting live stock sales at a live stock market	Municipal Manager	Director Economic Growth		
	Granting applications for conducting a live stock sale at a live stock market	Municipal Manager	Director Economic Growth		
8	Calculating the amount payable to the Municipality in respect of the turnover of a live stock sale	-	Chief Financial Officer		
	Deciding to inspect the vendu roll in respect of any sale conducted at a live stock market	-	Director Economic Growth		
9	Where a conflict of dates exist between two or more auctioneers, deciding the date which shall be allocated to which auctioneer	Council	Director Economic Growth		
12	Determining the hours during which the live stock market shall be open for receiving, penning and tying up live stock to be sold	Council	Director Economic Growth		
14	Deciding to close the live stock market on any day which is not a Sunday or a public	Council	Director Economic Growth		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	holiday				
15	Deciding to impound livestock found in the live stock market outside the hours approved by the Council	-	Director Economic Growth		
16	Authorising officials of the Municipality to be in the live stock market after a reasonable period after a sale ended	-	Director Economic Growth		
17	Deciding whether an animal held in the live stock market is suffering from a disease	Authorised Officer	None		
18	Determining the expense incurred in cleaning and disinfecting the live stock market if animals suffering from a contagious disease have been brought there-in	-	Director Economic Growth		
24	Issuing directions regarding the prevention of nuisances, obstructions and unnecessary noise, the prevention of damage to live stock	Authorised Officer	None		
25	Deciding to demand a deposit or insurance from any user of the kraals at the live stock market	-	Director Economic Growth		
	Determining the amount of the deposit or insurance an user of the live stock market must pay	-	Chief Financial Officer		

**Bylaws for the control and management of the P C Pelser Airport**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
3	Determining the hours during which the aerodrome shall be open for use	Council	Director Infrastructure and Utilities		
4(1)	Determining the information a pilot is required to furnish before take-off or after landing	Official in Charge	None		
	Demanding that a departure or arrival form be completed by a pilot	Official in Charge	None		
4(3)	Entering into a written agreement with the operator of an aircraft with regard to the payment of charges due to the Municipality	Official in Charge	None		
4*(d)	Authorising aerodrome officials to enter onto and be on the landing field	Official in Charge	None	<b>NOTE:</b> The numbering of the sections have been repeated	
4*(f)	Authorising persons, other than personnel, to enter onto and be on the landing field	Official in Charge	None		
6(1)	Directing drivers where to park their vehicles	Official in Charge	None		
6(2)	Deciding to prohibit or restrict admission to any part of the aerodrome	Official in Charge	None		
6(3)	Directing a person to move a parked vehicle to another place or from the aerodrome	Official in Charge	None		
6(4)	Granting special permission for a motor vehicle to be driven on a taxi-way or run-way	Official in Charge	None		
6(5)	Issuing directions to pedestrians, drivers and other person as to their movement at the aerodrome	Official in Charge	None		
6(7)	Deciding whether the conduct of an unaccompanied person who is under the age of 14 years and whom is not a passenger on a aircraft is prejudicial to the amenities and proper management of	Official in Charge	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the aerodrome				
	Removing or ordering the removal of a person who is under the age of 14 years and whom is not a passenger on a aircraft is prejudicial to the amenities and proper management of the aerodrome	Official in Charge	None		
7.1(a)	Granting permission to place or affix a placard or notice within or on the boundary of the aerodrome	Official in Charge	None		
7.1(e)	Requesting a person to tamper or interfere with fire fighting equipment or to interfere with or take part in any rescue or fire fighting information	Official in Charge	None		
7.1(g)	Granting written consent to affix or distribute any pamphlet, book, handbill or other printed matter or article within or on the boundary of the aerodrome	Official in Charge	None	<b>NOTE:</b> See section 7.1(a)	
7.1(j)	Granting written consent to play a musical instrument, operate a sound reproducing device, sing or make a speech within or on the boundary of the aerodrome	Official in Charge	None		
7.2(a)	Deciding whether to impound an animal found within the aerodrome	Official in Charge	None		
	Deciding whether to have an animal found in the aerodrome which is sick or injured removed there from and/or destroyed	Official in Charge	None		
7.2(b)	Deciding to have an animal found in the aerodrome that cannot be impounded in terms of the regulations under the Pounds Ordinance 1972 (Ord. No 13 of 1972) to be removed there from and/or destroyed	Official in Charge	None		
8(2)	Deciding what steps to take to enforce compliance with the bylaws and the Air	Official in Charge	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Navigation Regulations				
8(3)	Issuing directives regarding the parking of aircraft	Official in Charge	None		
8(10)	Receiving and granting applications for night landing of aircraft	Official in Charge	None		
8(11)	Stopping any aircraft or person from leaving the aerodrome upon instruction from the Departments of Transport (Civil Aviation) or Home Affairs (Immigration), the South African Revenue Service (Customs and Excise) and the South African Police Service	Official in Charge	None		
9(1)	Directing the operator of a damaged or disabled aircraft to move the aircraft or any cargo or other items carried there-in to another part of the aerodrome	Official in Charge	None		
9(2)	Moving a damaged or disabled aircraft to move the aircraft or any cargo or other items carried there-in to another part of the aerodrome when the operator fails or refuses to do so or is not present to do so	Official in Charge	None		
	Determining the cost of moving a damaged or disabled aircraft to move the aircraft or any cargo or other items carried there-in to another part of the aerodrome	Official in Charge	None		
10(1)	Identifying the place and manner of refuelling aircraft at the aerodrome	Official in Charge	None		
13	Issuing conditions for the use of hangars, buildings and other facilities at the aerodrome	Official in Charge	None		
14	Issuing a permit for selling refreshments, selling or renting any other commodity and rendering services within the boundary of the aerodrome	Council	Director Infrastructure and Utilities		



### Bylaws for the regulation of parks and gardens

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(d)	Consenting to hawking or displaying goods in a park	Council	Director Municipal and Social Services		
2(e)	Consenting to erecting a post, rail, fence, tent, screen, stand, swing, building or other construction in a park	Council	Director Municipal and Social Services		
2(m)	Consenting to a musical instrument being played in a park	Council	Director Municipal and Social Services		
2(n)	Consenting to the reading aloud of a public address, prayer or speech, singing a song or holding or participating in a meeting or function in a park	Council	Director Municipal and Social Services		
3(1)	Authorising one or more officers of the Municipality to request persons to leave park	-	Director Municipal and Social Services		
	Requesting a person to leave a park	Authorised Officer	None		
4	Requesting a person in a park to furnish her/his name and address	Authorised Officer	None		
7	Fixing terms and conditions in term whereof persons may be allowed to make use of facilities provided by the Council for the use of the public or a portion thereof	Council	Director Municipal and Social Services		

## Public amenities bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(1)	Determining the maximum number of visitors who may be present at a specific time in or at a public amenity	Council Authorised Official	Director Municipal and Social Services		
	Authorising one or more officials who may determine the maximum number of visitors who may be present at a specific time in or at a public amenity	-	Director Municipal and Social Services		
3(2)	Determining the method to be used to make known the maximum number of visitors who may be present at a specific time in or at a public amenity	Council Authorised Official	Director Municipal and Social Services		
	Authorising one or more officials who may determine the method to be used to make known the maximum number of visitors who may be present at a specific time in or at a public amenity	-	Director Municipal and Social Services		
4(1)	Determining the times during which an amenity is open to the public	Council Authorised Official	Director Municipal and Social Services		
	Authorising one or more officials who may determine the times during which an amenity is open to the public	-	Director Municipal and Social Services		
4(3)	Temporarily closing an amenity for visitors	Council Authorised Official	Director Municipal and Social Services		
	Authorising one or more officials who may temporarily close an amenity for visitors	-	Director Municipal and Social Services		
8	Consenting in writing to an application to erect or establish in or at a public amenity any structure, shelter or anything else (except a caravan or a tent for camping purposes on a site set aside there for)	Council	Director Municipal and Social Services	Such an application must be made at least 21 days before the construction commences	
10	Issuing directions for bringing a live animal, bird, fish or poultry into an	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	amenity				
12(1)(a)	Granting consent to a person to arrange, present or attend any public entertainment in or at a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to arrange, present or attend any public entertainment in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(b)	Granting consent to a person to collect money or other goods for charity or another purpose from the general public in or at a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to collect money or other goods for charity or another purpose from the general public in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(c)	Granting consent to a person to display	Council	Director Municipal	1. Consent may be refused only if the	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	or distribute any pamphlet, placard, painting, book, handbill or any other printed, written or painted work in or at a public amenity		and Social Services	Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to display or distribute any pamphlet, placard, painting, book, handbill or any other printed, written or painted work in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(d)	Granting consent to a person to arrange, hold, address or attend any meeting in or at a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to arrange, hold, address or attend any meeting in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(e)	Granting consent to a person to arrange, hold, address or attend a public gathering	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	or procession, exhibition or performance in or at a public amenity			would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to arrange, hold, address or attend a public gathering or procession, exhibition or performance in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(f)	Granting consent to a person to conduct any trade, occupation or business at or in a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to conduct any trade, occupation or business at or in a public amenity	Council	Director Municipal and Social Services		
12(1)(g)	Granting consent to a person to display, sell or rent out or present for sale or rent any wares or articles in or at a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
				commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to display, sell or rent out or present for sale or rent any wares or articles in or at a public amenity	Council	Director Municipal and Social Services		
12(1)(h)	Granting consent to a person to hold or attend an auction or tell fortunes for compensation in or at a public amenity	Council	Director Municipal and Social Services	1. Consent may be refused only if the Council is of the opinion that it would give rise to public rioting, disturbance of the public peace, the commission of an offence or if it would be detrimental to the public or the users of or visitors to the amenity concerned or the amenity itself 2. An application to obtain consent must be submitted on the form provided for this purpose at least 21 days prior to the event occurring	
	Imposing conditions on a consent granted to a person to hold or attend an auction or tell fortunes for compensation in or at a public amenity	Council	Director Municipal and Social Services		
16(1)	Issuing directions for bringing into a public amenity a truck, bus, motorcar, motorcycle, bicycle or any other vehicle, craft or aeroplane whether driven by mechanical, animal, natural or human power	Council	Director Municipal and Social Services		
16(2)	Determining the speed limit applicable in	Council	Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	a public amenity		and Social Services		
21	Authorising officials in regard to any public amenity to enforce the Bylaws	Council	Director Municipal and Social Services		
22(a)	Conducting an investigation at a public amenity in order to determine whether the Bylaws are being complied with	Authorised Official	None		
22(b)	Deciding to take along an interpreter for the better exercising of any power or the performance of any duty or function	Authorised Official	None		
22(c)	Ordering any person at or in a public amenity who contravenes or fails to comply with the Bylaw to leave such amenity	Authorised Official	None		
	Having a person at or in a public amenity who contravenes or fails to comply with the Bylaw removed from such amenity	Authorised Official	None		
	Refunding any money paid by a person who has been ordered to leave or who has been removed from a public amenity	-	Chief Financial Officer		

### Bylaws regarding solid waste and sanitation

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	Approving the rendering of a particular service (for the collection and removal of refuse)	Council	Director Municipal and Social Services		
2(2)	Requiring the occupier of premises on which refuse is generated to avail her-/himself to the Municipality's service for the collection and removal of such refuse	Council	Director Municipal and Social Services		
2(4)	Giving written authority to a person to remove or dispose of domestic or business refuse for her-/himself or any other person	Council	Director Municipal and Social Services	<b>NOTE:</b> The bylaw states that an authority may only be withdrawn "... <i>if any of the aforesaid conditions are not satisfactorily maintained</i> ". However, the bylaw does not expressly permit/empower the Council to impose any conditions on such authority	
	Withdrawing an authority granted to a person to remove or dispose of domestic or business refuse for himself or any other person	Council	Director Municipal and Social Services		
3(1)	Receiving notification from the occupier or owner of premises that refuse is being generated on the premises concerned	-	Director Municipal and Social Services		
3(2)	Determining the manner in which owners or occupiers of premises shall furnish the Council with all particulars required in regard to the composition of refuse generated on premises	Council	Director Municipal and Social Services		
	Determining the particulars the Council requires in regard to the composition of refuse generated on premises	-	Director Municipal and Social Services	<b>NOTE:</b> S 22 determined as follows – " <i>Notwithstanding any provision to the contrary the Council shall determine the ... nature of any refuse.</i> "	
4(1)	Determining the number and type of containers required on a premises	Council	Director Municipal and Social Services		
4(2)	Deciding whether to require the owner of premises to supply the number and type of containers determined by the Council	Council	Director Municipal and Social Services		
4(3)	Deciding whether the Municipality shall supply a container	-	Director Municipal and Social Services		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Deciding whether a container which is supplied by the Municipality shall be supplied free of charge, at ruling prices or at a hiring tariff	Council	Director Municipal and Social Services		
4(4)	Determining the amount for which the owner of premises is liable to the Municipality for damage to, or the loss of, a container supplied by the Municipality free of charge or at a hiring tariff	-	Director Municipal and Social Services		
5(1)	Approving the sufficient space on premises to be provided by the owner or occupier for the storage of containers	Council	Director Municipal and Social Services		
5(2)	Directing that the space provided on premises for the storage of containers may be visible from a street or public place	Council	Director Municipal and Social Services		
5(3)	Determining whether containers with a conserving capacity of less than 0.1m <sup>3</sup> must be equipped with a bin liner	Council	Director Municipal and Social Services		
	Determining the quality and colour of plastic bin liners to be placed in containers	Council	Director Municipal and Social Services		
	Determining whether the occupier or owner must supply bin liners	Council	Director Municipal and Social Services		
5(4)	Determining the day(s) on which bin liners containing refuse shall be removed	Council	Director Municipal and Social Services	<b>NOTE:</b> S 22 determined as follows – “ <i>Notwithstanding any provision to the contrary the Council shall determine the frequency of the removal ... of any refuse.</i> ”	
	Determining in what position, other than outside the fence or boundary of premises on the street boundary, bin liners containing refuse may be placed	Council	Director Municipal and Social Services		
5(8)	Indicating a position within or outside premises where containers shall be placed for collection in the case of	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	buildings erected prior to the Bylaws coming into effect and where the Municipality is, in the opinion of the Council, unable to collect and remove refuse from a space indicated by the Council				
	Prescribing the times and periods during which containers must be placed for collection	Council	Director Municipal and Social Services		
6(1)(a)	Requiring the owner or occupier of premises generating business refuse to provide a suitable wire cage or container for storing swill for consumption or material to be recycled as part of a manufacturing process	Council	Director Municipal and Social Services		
	Prescribing the size and type of a wire cage or container used to store recyclable materials or swill	Council	Director Municipal and Social Services		
6(1)(b)	Deciding to recover cost incurred or losses suffered due to work loss, medical cost or damage to refuse bins and refuse bin liners caused by placing garden refuse, building rubble or material other than household refuse, sharp glass or other items which may cause injury to workers into a refuse bin or refuse bin liner	Council	Director Municipal and Social Services		
	Determining the amount of cost incurred or loss suffered due to work loss, medical cost or damage to refuse bins and refuse bin liners caused by placing garden refuse, building rubble or material other than household refuse, sharp glass or other items which may cause injury to workers into a refuse bin or refuse bin liner to be recovered		Director Municipal and Social Services		
7(1)	Forming an opinion as to whether the	Council	Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	major portion of business refuse generated on premises are compactable		and Social Services		
	Approving equipment to be used to shred or compact compactable refuse	Council	Director Municipal and Social Services	See s 7(5)	
	Instructing the occupier or owner of premises that business refuse generated on premises must be compacted		Director Municipal and Social Services		
8(3)	Designating a disposal site for the disposal of garden refuse and bulky refuse	Council	Director Municipal and Social Services		
10(2)	Consenting to builder's refuse being deposited at a place other than the Municipality's disposal site for the purpose of reclaiming land	Council	Director Municipal and Social Services		
10(3)	Imposing conditions on any consent granted for builder's refuse to be deposited at a place other than the Municipality's disposal site for the purpose of reclaiming land	Council	Director Municipal and Social Services		
11(2)	Deciding to dispose of the carcass of a dead animal which died within the Municipality	Council	Director Municipal and Social Services		
12(1)	Receiving notification of the owner or occupier of premises that objectionable refuse is generated on premises, the composition of such refuse and the quantity generated		Director Municipal and Social Services		
12(2)	Requiring the owner or occupier of premises where objectionable refuse is generated to have the composition thereof analysed by an industrial chemist or person nominated by the Council	Council	Director Municipal and Social Services		
12(3)	Authorising one or more persons to enter premises to ascertain whether objectionable refuse is being generated on premises and to take samples for	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	analysis thereof				
12(4)	Receiving notification from the owner or occupier that the composition and quantity of the objectionable refuse generated on premises has changed		Director Municipal and Social Services		
13(3)	Ordering the owner or occupier of premises on which objectionable refuse is generated and who stores it in a manner the causes a nuisance or pollutes the environment to remove such refuse from the premises	Council	Director Municipal and Social Services		
	Determining the period during which the owner or occupier of premises on which objectionable refuse is generated and stored in a manner the causes a nuisance or pollutes the environment to remove such refuse from the premises	Council	Director Municipal and Social Services		
14(1)	Consenting to the removal and disposal of objectionable refuse generated on premises	Council	Director Municipal and Social Services		
	Imposing conditions on any consent granted to remove and dispose of objectionable refuse generated on premises	Council	Director Municipal and Social Services		
14(3)	Ascertaining whether a person who applied for consent to remove and dispose of objectionable refuse generated on premises (a) is competent, (b) has the equipment to remove such refuse and (c) will be able to comply with the conditions determined by the Council	Council	Director Municipal and Social Services		
14(4)	Determining the intervals at which the owner or occupier of premises on which objectionable refuse is generated shall inform the Council of the identity of the remover of such refuse, the date of removal, the quantity removed and its	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	composition				
15(1)(b)	Determining whether refuse brought to a disposal site for disposal must be weighed	Council	Director Municipal and Social Services		
	Determining the manner in which refuse brought to a disposal site for disposal shall be presented	Council	Director Municipal and Social Services		
15(1)(c)	Issuing instructions with regard to accessing the actual disposal point, the place where and the manner in which refuse brought onto a disposal site shall be deposited	Council	Director Municipal and Social Services		
15(2)(b)	Granting approval to a person to burn any refuse on a disposal site	Council	Director Municipal and Social Services		
15(3)	Determining the times during which persons may enter a disposal site for the purpose of depositing refuse	Council	Director Municipal and Social Services		
16(1)	Authorising a person to remove or interfere with refuse and bin liners removed by the Municipality and refuse on disposal sites	Council	Director Municipal and Social Services	<b>NOTE:</b> S 16(1) reads as follows: “All refuse and bin liners removed by the Council and all refuse on disposal sites controlled by the Council and no person who is not duly authorised by the Council to do so, shall remove or interfere therewith”	
16(2)	Granting permission for the disposal of refuse generated on premises outside the Municipality at a disposal site of the Municipality	Council	Director Municipal and Social Services		
19(1)	Forming an opinion as to whether a article, other than an abandoned vehicle, found at a place has been abandoned	Council	Director Municipal and Social Services		
	Deciding whether an article, other than an abandoned vehicle, which apparently has been abandoned should be removed and disposed of	Council	Director Municipal and Social Services		
20(1)	Deciding whom shall be liable to the		Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Municipality for the charges payable in respect of the removal and disposal of an article, other than a vehicle, which was apparently abandoned		and Social Services		
21(2)	Determining whether rendering a refuse removal service to any premises may cause damage to property or injury to a person	Council	Director Municipal and Social Services		
	Requiring the owner or occupier of premises where the rendering of a refuse removal service may cause damage to property or injury to a person to indemnify the Municipality in writing in respect of any such damage or injury or any claims which may arise	Council	Director Municipal and Social Services		
22	Determining the frequency of the removal of any refuse	Council	Director Municipal and Social Services		
	Determining the nature of any refuse	Council	Director Municipal and Social Services		
23	Forming an opinion as to whether refuse has accumulated on premises to such an extent that it must be removed	Council	Director Municipal and Social Services		
	Deciding whether the Municipality shall remove refuse which has accumulated on premises to such an extent that it must be removed	Council	Director Municipal and Social Services		
	Deciding whether the owner or occupier of premises (they not being the same person) shall be liable for paying the relevant charges where the Municipality has removed refuse which has accumulated on premises to such an extent that it had to be removed		Director Municipal and Social Services		
24(1)	Determining the manner, other than in writing, in which application may be made for rendering or terminating the	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	refuse collection or removal services rendered to premises				
24(2)	Receiving notification of the owner of premises that no domestic or business refuse is generated on premises	Council	Director Municipal and Social Services		
25(4)	Deciding to levy and collect charges in respect of a refuse removal service rendered to premises in the absence of an application having been received to render such service	Council	Director Municipal and Social Services		

## Library bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Admitting a person to the library	Council	Director Municipal and Social Services		
3(1)(a)	Granting membership of the library to any person who resides or is employed in or who pays taxes to the Municipality	Council	Director Municipal and Social Services	Membership of the library may be granted only if the applicant undertakes to subject her-/himself to the bylaws and any rules made by the Council for conducting the business of the library	
	Determining the provisions to which a person shall subject her/him when becoming a member of the library	Council	Director Municipal and Social Services		
3(1)(b)	Granting membership of the library to a pre-school or school-going child	Council	Director Municipal and Social Services	Membership of the library may be granted to a pre-school or school-going child if her/his parent or guardian consents in writing and undertakes to stand surety for that child to comply with the bylaws and any rules made by the Council for conducting the business of the library	
3(1)(c)	Prescribing a form to be used to apply for membership of the library	Council	Director Municipal and Social Services		
3(1)(d)	Issuing a membership certificate to a member of the library	Council	Director Municipal and Social Services		
	Determining the number of items of library material a member of the library may borrow from the library	Council	Director Municipal and Social Services		
3(1)(e)	Determining the period during which a certificate of membership of the library is valid	Council	Director Municipal and Social Services		
3(2)	Deciding to grant membership of the library to a person who reside outside the Municipality	Council	Director Municipal and Social Services		
3(5)	Deciding to issue a duplicate membership certificate to a member of the library who lost her/his certificate	Librarian	Director Municipal and Social Services		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(6)	Prescribing a form to be used by organisations or similar bodies to apply for membership of the library	Council	Director Municipal and Social Services		
5(a)	Extending the borrowing period of library material	Council	Director Municipal and Social Services	Provided that – (a) the borrower has applied for such extension; and (b) no other member of the library demands such material	
6(2)	Exempting a person from payment of a fine for late return of any library material	Council	Director Municipal and Social Services	Only if the Council is satisfied that the late return of the material is due to circumstances beyond the borrower's control	
6(3)	Determining "fine free" periods in order to obtain overdue library material	Council	Director Municipal and Social Services		
7	Laying down regulations with which a library member wishing to reserve library material must comply	Council	Director Municipal and Social Services	<b>NOTE:</b> S 7 of the bylaws determines as follows: <i>"A member may, after complying with the regulations laid down by the Council, reserve library material. If the requested material cannot be supplied, no refunds will be made."</i>	
8(1)	Determining the replacement value of or an amount to make good damages to an item of library material which a borrower damaged or lost	Council	Director Municipal and Social Services		
	Determining whether a copy of library material offered by a borrower to replace a lost or damaged item of library material is acceptable	Council	Director Municipal and Social Services		
10(1)	Deciding whether to appoint an advisory library committee in respect of any or all libraries controlled and conducted by the Municipality	Council	None		
10(2)	Determining whether a councillor or a manager of the Municipality shall be a member of a library advisory committee	Council	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Electing/appointing a councillor or manager as a member of a library advisory committee	Council	None		
	Appointing other members of a library advisory committee	Council	None		
11	Setting aside parts of the library for special purposes	Council	Director Municipal and Social Services		
12	Approving the use of the group activities halls and the art gallery	Council	Director Municipal and Social Services		
	Laying down conditions for the use of the group activities halls and the art gallery	Council	Director Municipal and Social Services		
13	Determining the hours during and days on which the library shall be open	Council	Director Municipal and Social Services		

**(Draft) Fire service bylaws**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
2(1)	Deciding to establish a fire service	Controlling Authority	None		
2(2)(a)	Appointing a chief fire officer	Controlling Authority	None		
2(2)(b)	Appointing an acting chief fire officer	Controlling Authority	Municipal Manager	1. Only if the chief fire officer is unable to perform her/his functions. 2. Only a member of the fire service may be appointed as acting chief fire officer	
2(3)	Deciding whether to enter into an agreement with another controlling authority in terms of which the parties undertake to co-operate on the conditions as may be agreed upon or with any other person in terms of which the controlling authority undertakes to make available its service to that person, or in terms of which that person undertakes to make available his material or equipment to the controlling authority in or outside the Municipality or the Province	Controlling Authority	None		
3(1)	Authorising a member of the fire service to drive a fire service vehicle	Chief Fire Officer	None		
4(1)	Ensuring that – (a) adequate manpower and appropriate apparatus and equipment are available and used at every emergency situation; (b) every emergency situation is assessed and any additional equipment or assistance need is sent for; and (c) pertinent information is recorded and preserved	Chief Fire Officer  Member of the Service in charge of an emergency situation	None		
4(2)	Receiving a written application from a	Chief Fire Officer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	state department, including the SAPS, to inspect any information recorded at an emergency situation				
4(3)	Determining policy guidelines for press releases concerning or connected with emergency situations	Controlling Authority	None		
6(2)(a)	Seizing any certificate of fitness or registration or spraying permit	Member of the fire service	None	Only if – (a) the conditions or endorsements in the certificate or permit is not being complied with; and (b) there is reasonable grounds to suspect that unauthorised changes have been made thereto	
6(2)(b)	Instituting prosecution against a person for not complying with the conditions or endorsements in a certificate of fitness or registration or spraying permit	Member of the fire service	None		
6(2)(b)	Seizing any objects on premises connected to a certificate of fitness or registration or spraying permit which may provide reasonable proof that the conditions or endorsements in the certificate or permit is not being complied with and remove such object to a place for safe custody	Member of the fire service	None	On condition that – (a) the Chief Fire Officer has granted prior written approval for the seizure (b) proof of the seizure must be issued to the person from whom the object is seized (c) the object is returned when an order in terms of the Fire Brigade Services Act 1987 has been issued or a prosecution has been instituted and finalised	
6(3)	Sealing off any building or premises by temporarily closing any street, passage or place	Member of the fire service	None	Only if it is necessary for – (a) the public safety; and (b) to effectively fight a fire or deal with an emergency which may give rise to fire or explosion	
	Removing a person who refuses to leave a closed street, passage or place after having been requested to do so forcibly	Member of the fire service	None		
6(4)	Designating members of the fire service to be trained and appointed as peace officers, messengers of the court,	-	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	inspectors of explosives and inspectors in terms of the Hazardous Substances Act 1973				
7(1)	Granting approval for the fire service to use any equipment and/or manpower to its disposal to provide a special service connected with its aims	Controlling Authority	Director Municipal and Social Services		
7(2)	Summarily withdrawing equipment and/or manpower supplied to provide a special service connected with the aims of the fire service if required elsewhere for or in connection with an emergency situation	-	Director Municipal and Social Services		
9(2)	Granting written authority to burn, have burned or permit refuse, wood, straw or other combustible material to be burned not using an appropriate incinerating device	Fire Service	Chief Fire Officer		
11(2)	Serving on the occupier of premises written instructions, fire protection directives and requirements to rectify conditions on that premises in order to reduce any fire risk and/or to protect life and property, together with a deadline for making such rectifications	Member of the Fire Service who is a peace officer, messenger of the court, explosive inspector and inspectors in terms of the Hazardous Substances Act 1973	None		
11(3)(a) and (c)	Approving a programme and deadline submitted by the occupier of premises with regard to rectifications required to be made to the premises concerned	Fire Service Chief Fire Officer	None	The chief fire officer may amend the proposed measures to be taken and deadline and may give instructions for compliance with the deadline	
13(4)	Consenting to the planning, design and installation of an automatic sprinkler system on premises	Fire Service	Chief Fire Officer		
15(2)	Receiving written notices for persons who inspect, renews, replaces or works on fixed fire extinguishing installations if	Fire Service	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	she/he finds that the installation concerned cannot be readily repaired to a functional state				
15(3)	Receiving the service records of fire fighting equipment and other appropriate service installations from the owners of premises every 12 months	Fire Service	Chief Fire Officer		
18(1)	Participating in the design, layout and construction of any dumping site of whatever nature	Fire Service	Chief Fire Officer		
19(1)(a)	Designating premises for the preparation of an emergency evacuation plan	Fire Service	Chief Fire Officer		
	Inspecting an emergency evacuation plan for premises	Fire Service	Chief Fire Officer		
	Approving an emergency evacuation plan for premises	Fire Service	Chief Fire Officer		
19(2)(a)	Providing directives for the updating and/or amendment of an emergency evacuation plan	Fire Service	Chief Fire Officer		
19(2)(b)	Instructing the owner or occupier of premises to implement such fire protection programmes as may, in the opinion of the chief fire officer, be necessary to ensure the safety of occupiers of the premises concerned	Fire Service	Chief Fire Officer		
	Determining fire protection programmes to be implemented by owners or occupiers of premises which are necessary to ensure the safety of occupiers of the premises concerned	Chief Fire Officer	None		
19(2)(c)	Requiring the owner or occupier of premises to furnish a certified copy of any emergency evacuation plan and relevant documents	Fire Service	Chief Fire Officer		
20(1)	Receiving written applications, on the prescribed application form, for	Fire Service	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	certificates of fitness for public buildings or temporary structures erected or intended for holding public gatherings			all official documents in connection with the Bylaws in accordance with the prevailing policy	
20(3)	Endorsing a certificate of fitness in accordance with section 20(3)(a) to (i), inclusive	-	Chief Fire Officer		
20(5)	Receiving written notice from the holder of a certificate of fitness when the trade name of the public building in respect of which such certificate is held changes	Fire Service	Chief Fire Officer		
20(9)(a)	Receiving applications, on the prescribed application form, for the annual renewal of a certificate of fitness	Fire Service	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy	
20(9)(b)	Deciding to send a reminder notification to holders of certificates of fitness with regard to the renewal thereof	Fire Service	Chief Fire Officer		
21(4)	Liaising with the Chief Engineer: Water Supply to enable the engineer to increase the water supply to an emergency situation if such emergency occurs during peak domestic water consumption periods	Fire Service	Chief Fire Officer		
21(5)(b)	Consulting with the person installing a water supply system in an area regarding the installation of fire hydrants	Fire Service	Chief Fire Officer		
21(10)	<i>Approving a complete set of ...</i>	-	Chief Fire Officer	S 21(10) reads as follows: <i>"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 ..."</i>	
22(2)	Approving a plan for making additions or alterations to premises in respect of	Chief Fire Officer Manager Civil	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	which a current fitness certificate exists	Engineering			
23(1)	Receiving plans for the changing of a building's floor layout, building an addition, making an alteration or the upgrading or renovation of a building or the construction of bulk, above-ground or underground installations for the use, storage or handling of hazardous substances	Controlling Authority	Chief Fire Officer		
	Prescribing a form for the submission of plans regarding the changing of a building's floor layout, building an addition, making an alteration or the upgrading or renovation of a building or the construction of bulk, above-ground or underground installations for the use, storage or handling of hazardous substances	-	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy	
23(5)	Approving a plan for changing of a building's floor layout, building an addition, making an alteration or the upgrading or renovation of a building or the construction of bulk, above-ground or underground installations for the use, storage or handling of hazardous substances	Fire Service (Plan Analysis Section or Hazardous Substances Section)	Chief Fire Officer		
24(1)	Issuing a certificate of registration for the use, handling or storage of quantities of hazardous substances on premises	-	Chief Fire Officer		
24(5)	Receiving written applications for registration of premises where hazardous substances will be used, handled or stored	Fire Service	Chief Fire Officer		
26(6)(a)	Designating a conspicuous place on premises where hazardous substances are used, handled or stored where the registration certificate must be displayed	Member of the Fire Service	None		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
26(6)(j)	Receiving written applications for the renewal of registration certificates	Fire Service	Chief Fire Officer		
26(6)(l)(i)	Receiving applications for transferring a registration certificate from one person to another	Fire Service	Chief Fire Officer		
26(6)(l)(ii)	Receiving notification that the trade name of premises where hazardous substances are used, handled or stored has changed	Fire Service	Chief Fire Officer		
26(7)(a)	Prescribing an application form for applying for changes to be made to a registration certificate	Fire Service	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy	
	Receiving applications for changing any detail on a registration certificate	Fire Service	Chief Fire Officer		
26(7)(b)	Approving applications for changing any detail on a registration certificate	Fire Service	Chief Fire Officer		
26(8)	Deciding to remind holders of registration certificates that the relevant certificates must be renewed	Fire Service	Chief Fire Officer		
27(1)	Prescribing an application form for submitting an application for renewal of a spraying permit or certificate of registration	-	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy  See also, in respect of applications for the issuing or renewal of spraying permits, s 48(3)(i)	
	Receiving applications for renewal of a spraying permit or certificate of registration	-	Chief Fire Officer	In terms of s 48(3)(i) an application for the issuing or renewal of spraying permits must be submitted to the Chief Fire Officer	
	Requiring further, additional and/or amended plans in respect of premises for	Fire Service	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the purpose of considering an application for renewal of a spraying permit or certificate of registration				
	Approving an application for renewal of a spraying permit or certificate of registration	-	Chief Fire Officer		
28(1)	Prescribing an application form for submitting an application for a temporary certificate of registration for premises where hazardous substances are used, handled or stored	-	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy  Such a certificate may be issued for a maximum period of 6 months	
	Granting an application for a temporary certificate of registration for premises where hazardous substances are used, handled or stored	-	Chief Fire Officer	The period during which a temporary certificate of registration is valid is in the discretion of the Chief Fire Officer, provided that it may not be valid for longer than 6 months	
31(1)	Specifying the size of symbolic signs prohibiting smoking and open flames in areas where flammable and/or explosive hazardous substances are used	Fire Service	Chief Fire Officer		
32(1)(a)	Specifying the type of fire extinguisher to be provided additionally to those prescribed in the section	Fire Service	Chief Fire Officer		
	Forming an opinion as to whether exceptional hazardous or risks necessitates a larger number of fire extinguishers than the number prescribed in the section to be provided	Fire Service	Chief Fire Officer		
33(1)	Receiving reports from the occupiers of premises of any fire, accident or dumping involving hazardous substances on the premises concerned that has caused damage to property, the ecology of the environment or injury to human beings or	Fire Service	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	animals				
34(1)	Deciding to take a sample of any substances found on premises suspected to be hazardous	Member of the Fire Service conducting an inspection of premises	None		
34(1)(c)	Accrediting an institution for analysing and reporting on samples of suspected hazardous substances taken on premises	Fire Service	Chief Fire Officer		
	Determining the expense incurred in taking a sample of a suspected hazardous substance to an accredited institution for analysis and of performing such analysis	-	Chief Fire Officer		
	Collecting the expense incurred in taking a sample of a suspected hazardous substance to an accredited institution for analysis and of performing such analysis from the occupier of the premises where the sample was taken	-	Chief Finance Officer		
	Deciding whether and, if so, what legal steps to take where a substance found on premises is hazardous	Fire Service	Chief Fire Officer		
37(1)	Receiving notification from a person intending to erect, install, remove, demolish, extend or change a delivery pump, storage tank or facility, storeroom, spraying room, gas installation, fire protection arrangement, and floor layout	Fire Service	Chief Fire Officer		
37(3)(b)	Receiving applications for the reissuing of a certificate of fitness or registration or spraying permit after completing any construction or installation on premises in respect of which a certificate or permit has already been issued	-	Chief Fire Officer		
38(2)(a)	Receiving notification from a person	Chief Fire Officer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	intending to explode explosives				
38(2)(b)	Imposing fire protection measures according to the circumstances in question on the explosion of explosives	Chief Fire Officer	None		
38(3)	Granting permission to a person to discharge fireworks	Chief Fire Officer	None		
38(4)	Confiscating explosive of fireworks used or intended to be used in breach of the Bylaws	-	Chief Fire Officer		
	Determining the cost of disposing of confiscated fireworks and explosives	-	Chief Fire Officer		
	Recovering the expense incurred in disposing of confiscated fireworks and explosives	-	Chief Finance Officer		
39(5)(b)	Demanding and receiving from the prospective user of liquid petroleum gas scientifically based proof (issued by an approved professional engineer or other registered competent person) that there is sufficient natural ventilation from the room in a residence where such gas is to be used to the outdoors to ensure that any gas concentration in the room that may be caused by a (potential) leakage of the gas and/or negligence will be neutralised so as to be less than the recognised explosive level for gas	Fire Service	Chief Fire Officer		
39(5)(b)(i)	Approving professional engineers for the purpose of issuing scientifically based proof that there is sufficient natural ventilation from the room in a residence where such gas is to be used to the outdoors to ensure that any gas concentration in the room that may be caused by a (potential) leakage of the gas and/or negligence will be neutralised so as to be less than the recognised	-	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	explosive level for gas				
39(6)(a)	Granting permission to a person to use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices and/or hydrogen balloons indoors	Chief Fire Officer	None		
39(7)	Prescribing fire protection requirements for the installation, storage and use of acetylene welding and/or cutting devices indoors	Chief Fire Officer	None		
39(9)(a)(iii)	Approving markers to be used to mark an underground pipeline installed for a Group II hazardous substance	Chief Fire Officer	None		
39(9)(a)(iii)	Approving a standard for the installation and extension of an underground pipeline installed for a Group II hazardous substance or branches to consumers' of such substance premises	-	Chief Fire Officer	<b>NOTE:</b> The number of the subsection has been repeated	
39(9)(a)(v)	Granting and issuing written authorisation to a construction company to perform construction work above or below the ground within 16 m from a pipeline reserve	Controlling Authority	Chief Fire Officer		
41(1)(c)	Receiving plans for the installation of storage tanks, pumps and filling devices installed indoors for Group III hazardous substances	Controlling Authority	Chief Fire Officer		
	Prescribing a form for the submission of plans for the installation of storage tanks, pumps and filling devices installed indoors for Group III hazardous substances	-	Chief Fire Officer	In terms of Annexure II, Paragraph A.1 the fire service must design and draw up all official documents in connection with the Bylaws in accordance with the prevailing policy	
	Approving a plan for the installation of storage tanks, pumps and filling devices installed indoors for Group III hazardous substances	Fire Service (Plan Analysis Section or Hazardous Substances	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
		Section)			
	Issuing a certificate of registration for the use, handling or storage of quantities of Group III hazardous substances on premises	-	Chief Fire Officer		
	Receiving written applications for registration of premises where Group III hazardous substances will be used, handled or stored	Fire Service	Chief Fire Officer		
44(1)	Issuing a permit for the transport of hazardous substances in the Municipality	Fire Service (Hazardous Substances Registration Office)	Chief Fire Officer		
44(3)	Sending a reminder for renewal of a transport permit to the owner of vehicle in respect of whom a transport permit is due to lapse	Fire Service	Chief Fire Officer		
46(5)(a)	Approving locks for doors of a storeroom used for storing hazardous substances	Chief Fire Officer	None		
46(12)	Receiving a certificate regarding the installation of an electrical installation in a storeroom used for storing hazardous substances issued by a suitable qualified electrician	Fire Service	Chief Fire Officer		
48(3)(a)	Designating a place in premises in respect of which a spraying permit was issued where that permit must be displayed	Member of the Fire Service	None		
48(3)(g)(i)	Receiving applications for the transfer of a spraying permit from control or from owner to owner on the same premises	Fire Service	Chief Fire Officer		
	Granting an application for the transfer of a spraying permit from control or from owner to owner on the same premises	-	Chief Fire Officer		
48(3)(g)(ii)	Receiving notification from the holder of a spraying permit that the trade name of	Fire Service	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the premises in respect of which such permit is held has changed				
48(3)(j)(i)	Receiving an application for amending the number of spraying rooms/booths indicated on a spraying permit	Chief Fire Officer	None		
48(3)(j)(ii)	Granting an application to amend the number of spraying rooms/booths indicated on a spraying permit	Chief Fire Officer	None		
48(4)	Deciding to remind holders of spraying permits to renew them	Chief Fire Officer	None		
49(10)	Receiving a certificate regarding the installation of an electrical installation in a spraying room issued by a suitable qualified electrician	Chief Fire Officer	None		
49(18)(a)	Determining the positions where fire extinguishers provided for a spraying room must be installed	Chief Fire Officer	None		
50(1)(a)	Authorising a suitably qualified person to handle and/or put down any animal during an emergency on premises	Fire Service	Chief Fire Officer		
50(1)(b)	Determining the cost involved in the handling and/or putting down of animals during an emergency on premises by a suitable qualified person	Fire Service	Chief Fire Officer		
	Deciding to recover the expense incurred during the handling and/or putting down of animals during an emergency on premises by a suitable qualified person	Fire Service	Chief Fire Officer		
	Deciding, if it intends to recover the expense incurred during the handling and/or putting down of animals during an emergency on premises by a suitable qualified person, whether such expense shall be recovered on the owner or the institution responsible for the care of the animals concerned	Fire Service	Chief Fire Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Annex 1 2.A(5)	Deciding to limit the total amount payable for using the fire service in connection with a building used exclusively for residential purposes to a maximum of R 2,000	Chief Fire Officer	None		
Annex 1 2.B	Ensuring that fees referred to in the Annexure are adjusted to keep trend with inflation according to the user price index	Fire Service	Chief Fire Officer	<b>NOTE:</b> It is likely that this provision may fall foul of section 160(2) of the Constitution	



# **Bylaws relating to the licensing of public vehicles**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
4	Allocating a standing place to a public motor vehicle conveying passengers	License Authority	Director Municipal and Social Services		
5	Receiving applications for municipal licenses for public motor vehicles	License Authority	Director Municipal and Social Services		
6	Issuing a municipal license for a public motor vehicle	-	Director Municipal and Social Services		
7(a)	Requesting the driver of a public motor vehicle to produce the municipal license document for examination	Authorised Officer	Director Municipal and Social Services		
10(a)	Determining the penalty payable for late application to renew a municipal license in respect of a public motor vehicle	-	Council		
11	Amending a municipal license for a public motor vehicle where the vehicle is substituted for another or has changed ownership	License Department	Director Municipal and Social Services		

### Parking ground bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(1)(a)	Receiving payments of parking fees	Authorised Official	None		
3(1)(b)	Issuing directions to a person for parking a vehicle	Authorised Official	None		
	Indicating a place where a person must park where parking bays have not been demarcated in a parking ground where parking is controlled by issuing tickets or receipts	Authorised Official	None		
3(1)(d)	Indicating to persons that a parking ground where parking is controlled by issuing tickets or receipts is full	Authorised Official	None		
3(2)	Issuing a ticket or receipt upon receipt of payment of the parking fee at a parking ground where parking is controlled by issuing tickets or receipts is full	Authorised Official	None		
3(3)	Requesting a person who parked a vehicle in a parking ground where parking is controlled by issuing tickets or receipts is full to produce the receipt or ticket issued to her/him for inspection	Authorised Official	None		
4(1)	Issuing a ticket or receipt for payment of the prescribed parking fee to a person presenting a vehicle at a parking ground where the actual parking of vehicles is controlled wholly or partly by a mechanical device	Authorised Official Mechanical Device	None		
4(2)	Requiring a person who claims that she/he has the right to require delivery of a vehicle parked at a parking ground where the actual parking of vehicles is controlled wholly or partly by a mechanical device and who produces proof other than the receipt or ticket she/he received when payment was	Authorised Official	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	received to sign an indemnity holding the Municipality harmless against any claim by any person directly or indirectly arising from the delivery of the vehicle concerned				
	Requiring a person who claims that she/he has the right to require delivery of a vehicle parked at a parking ground where the actual parking of vehicles is controlled wholly or partly by a mechanical device and who produces proof other than the receipt or ticket she/he received when payment was received to furnish adequate security	Authorised Official	None		
	Determining what security would be adequate for delivering a vehicle to a person who claims that she/he has the right to require delivery of the vehicle concerned which was parked at a parking ground where the actual parking of vehicles is controlled wholly or partly by a mechanical device and who produces proof other than the receipt or ticket she/he received when payment was received	Authorised Official	None		
5(1)	Determining the amount payable when a vehicle is left in or on a parking ground (other than a parking ground where the actual parking of vehicles is controlled wholly or partly by a mechanical device) during the intervening parking period and the next	-	Council		
6(1)	Deciding to issue to an official a ticket/ card entitling that official, when using a vehicle on the business of the Municipality and provided space therein is available, to park it free of charge in or	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	on a parking ground specified on the ticket/card				
6(3)	Deciding to allow any person to park free of charge in or on any parking ground during certain times or on certain days or for any other purpose determined by the Council	Council	Director Municipal and Social Services		
7(1)	Deciding to issue, in respect of a parking ground where provision is made for covered parking, a voucher for parking a vehicle in a specific parking bay for a specified period	Council	Director Municipal and Social Services		
8	Granting permission, in exceptional circumstances, to park a vehicle with a gross vehicle mass exceeding 3,500 kg in or on a parking ground	Manager: Public Safety	-		
9(1)	Deciding to close a parking ground or portion thereof, temporarily or permanently	Council	Director Municipal and Social Services		
12(1)(k)	Granting permission to fill a vehicle in or on a parking ground with, or drain fuel from a vehicle in or on a parking ground	Council	Director Municipal and Social Services		
14	Authorising a person (except a passenger in a vehicle) to enter or be in or on a parking ground otherwise than for the purpose of parking a vehicle or lawfully removing it there from	Council	Director Municipal and Social Services		
15	Moving or causing a vehicle that has been parked or stopped in such a position that it is likely to obstruct or impede the movement of other vehicles or people in a parking ground to be moved to another part of a parking ground	Authorised Official	None		
	Determining the cost of moving or having a vehicle that has been parked or	-	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	stopped in such a position that it is likely to obstruct or impede the movement of other vehicles or people in a parking ground moved to another part of a parking ground				
	Deciding to collect the expense incurred in moving or causing a vehicle that has been parked or stopped in such a position that it is likely to obstruct or impede the movement of other vehicles or people in a parking ground to be moved to another part of a parking ground on the owner thereof	Council	Chief Financial Officer		
16	Refusing to admit a vehicle to a parking ground if that vehicle is like to cause damage to persons or property or an obstruction or undue inconvenience due to its length, width or height	Authorised Official	None		
18	Exempting any person or group of persons from the Bylaws	Council	Director Municipal and Social Services		

## Parking meter bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Determining the hours during which payment shall be made for parking in a demarcated parking bay equipped with a parking meter	Council	Director Municipal and Social Services		
4(c)	Removing or having a vehicle parked in a demarcated parking bay equipped with a parking meter for being parked contrary to the Bylaws	Council Authorised Officer	Director Municipal and Social Services		
7	Permitting a person to affix and maintain advertisements on parking meters	Council	Director Municipal and Social Services		
7(e)	Determining whether damage to a parking meter may be a consequence of affixing, repairing or maintaining a frame or disc used to display an advertisement there-on or its presence on the meter box	-	Director Municipal and Social Services		
	Determining, if damage to a parking meter may be attributed to affixing, repairing or maintaining a frame or disc used to display an advertisement there-on or its presence on the meter box, the amount of such damage	-	Director Municipal and Social Services		
7(g)	Removing and returning a frame or disc used to display an advertisement on a parking meter to the owner thereof when the use of any parking meter is discontinued permanently or temporarily or it is removed for repair	Council	Director Municipal and Social Services		
9	Placing or erecting road traffic signs indicating that there shall be no parking at any demarcated parking bay(s)	Council	Director Municipal and Social Services		
	Parking or causing to be parked a vehicle or motorcycle in a demarcated parking bay(s) whilst a sign indicating that there shall be no parking in such bay(s) is	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	displayed there at				
11	Approving an official badge or parking disc to be displayed in a prominent place on a vehicle or motorcycle of the Municipality or of an official of the Municipality used in such official's official capacity	Council	Director Municipal and Social Services		

### Bylaws relating to dogs

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(2)	Registering weaned dogs	-	Director Municipal and Social Services		
4(3)	Determining interest to be levied on every account in respect of which tax due has not been paid	Council	None		
5	Issuing duplicate tax receipts	-	Chief Financial Officer		
6	Transferring a receipt for dog tax to a new owner of the dog to which the receipt relates	-	Chief Financial Officer		
7	Reasonably requesting the owner of a dog to produce the dog tax receipt for inspection	Authorised Officer	None		
8(1)	Seizing and impounding a dog	Authorised Officer	None	See also s 11(2) and 16(2)	
8(7)	Releasing an impounded dog	Pound Master	None		
8(8)	Notifying the owner of an impounded dog, if her/his name and address appears on the dog's collar, of its impoundment	Pound Master	None		
9(1)	Deciding to sell or destroy an impounded dog that has not be claimed with 5 days of its impoundment	Authorised Officer	None	<b>NOTE:</b> This section of the bylaws may fall foul of the principles determined in the judgement of <u>Zondi v MEC for Traditional and Local Government Affairs and Others</u> 2006 (3) BCLR 423 (CC)	
9(2)	Forming an opinion as to whether it would be inhuman to keep an impounded dog that is ill, injured or in poor physical condition alive	Pound Master	None		
	Having an impounded dog which is so ill, injured or in such poor physical condition that it would, in the pound master's opinion inhuman to keep it alive destroyed	Pound Master	None		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
14(1)	Ordering the destruction of certain dogs	Council	Director Municipal and Social Services		
17(a)	Entering at any reasonable time and without notice upon any premises to carry out an examination, inspection or enquiry for any purpose connected with the application of the Bylaws	Authorised Officer	None		
	Deciding to take along an interpreter or other assistant when carrying out an examination, inspection or enquiry for any purpose connected with the application of the Bylaws	Authorised Officer	None		
17(b)	Calling upon the owner of a dog to render such assistance or to furnish such information as may be required	Authorised Officer	None		
19(1)	Deciding to establish a dog pound for the purpose of the Bylaws	Council	None		
	Deciding to lease a dog pound established by the Municipality to any person or body	Council	None	Subject to the requirements of sections 77 and 78 of the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000) and such provisions of the Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003) as may be relevant	

### Street and miscellaneous bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Granting written consent for operating or parking a vehicle or motor vehicle on a street for the primary purpose of advertising	Council	Director Municipal and Social Services		
3	Granting written consent to place any rope, wire or pole across a street or hand or placing anything whatsoever thereon	Council	Director Municipal and Social Services		
4(1)	Granting written consent to lop, top, trim, cut down or remove any tree in any street	Council	Director Municipal and Social Services		
4(2)	Granting written consent to display an advertisement on any tree on any street	Council	Director Municipal and Social Services		
5(2)	In writing requiring the owner or occupier of land on which a barbed-wire fence or railing, paling, wall or other barrier, which by reason of having spikes or other sharp or pointed protrusions or by reason of its construction or design is or may become dangerous to members of the public using a street or public place along such fence, railing, paling, wall or other barrier to remove same within a period stated in the notification	Council	Director Municipal and Social Services		
5(3)	Removing a barbed-wire fence or railing, paling, wall or other barrier, which by reason of having spikes or other sharp or pointed protrusions or by reason of its construction or design is or may become dangerous to members of the public using a street or public place along such fence, railing, paling, wall or other barrier which the owner or occupier of such land refuses or fails to remove after expiry of any period of notice to remove same	Council	Director Municipal and Social Services		
8	Granting written consent to hold an auction sale or morning market in any	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	street				
14	Granting written consent for – (a) making or causing to be made a hole, trench, pit or excavation in any street; or (b) removing any soil, macadam, metal from any street	Council	Director Infrastructure and Utilities		
15	Granting written consent for the defacing, marking or painting any street or part thereof	Council	Director Municipal and Social Services		
19(1)	Issuing a permit for keeping any wild or dangerous animal, reptile or insect	Council	Director Municipal and Social Services		
19(2)	Destroying any wild or dangerous animal, reptile or insect which has inherent propensity to attack human beings or is fraught with danger to any person	Authorised Officer	None		
20	Granting written consent to sound or play upon any musical or noisy instrument or sing in any street or public place for profit	Council	Director Municipal and Social Services		
23(1)	Granting written consent to play or permit the playing of any gramophone or to use or permit the use of any loudspeaker or other audible device for the purpose of advertising on or adjacent to or which may be heard in any street or public place	Council	Director Municipal and Social Services		
23(2)	Requiring a person to desist from playing or operating any gramophone, loudspeaker or other audible device for the purpose of advertising on or adjacent to or which may be heard in any street or public place	Authorised Officer	None		
24	Requesting a person to desist from – (a) sitting or lying on any street; (b) standing, congregating, loitering or walking or otherwise acting in a	Authorised Officer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	manner as to cause obstruction to traffic; (c) jostling or otherwise annoying any person using a street; (d) loitering at or within 20 m of the entrance of any place of worship during the time of divine service; or (e) congregating so as to obstruct or annoy persons going to, attending a leaving a place of worship				
27	Granting written permission to plant any tree or shrub in any street	Council	Director Municipal and Social Services	After consultation with the Director Infrastructure and Utilities	
29(2)	Granting permission to organise or hold a street collection	Council	Director Municipal and Social Services	<b>NOTE:</b> The Municipality is, in terms of s 29(3), not obliged to furnish reasons for refusing an application to conduct or organise a street collection. This provision may fall foul of section 5 of the Promotion of Access to Administrative Justice Act 2000 (Act No 3 of 2000)	
29(4)	Deciding to accept an application to organise or conduct a street collection lodged after the closing date	Council	Director Municipal and Social Services		
29(5)	Deciding to call for additional information documentary or other evidence of the financial standing of an applicant for permission to organise or conduct a street collection	Council	Director Municipal and Social Services		
29(6)	Prescribing, when granting an application to organise or conduct a street collection – (a) areas within which such collection may be held; (b) areas within which such collection may not be held; (c) points at which collectors may or may not collect	Council	Director Municipal and Social Services		
31(3)	Demanding that a person making street	Authorised Officer	None		

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
	collections produces her/his appointment letter issued by the Convener of such street collection				
32(1)	Approving display cards, armbands, flags, badges or other articles to be exhibited or distributed in connection with a street collection	Council	Director Municipal and Social Services		
33	Permitting a street collection to commence before 07:00 or to continue after 14:30	Council	Director Municipal and Social Services		

## Traffic bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(1)	Exempting a medical practitioner from the requirement of any bylaw relating to parking	Council	Director Municipal and Social Services		
5	Granting written consent for driving or riding on roller skates or skateboards or any other toy vehicle in any street	Council	Director Municipal and Social Services		
	Determining conditions for driving or riding on roller skates or skateboards or any other toy vehicle in any street	Council	Director Municipal and Social Services		
7(1)	Granting permission for driving animals in certain streets	Council	Director Municipal and Social Services		
	Determining conditions for driving animals in certain streets	Council	Director Municipal and Social Services		
8	Requiring the manner in which persons waiting in a street to gain access to a public place must form a queue	Authorised Officer	None		
8(2)	Removing a person who refuses to obey a lawful instruction or who behaves in a disorderly or improper manner from a queue of persons waiting in a street to gain access to a public place	Authorised Officer	None		
10(1)(a)	Demarcating parking places for taxis	Council	Director Municipal and Social Services		
	Distinguishing demarcated parking places for taxis by applicable traffic signs	Council	Director Municipal and Social Services		
10(1)(b)	Allocating a demarcated parking place to each taxi	Council	Director Municipal and Social Services		
10(2)	Prescribing a token to be issued to a taxi upon allocating a demarcated parking place to it	Council	Director Municipal and Social Services		
	Issuing a token to a taxi upon allocating a demarcated parking place to it to be displayed on that taxi	Council	Director Municipal and Social Services		
10(3)	Deciding to impose charges for allocating	Council	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	demarcated parking places to taxis				
	Deciding the tariff of a charge imposed for allocating a demarcated parking place to a taxi	Council	None		
24 and 25	Approving stands or stopping places where passengers may ascend or alight from, or board, public buses	Council	Director Municipal and Social Services		
29	Issuing a license for driving an animal-drawn public vehicle on a public road	Council	Director Municipal and Social Services		
30	Requesting the driver of an animal-drawn public vehicle to produce her/his license for inspection	Authorised Officer	None		
31	Requesting the owner of an animal-drawn public vehicle to point out the driver to whom she/he has entrusted such vehicle or to furnish her/his name and address	Authorised Officer	None		

## Street trading bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(a)	Leasing or allocating a stand to a hawker	Local Authority	Director Municipal and Social Services	<b>NOTE:</b> All the institutions mentioned in the definition of “local authority” in the Businesses Act 1991 (Act No 71 of 1991) has ceased to exist  See also s 10	
3(f)	Reserving demarcated stands for the specific purpose of conducting business or displaying goods	Local Authority	Director Municipal and Social Services		
3(i)	Permitting a structure to be constructed and used in connection with the business of a hawker	Local Authority	Director Municipal and Social Services		
3(k)	Requesting a hawker to move her/his property so as to permit carrying out of work in relation to a public road, public place or any service, including telecommunications and electricity	Authorised Officer	None		
4(c)	Providing receptacles for disposing of litter generated by the business of a hawker	Local Authority	Director Municipal and Social Services		
11	Granting written consent to trade on a verge contiguous to any place of worship, national monument or public building specified in Schedule D to the Bylaws	Local Authority	Director Municipal and Social Services		
13(b)	Disclosing to a person carrying on trade outside an area specified in Schedule E to the Bylaws, in that half of a public road contiguous to a building used exclusively for residential purposes that the owner, occupier or person in control of any part of such residential building has objected to such trade being conducted	Authorised Official	None		
14	Approving, prescribing and displaying signs, markings or other devices related	Local Authority	Director Municipal and Social Services		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	to the Bylaws				
15(1)	<p>Removing and impounding any goods, article, receptacle, vehicle or structure –</p> <p>(a) which she/he suspects is being used or intended to be used or has been used in or in connection with street trading contrary to the requirements of the Bylaws;</p> <p>(b) which she/he finds at a place where street trading is restricted or prohibited in terms of sections 5 to 13, inclusive; and</p> <p>(c) displayed within 2 m from the entrance to a building, shop or premises</p>	An officer	Director Municipal and Social Services		

**Bylaws relating to the keeping of animals, birds and poultry and businesses involving the keeping of animals, birds and poultry**

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
2(1)	Requiring the person concerned in relation to the keeping of cows for commercial milk production, an agricultural show where animals, birds or poultry are kept temporarily or a laboratory where animals, poultry or birds are kept for research purposes, to comply with one or more provisions of the Bylaws	Health Officer	None		
2(2)	Approving the temporary keeping of a goat for the provision of milk for medical reasons	Health Officer	None		
3(a)	Defining an area as unsuitable for keeping livestock other than poultry and birds or maintaining kennels	Council	Director Municipal and Social Services		
	Granting consent to a veterinary clinic or hospital to operate within an area defined as unsuitable for keeping livestock other than poultry and birds or maintaining kennels	Council	Director Municipal and Social Services		
4(b)	Forming an opinion as to whether premises are so constructed, maintained or situated that the keeping of animals, poultry or birds thereon is likely to cause a nuisance or injury to health	Health Officer	None		
5(1)(a)	Issuing a permit for keeping pigs, goats and rabbits	Health Officer	None		
5(2)	Receiving applications for permits to keep pigs, rabbits and goats	Health Officer	None		
5(4)	Receiving notices from holders of permits for keeping pigs, goats and rabbits that they ceased keeping pigs, goats or rabbits	Health Officer	None		
5(5)	Cancelling a permit to keep pigs, goats	Council	Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	and rabbits		and Social Services		
24 and 25	Approving, where no sewer is available or readily accessible, other means of drainage of – (a) sinks, wash hand basins, baths, shower baths, troughs, floor surfaces, including channels and washing platforms required to be drained; and (b) water discharged from taps	Council	Director Municipal and Social Services		
26(c)	Prescribing the manner in which dead animals must be disposed of	Health Officer	None		

## Public health bylaws and regulations

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Part 1, Ch 2, s 1	Authenticating any document, notice or order issued in terms of the Bylaws which must be authenticated by the Council	Municipal Manager	Director Municipal and Social Services		
Part 1, Ch 2, s 5	Deciding to recover the expense incurred to rectify a breach of any provisions of the Bylaws if the person committing the breach refused or failed to do so	Council	Chief Financial Officer		
	Determining the amount of the expense the Municipality incurred to rectify a breach of any provisions of the Bylaws if the person committing the breach refused or failed to do so	Council	Director Municipal and Social Services		
	Recovering the expense incurred to rectify a breach of any provisions of the Bylaws if the person committing the breach refused or failed to do so, on the person who committed the breach	Council	Chief Financial Officer		
Part IV Ch 1, s 3(b)	Performing such work as may be necessary to ascertain the existence or cause of a nuisance and for remedying it	Council	Director Municipal and Social Services		
	Determining the amount of the expenses incurred by the Municipality when performing such work as may be necessary to ascertain the existence or cause of a nuisance and for remedying it		Director Municipal and Social Services		
	Demanding that the owner or the occupier of the premises concerned or the author of the nuisance refund the Municipality for the amount spent by the Municipality when performing such work as may be necessary to ascertain the existence or cause of a nuisance and for remedying it	Council	Chief Financial Officer		
Part IV	Serving a notice on the owner or the	Council	Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Ch 1, 4(a)	occupier of the premises on which a nuisance exists or has existed and which may recur or on the author of the nuisance requiring her/his to remove and abate the nuisance and to do such work as is necessary for the removal or abatement of the nuisance within a period specified in the notice		and Social Services		
Part IV Ch 1, 4(b)	Where any person who was notified fails to remove and abate a nuisance, entering on the premises concerned and carrying out the work required to remove or abate the nuisance or prevent its recurrence	Council	Director Municipal and Social Services		
	Determining the amount of the expenses incurred by the Municipality when performing such work as may be necessary to remove or abate a nuisance or prevent its recurrence	-	Director Municipal and Social Services		
	Demanding that the owner or the occupier of the premises concerned or the author of the nuisance refund the Municipality for the amount spent by the Municipality when removing or abating a nuisance or preventing its recurrence	Council	Chief Financial Officer		
Part IV Ch 1, 17	Notifying the owner of premises that is so graded that surface water is not carried off into a sewer, drain or other receptacle, to grade or form it in such a manner that surface water is carried into a sewer, drain or other receptacle	Council	Director Municipal and Social Services		
Part IV Ch 1, 18	Giving written authority to demolish a building	Council	Director Municipal and Social Services	After consultation with the Director Infrastructure and Utilities	
Part IV Ch 1, 20	Receiving notice from the owner of premises in respect of which the Municipality renders a night-soil, refuse	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	or slop water removal service that the premises in vacant				
Part IV Ch 1, 30(a)	Notifying the owner or occupier of premises in writing to provide as adequate urine tank and/or a sufficient number of urine pails	Council	Director Infrastructure and Utilities		
Part IV Ch 1, 35	Giving written authority for carrying on a service for the removal and disposal of night-soil or urine or withdrawing authority given if the relevant conditions are not met	Council	Director Infrastructure and Utilities		
Part IV Ch 1, ??	Approving plans for the construction, alteration, resiting or maintenance of a septic tank, filter installation or other works for the disposal of sewage on private property	Council	Director Infrastructure and Utilities		
Part IV Ch 1, 36	Specifying in writing the hours at or between which the contents of sewage disposal works may be pumped there form	Council	Director Infrastructure and Utilities		
Part IV Ch 1, 37	Notifying a person to discontinue using a septic tank, filter installation or other sewage disposal works	-	Director Infrastructure and Utilities		
Part IV Ch 1, 38	Notifying a person to undertake such work to abate any nuisance or danger to the public health arising from a defective septic tank, filter installation or other private sewage disposal works	Council	Director Municipal and Social Services		
Part IV Ch 1, 42(a)	Entering upon premises and performing the work necessary to fence, fill in or cover over a well or other excavation on premises	Council	Director Infrastructure and Utilities		
	Determining the cost incurred by performing the work necessary to fence, fill in or cover over a well or other excavation on premises	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Recovering the expense incurred by performing the work necessary to fence, fill in or cover over a well or other excavation on premises	Council	Chief Financial Officer		
Part IV Ch 1, 43	Requiring the owner of premises on which a well, tube-well, borehole or spring, the water of which is or may be used for human consumption to furnish her/him with such information regarding the well, tube-well, borehole or spring as may be reasonably available to, or obtainable by, the owner	Medical Officer of Health	None		
Part IV Ch 1, 44	Receiving notification of the intention to sink or construct a well, tube-well or borehole on premises	Council	Director Infrastructure and Utilities		
Part IV Ch 1, 45	Certifying that water taken from a well, tube- well, borehole, spring, dam, river or any other source other than supply provided by the Municipality is suitable for human consumption or for any other domestic purposes or the cleaning of vessels or utensils used in preparing or manufacturing food or drink for human consumption	Manager: Health Services	None		
Part IV Ch 1, 48(a)	Demanding that a person furnish her/him with any information, document or other evidence in such person's possession required to trace the source and preventing the spread of infection	-	Director Municipal and Social Services		
Ch 4, 73	Entering onto premises upon which she/he believes that the manufacturing of flock from rags are being performed, and conducting an examination and enquiry, including taking samples for analysis or examination	Medical Officer of Health Authorised Officer	None		
Ch 5, 76(c)	Notifying a swimming bath keeper to change the water in a swimming bath	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Ch 5, 78	Entering onto premises upon which she/he believes that a swimming bath exists, and conducting an examination and enquiry, including taking samples for analysis or examination	Medical Officer of Health Authorised Officer	Director Municipal and Social Services		
Ch 6, 85(xii)	Granting written permission to a nursing home to accommodate a greater number of patients that in permitted in any ward at any one time	Council	Director Municipal and Social Services	Such permission may only be granted in cases of emergency, epidemic or like circumstances	
Ch 6, 86	Entering onto premises upon which she/he believes that a nursing home is being conducted, and conducting an examination and enquiry	Medical Officer of Health Authorised Officer	Director Municipal and Social Services		
Ch 6, 89	<i>Niemand mag in of op enige perseel die werk of besigheid van 'n kraaminrigting uitvoer nie, dieselfde perseel of onder dieselfde dak waar algemeen mediese of heelkundige gevalle of ander gevalle behalwe kraamgevalle toegelaat en behandel word nie: Met dien verstande dat waar kraamgevalle en algemene, heelkundige en ander gevalle behalwe kraamgevalle tot dieselfde perseel en onder dieselfde dak toegelaat was voor die datum van die afkondiging hiervan, die Raad kan toelaat dat sodanige praktyk voortduur, onderworpe aan sodanige voorwaardes as wat hy oplê en aan voldoening van die bepalings van hierdie verordeninge.</i>				
Ch 7, 91(i)	Requiring that the external doors and windows of a bakery be provided with effective fly screens	Health Officer	None		
Ch 7, 95	Approving germicidal soap to be used for washing hands in a bakery	-	Director Municipal and Social Services		
Ch 7, 97	Forming an opinion as to whether any premises is being used to carry on the business of a bakery	Health Officer	None		
	Entering upon any premises where there is reason to believe that the business of a bakery is being carried on	Health Officer	None		
	Making such examination and enquiry upon premises where there is reason to believe that the business of a bakery is being carried on as may be necessary	Health Officer	None		
Ch 8, 95	Approving germicidal soap to be used for washing hands in a hotel or boarding/ lodging house	-	Director Municipal and Social Services		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Ch 9, 106	Approving the place or premises where an animal (other than game or unfrozen butchers' meat, whose unfrozen carcase is imported, conveyed or introduced into the Municipality	-	Director Municipal and Social Services		
Ch 10, 112(b)	Exempting any person suffering from an infectious or contagious disease or who is a contact of any person suffering from an infectious or contagious disease or who lives in a house in which there is a case of infectious or contagious disease from the prohibition on being employed by, or being or remaining on laundry premises	Council	Director Municipal and Social Services		
Ch 10, 112(c)(i)	Receiving notice from a person carrying on, or in charge of, a laundry notice of the occurrence of any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household	-	Director Municipal and Social Services		
	Issuing directions to a person carrying on, or in charge of, a laundry whom notified the Municipality of the occurrence of any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household for the purpose of disinfecting the laundry premises and the prevention of the spread of such disease	Council	Director Municipal and Social Services		
Ch 10, 113	Forming an opinion as to whether it is necessary for a person carrying on, or in charge of, a laundry to furnish the Municipality with a list enumerating the names and addresses of customers and employees for whom she/he does such work or has done such work during the six weeks preceding the occurrence of	Health Officer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household				
	Requiring a person carrying on, or in charge of, a laundry to furnish the Municipality with a list enumerating the names and addresses of customers and employees for whom she/he does such work or has done such work during the six weeks preceding the occurrence of any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household	Health Officer	None		
Ch 10, 114(a)	Receiving notification of a person who intends to undertake the work or business of washing clothes, linen or similar articles for any other person(s)	Health Officer	None		
Ch 10, 114(c)	Keeping a register of the names of persons undertaking the washing clothes, linen or similar articles for any other person(s) and the place where such washing takes place	Health Officer	None		
Ch 11, 122	Approving germicidal soap to be used for washing hands in a mineral water or ice factory	-	Director Municipal and Social Services		
Ch 12, 130(c)	Exempting any person suffering from an infectious, contagious or skin disease or who is a contact of any person suffering from an infectious, contagious or skin disease or who lives in a house in which there is a case of infectious, contagious or skin disease from the prohibition on being employed by, or being or remaining on barber's or hairdresser's premises	Council	Director Municipal and Social Services		
Ch 12,	Receiving notice from a person carrying	Council	Director Municipal		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
130(d)	on, or in charge of, a barber or hairdresser notice of the occurrence of any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household		and Social Services		
	Issuing directions to a person carrying on, or in charge of, a barber or hairdresser whom notified the Municipality of the occurrence of any case of actual or suspected infectious or contagious disease amongst her/his employees or the members of her/his household for the purpose of disinfecting the laundry premises and the prevention of the spread of such disease	Council	Director Municipal and Social Services		
Ch 15, 141	Granting a license a person to carry on the work or trade of fumigation	Council	Director Municipal and Social Services		
Ch 15, 141(h)	Approving a gas-mask to be used by a fumigator	Council	Director Municipal and Social Services		
Ch 15, 142(a)(i)	Receiving notice from a fumigator of her/his intention to fumigate any premises	Health Officer	Director Municipal and Social Services		
Ch 15, 143	Granting written permission to a fumigator to – (a) fumigate premises on a Saturday, Sunday or public holiday; (b) start generating cyanide gas for fumigation purposes in any premises before 07:00 or after 12:00; (c) permit the fumigation process to continue beyond 16:00	Health Officer	Director Municipal and Social Services		
Ch 15, 157	Inspecting the register and equipment used by a fumigator	Health Officer	Director Municipal and Social Services		

## Milk bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
1(2)(a)	Approving premises used in connection with the handling of milk prior to the promulgation of the Bylaws	Council	Director Municipal and Social Services		
?(4)	Granting an introduction permit to a dairy farm outside the Municipality	Supervising Local Authority	Director Municipal and Social Services		
?(7)	Licensing one or more persons to sell or supply milk or milk products or to carry on the business of a dairy farm, dairy, milk shop or milk purveyor	-	Director Municipal and Social Services		
?(8)	Licensing premises within the Municipality from which a person may sell or deliver milk within the Municipality	-	Director Municipal and Social Services		
3(1)(a)	Annually licensing dairy farm premises in the Municipality	Licensing Local Authority	Director Municipal and Social Services		
3(2)(a)	Annually issuing in the name of the owner or person in charge of a dairy farm an introduction permit for the introduction of milk into its Municipality	Supervising Local Authority	Director Municipal and Social Services		
3(2)(b)	Receiving notice from the Supervising Local Authority of the issuing of an introduction permit, if the Supervising Local Authority is not the Licensing Local Authority	Licensing Local Authority	Director Municipal and Social Services		
3(2)(d)	If the Municipality is the Supervising Local Authority, arranging with another municipality to exercise, on its behalf, the functions of a supervising local authority	Council	Director Municipal and Social Services		
3(3)	Licensing a dairy farm without inspecting it on the grounds of an introduction permit issued by a Supervising Local Authority	Licensing Local Authority	Director Municipal and Social Services		
3(4)	Issuing an introduction permit in respect of dairy farm on the grounds of a license or introduction permit issued by a	Council	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	licensing or supervising local authority				
4(1) and 4(2)(c)	Cancelling or suspending for a period or refusing to grant an introduction permit or license	Council	Director Municipal and Social Services		
4(2)(a)	Notifying the licensing or supervising local authority of the cancellation of an introduction permit or license	Council	Director Municipal and Social Services		
4(4)	Informing the holder of the relevant permit or license of its cancellation	Medical Officer of Health	None		
4(5)	Granting a new license or permit or reinstating a suspended license or permit	Council	Director Municipal and Social Services		
4(6)(a)	Forming an opinion as to whether any milk, milk product or composite dairy product produced at any premises is, for any reason, not in the interest of the public health	Medical Officer of Health	None		
	Then and there verbally prohibiting the introduction into or sale, supply, storage or use of any milk, milk product or composite dairy product produced at any premises for which is, any reason, not in the interest of the public health	Medical Officer of Health	None		
	Taking steps to ensure that any milk, milk product or composite dairy product produced at any premises for which is, any reason, not in the interest of the public health is used for approved purpose only	Medical Officer of Health	None		
	Approving the purposes for which any milk, milk product or composite dairy product produced at any premises for which is, any reason, not in the interest of the public health may be used	Council	Director Municipal and Social Services		
4(6)(b)	Confirming or revoking any verbal prohibition on the introduction into or sale, supply, storage or use of any milk,	Medical Officer of Health	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	milk product or composite dairy product produced at any premises for which is, any reason, not in the interest of the public health in writing				
5(2)	Forming an opinion as to whether the use of a cowshed, milking parlour, room or building used for the purpose of handling or storing milk or the washing of any appliance used in connection with the handling of milk or milk products for any other purpose is in compatible with its intended use or liable to result in the contamination of any milk or milk product	Medical Officer of Health	None		
10(2)(h)	Forming an opinion as to whether the location of a pail or chemical closet, pit privy or septic tank on a dairy farm could cause contamination of any water supply or otherwise constitute a danger to health	Medical Officer of Health	None		
11(2)	Approving a place, other than a locker, where the personal clothing or overalls of any person whilst employed or engaged in the production, handling or conveyance of milk, milk products or composite dairy products may be kept	-	Director Municipal and Social Services		
14(4)	Forming an opinion as to whether the way in which a container containing milk or any milk product is handled, is likely to result	Medical Officer of Health	None		
14(12)	Granting approval for using an appliance used for or in connection with the pasteurisation and sterilisation of milk in connection with any substance except milk, milk products or composite dairy products	Medical Officer of Health	None		
15(2)(a)	Receiving an application for a permit from a person transporting milk she/he did not produce in the Municipality	Supervising Local Authority	Director Municipal and Social Services		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
16(1)	Inspecting and supervising a dairy farm where milk is produced to be supplied for sale in one or more Municipalities	Supervising Local Authority	Director Municipal and Social Services		
16(2)	Requesting another local authority to perform the functions of a supervisory local authority	-	Council		
16(3)	Entering onto premises believed to be on which the business of a dairy farm, a dairy, a milk shop or a milk purveyor is being carried on or a cowshed exists or is being erected and making enquiries and conducting inspections	Medical Officer of Health Environmental Health Practitioner	None		
16(3)	Requiring any appliance found to be dirty or unfit for use in the handling of milk, milk products or composite dairy products forthwith to be cleaned in her/his presence	Medical Officer of Health Environmental Health Practitioner	None		
	Seizing, taking away and detaining any movable appliance found to be dirty or unfit for use in the handling of milk, milk products or composite dairy products to be introduced into evidence	Medical Officer of Health Environmental Health Practitioner	Nonbe		
17(1)	Medically examining a person for the purpose of ascertaining whether she/he is suffering from any infectious or contagious disease or from any complaint or disability rendering her/him unfit to be engaged in such, employed or engaged in or connected with work carried – (a) on in premises within the Municipality of any dairy farm, dairy, milk shop or milk purveyor or in connection with any cowshed or in any place whatever where milk or any milk product is kept, produced or handled; or	Medical Officer of Health	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	(b) on outside the Municipality on any premises in respect of which an introduction permit has been applied for or granted; or (c) who resides on any afore-said premises				
17(2) and (7)	Requiring a person who is employed on the premises of a dairy farm, a dairy, a milk shop, a milk purveyor or in connection with a cowshed or any other premises or place where milk, any milk product or composite dairy product is handled or kept submit himself to such medical examination and to such tests as may be necessary for the purpose of ascertaining whether that person is a carrier of any infectious or contagious disease	Medical Officer of Health	None		
17(15)	Receiving notification from the owner or person in control of the premises in respect of which an introduction permit or license has been granted, a dairy or milk shop where pasteurised, sterilised or certified milk, milk products or composite dairy products are sold or where milk is pasteurised or sterilised of any person employed at such premises who has been absent from work by reason of any notifiable or infectious disease for a period exceeding 7 days	Medical Officer of Health	None		
18(1)	Requiring a carrying on the business of a dairy farm, dairy, milk shop or milk purveyor to supply full, detailed and accurate information in regard to any person she/he employs or any matter whatsoever concerning any milk, milk products or composite dairy products	Medical Officer of Health Environmental Health Practitioner	None		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	which have been, are being or are proposed or likely to be handled in the course of that business and concerning any appliance or other article used or proposed to be used in connection with such handling				
18(2)	Forming an opinion as to whether an outbreak or spread of infectious or contagious disease within the Municipality is attributable to milk, any milk product or composite dairy product sold by any person personally or in the course of his business	Medical Officer of Health	None		
	Directing a person who sold milk, milk products or composite dairy products personally or in the course of his business which is suspected of having caused an outbreak or spread of infectious or contagious disease within the Municipality to supply relevant information	Medical Officer of Health	None		
26(6)	Approving plans for constructing a milking parlour	Medical Officer of Health	None		
27(2)	Approving a germicidal soap for washing a milker's hands	-	Director Municipal and Social Services		
27(7)	Approving lubricant to be used by a milker milking with her/his hands	-	Director Municipal and Social Services		
27(14)	Forming an opinion as to whether milk from a diseased cow is unfit for human consumption	Medical Officer of Health	None		
29(1)	Inspecting any dairy stock	Medical Officer of Health Environmental Health Practitioner	None		
29(4)	Directing how a diseased cow must be dealt with	Medical Officer of Health	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
29(8)	Receiving notification of any infectious or contagious disease contracted by any animal kept on premises on which milk is handled or stored, and whenever any such animal has come into contact with an animal suffering or suspected to be suffering from any infectious or contagious disease or which is or should be in quarantine on account of such disease	Medical Officer of Health	None		
29(9)	Making known any requirements for disinfecting and the disinfestation of premises and preventing the spread of any disease to which animals are susceptible	Medical Officer of Health	None		
30(3)(d)	Receiving a certificate, issued by a veterinarian showing the identification marks or number of every diseased animal and the disease from which it is suffering	Medical Officer of Health	None		
30(10)	Inspecting a record stating the reasons there for and the nature of the action taken shall be kept of all dairy stock segregated or removed from the herd due to disease	Medical Officer of Health	None		
32(4)	Receiving from a person collecting farm bulk milk a list of names and addresses of persons from whom such milk has been collected, the quantities collected separately recorded in respect of each compartment of the tanker	Receiving Local Authority	Director Municipal and Social Services		
34(4)	Approving in writing, after the appointed day, that milk, milk product or composite dairy product which has been pasteurised or sterilised at a place located outside the Municipality may be introduced into the Municipality	Council	Director Municipal and Social Services		

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
39(2)	Requiring the recording mechanism used to record the process of pasteurisation and sterilisation be tested by an approved instruments calibrator	Medical Officer of Health	None		
40(2)(c)	Approving in writing a method of pasteurising cream and milk, milk products or composite dairy products containing added sweetening agents	Medical Officer of Health	None		
42(5)(l)	Inspecting records kept by the producer certified milk, certified milk products or certified composite dairy products	Medical Officer of Health	None		

## Preferential Procurement Bylaw 2002

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(2)	Directing that a department shall not apply the preferential procurement system prescribed in the Bylaws	Executive Mayor	None	<b>NOTE:</b> This section may be inconsistent with the Preferential Procurement Policy Framework Act 2000 (Act No 5 of 2000) and the Preferential Procurement Regulations	
2(3)	Deviating from the framework contemplated in s 2 of the Preferential Procurement Policy Framework Act 2000 in respect of a pre-determined tariff based professional appointments	Relevant departmental head	None	<b>NOTE:</b> This bylaw may be inconsistent with s 110 of the Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)	
3(1)	Applying the 80/20 preference point system formula for acquisitions with a value below R 100,000	Relevant departmental head	None		
5(1)	Applying the 80/20 preference point system formula for disposing and letting of assets with a value below R 100,000	Relevant departmental head	None		
7	Determining the preference point system which will be applied in the adjudication of an offer to be stipulated in the tender documents	Relevant departmental head	None		
8(1)	Deciding whether tenders received in respect of a specific tender invitation will be evaluated on functionality and price	Relevant departmental head	None		
8(5)	Deciding whether a supplier must score a specified minimum number of points for functionality to qualify for further adjudication	Relevant departmental head	None		
8	Deciding on reasonable and justifiable grounds that a contract be awarded to a supplier that did not score the highest number of points	Executive Mayor	None	<b>NOTE:</b> This section may fall foul of s 117 of the Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)	
10(1)	Cancelling an invitation to submit offers where, in the application of the 80/20 preference point system all tenders	Relevant departmental head	None	<b>NOTE:</b> The Bylaws does not have a section 9	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	received exceed the estimated Rand value of R500 000				
10(2)	Cancelling an invitation to submit offers where, in the application of the 90/10 preference point system all tenders received are equal to, or below R 500,000	Relevant departmental head	None		
10(3)	Re-inviting tenders cancelled due to the tenders received being below or over R 500,000, as the case may be	Relevant departmental head	None		
10(4)	Cancelling a tender, before a contract is awarded, if – (a) due to changed circumstances, there is no longer need for the goods or services tendered for; or (b) funds are no longer available to cover the total envisaged expenditure; or (c) no acceptable tenders are received.	Relevant departmental head	None		
11(a)	Planning for and, as far as possible, accurately estimating the costs of providing services for goods for which an invitation for tenders is to be made	Relevant departmental head	None		
11(b)	Determining the appropriate preference point system to be utilised in the evaluation of the tenders	Relevant departmental head	None		
11(c)	Determining the deliverables or performance indicators in terms of which a supplier will be assessed	Relevant departmental head	None		
12(1)	Clearly indicating in the tender documentation whether points shall be awarded for local manufacturing and/or content	Relevant departmental head	None		
12(3)	Requiring a supplier, before a tender is adjudicated or at any time to substantiate claims it has made with regard to	Relevant departmental head	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	preference				
12(4)	Taking into account, when comparative prices are calculated any discounts which have been offered unconditionally	Relevant departmental head	None		
15(1)	Acting against the supplier to whom a contract has been awarded upon detecting that a preference in terms of the Preferential Procurement Policy Framework Act 2000, the Preferential Procurement Regulations and the Bylaws has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract	Relevant departmental head	None		
15(2)(a)	Recovering all costs, losses or damages the Municipality has incurred or suffered as a result of the conduct of a supplier to whom a contract has been awarded on a fraudulent basis, or any specified goals are not attained in the performance of the contract	Relevant departmental head	None		
15(2)(b)	Cancelling a contract which was acquired on a fraudulent basis and claiming any damages which the Municipality has suffered as a result of having to make less favourable arrangements due to such cancellation	Relevant departmental head	None		
15(2)(c)	Imposing a financial penalty on a supplier who obtained a contract in a fraudulent manner	Relevant departmental head	None		
15(2)(d)	Restricting a supplier who obtained a contract in a fraudulent manner, its shareholders and directors from obtaining business from the Municipality for a period	Relevant departmental head	None		
17(1)	Ensuring that the tendering conditions stipulate the specific goals that must be attained	Relevant departmental head	None		

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
14(4)	Monitoring the execution of contracts for compliance with or achievement of the specific goals that must be attained	Relevant departmental head	None		

## Outdoor advertising policy and bylaw for the Klerksdorp municipal area

### NOTE:

- (a) There are material differences between the Afrikaans and English texts of the “bylaws”. The author could not find any indication in the published document which of the Afrikaans or English texts prevail where there is such difference.
- (b) The document published on the Municipality’s website purports to contain the Municipality’s policy and bylaws on outdoor advertising. Some of the prescripts in the English text of the bylaws which should be written, for the purpose of passing the test of “good” legal drafting, in imperative language (indicated by expressions such as “shall” or “must”) are written in permissive/discretionary language (indicated by the expression “should”).

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
5(1)	Receiving applications for the construction of signs, sun blinds, verandas, bay windows, pave lights or other fixtures or encroachment on, under or over any public street	Engineer	-	See also s 15(22)(a)	
5(2)(a)	Notifying a person who constructed, erected or processed any fixtures or encroachments on, under or over any street to remove any such fixture or encroachment	Engineer	-		
	Determining a period within which a person who constructed, erected or processed any fixtures or encroachments on, under or over any street shall remove such fixture or encroachment	-	Director Infrastructure and Utilities		
5(2)(b)	Removing any fixture or encroachment on, under or over a street that do not comply with the Bylaws or which are deemed to be dangerous or if the person who erected or processes it fails to comply with a notice to remove it	Council	Director Infrastructure and Utilities		
	Determining whether a fixture or encroachment on, under or over a street is dangerous	-	Director Infrastructure and Utilities		
	Determining the cost of the Municipality	-	Director Infrastructure		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	removing any fixture or encroachment on, under of over a street		and Utilities		
	Recovering the expense the Municipality incurred in removing any fixture or encroachment on, under of over a street	-	Chief Financial Officer		
5(3)(a)(iii)	Determining whether any loss of or damage to cables, wires, plant, pipes or other property of the Municipality may be attributed to arising from the construction, maintenance or existence of a fixture, projection or encroachment	-	Director Infrastructure and Utilities		
	Determining the amount of the loss or damage the Municipality suffered from the construction, maintenance or existence of a fixture, projection or encroachment	-	Director Infrastructure and Utilities		
	Recovering the amount of any loss or damage the Municipality suffered due to the construction, maintenance or existence of a fixture, projection or encroachment	-	Chief Financial Officer		
5(3)(a)(iv)	Determining whether any loss of or damage to persons may be attributed to arising from the construction, maintenance or existence of a fixture, projection or encroachment	-	Director Infrastructure and Utilities		
	Determining the amount of the loss or damage a person suffered from the construction, maintenance or existence of a fixture, projection or encroachment	-	Director Infrastructure and Utilities		
	Recovering the amount of any loss or damage a person suffered due to the construction, maintenance or existence of a fixture, projection or encroachment	-	Chief Financial Officer		
5(3)(a)(v)	Removing any street projection on any premises which constitutes a breach of	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	any law, bylaw or regulation				
5(3)(a)(vi)	Determining the cost of the Municipality removing any fixture or encroachment on, under of over a street	-	Director Infrastructure and Utilities		
	Recovering the expense the Municipality incurred in removing any fixture or encroachment on, under of over a street	Council	Chief Financial Officer		
5(4)	Granting written permission to make or construct – (a) a colonnade, veranda, balcony, bay window, pavement light, show case or other projections into or over a street; and (b) a pavement opening in or under any street	Council	Director Infrastructure and Utilities		
5(5)	Fixing, on a case-by-case basis, an annual or other amount payable in advance at the beginning of each year in respect of permitting – (a) a colonnade, veranda, balcony, bay window, pavement light, show case or other projections into or over a street; and (b) a pavement opening in or under any street	Council	None		
5(8)	Calling upon a person erecting or processing any projections or encroachments on, under or over any street or pavement or signs or other fixtures on or over any street or pavement to remove any such projection, fixture or encroachment	-	Director Infrastructure and Utilities		
5(9)	Removing any projection, fixture or encroachment on, under of over a street or pavement or signs or other fixtures on or over any street or pavement that do not comply with the Bylaws or if the	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	person who erected or processes it fails to comply with a notice to remove it				
	Determining the cost of the Municipality removing any projection, fixture or encroachment on, under of over a street or pavement or signs or other fixtures on or over any street or pavement	-	Director Infrastructure and Utilities		
	Recovering the expense the Municipality incurred in removing any projection, fixture or encroachment on, under of over a street or pavement or signs or other fixtures on or over any street or pavement	-	Chief Financial Officer		
5(10)	Laying street curbing and guttering where any veranda, balcony, bay window or pavement opening is provided in front of any building for the full width of the footway or pavement	-	Director Infrastructure and Utilities		
	Determining the cost of laying street curbing and guttering where any veranda, balcony, bay window or pavement opening is provided in front of any building for the full width of the footway or pavement	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in laying street curbing and guttering where any veranda, balcony, bay window or pavement opening is provided in front of any building for the full width of the footway or pavement on the owner of such building	-	Chief Financial Officer		
6(1)	Specially sanctioning lifting cranes and travellers under balconies and above the first floor level	Council	Director Infrastructure and Utilities		
7(1)	Granting written permission to lay or fix paving on any street sidewalk or footway	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
7(1)(b)	In writing approving the colour and surface texture of precast concrete paving blocks to be used to lay or fix paving on any street sidewalk or footway	Council	Director Infrastructure and Utilities		
7(3)	Pointing out the grade, line and cross fall for laying paving blocks used to lay or fix paving on any street sidewalk or footway	Council	Director Infrastructure and Utilities		
7(5)	Testing and approving paving slabs of any material other than pre-cast concrete slabs intended to be used lay or fix paving on any street sidewalk or footway	Council	Director Infrastructure and Utilities		
7(7)	Specially permitting in writing the laying of concrete or granolithic in situ on any pavement or any street, sidewalk or footway	Council	Director Infrastructure and Utilities		
7(8)	Authorising in writing the laying of paving slabs of any other kind, colour, size or shape, or in any manner other than as specified in the Bylaw	Council	Director Infrastructure and Utilities		
8(1) and (2)	Granting written permission, with or without conditions, to the owner or occupier of an erf adjoining a street to grade and plant with grass any land lying between the erf and that part of the street intended, laid out or made up for the use of vehicular traffic	Council	Director Infrastructure and Utilities		
9(1)	Granting special sanction to bridge over or enclose any gutter or storm water drain under the control of the Municipality	Council	Director Infrastructure and Utilities		
10(1)	Consenting to a mast or lightning conductor to be higher than 10 m	Council	Director Infrastructure and Utilities		
11(1) and (2)	Issuing permits to advertise or place or exhibit or display or cause to be advertised, placed, exhibited or displayed any advertising sign upon a hoarding	Council	Director Infrastructure and Utilities	After consultation with the Director Municipal and Social Services	
11(3)	Determining whether the erection of	Council	Director Infrastructure	After consultation with the Director	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	hoardings for bill posting or other purposes may be prejudicial to the surrounding neighbourhood or a disfigurement to a residential or other street		and Utilities	Municipal and Social Services	
11(4)	Granting consent for the alteration of the electrical wiring or system of an advertising sign as a result of which the message conveyed by it is changed	Engineer	Director Infrastructure and Utilities		
13(2)	Receiving drawings and such other details as may be required regarding an advertising sign or hoarding which is not placed on a building		Director Infrastructure and Utilities		
	Approving the design of an advertising sign or hoarding which is not placed on a building		Director Infrastructure and Utilities		
14(3)	Issuing a written permit for erecting in any street any hoarding, fence or scaffolding or any planked shed for any purpose whatsoever or making any enclosure for the purpose of depositing building or other materials or plant or for any other purpose	Council	Director Infrastructure and Utilities		
14(4)	Granting a written permit for demolition work	Council	Director Infrastructure and Utilities		
14(5)	Determining what portion of a street is necessary for the purpose of carrying out any building operation	Council	Director Infrastructure and Utilities		
	Granting a permit for occupying a portion of a street for the purpose of carrying out any building operation	Council	Director Infrastructure and Utilities	Such permit must, in terms of s 14(7), specify the area and precise position of that part of a street where the enclosure, overhanging or covering of which is permitted and the period for which it is granted	
14(8)	Calculating the charge payable to the Municipality in the case of a hoarding,	-	Council		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	fence or scaffolding of a street enclosed, overhang, covered or in any way obstructed thereby and a planked shed which does not obstruct a street the street overhung or covered thereby.				
14(10)	Assessing the charges to be paid in advance in respect of every parking meter, which was removed due to a permit for occupying a portion of a street for the purpose of carrying out any building operation being issued	Chief Traffic Officer	None		
14(11)	Determining the length of a street that may be closed for the purpose of carrying out any building operation	Council	Director Infrastructure and Utilities		
14(12)	Permitting a greater width than 2 m of hoarding	Council	Director Infrastructure and Utilities		
14(3)	Forming an opinion regarding the construction and appearance of hoarding or close fence used to enclose a portion of a street in respect of which a permit has been granted for it to be used for the purpose of carrying out any building operation	Council	Director Infrastructure and Utilities		
14(18)	Forming an opinion as to whether a footway or sidewalk will be be obstructed or rendered useless by granting a permit for occupying a portion of a street for the purpose of carrying out any building operation	Council	Director Infrastructure and Utilities		
14(23)	Forming an opinion as to whether a hoarding or obstruction upon a street interferes with public safety or the convenience of the public	Council	Director Infrastructure and Utilities	After consultation with the Director Municipal and Social Services	
	Removing a hoarding or obstruction upon a street which is considered to be required by public safety or convenience	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
14(24)	Removing hoardings for which permits have been given if they are constructed or used otherwise than in accordance with the Bylaws and otherwise than for the purpose and under the conditions set forth in the permit concerned	Council	Director Infrastructure and Utilities		
14(25)	Determining the cost of removing or having a hoarding or obstruction upon a street removed	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing or having a hoarding or obstruction upon a street removed	-	Chief Financial Officer		
14(26)	Removing or having removed any fence, scaffolding, hoarding or other obstruction erected or placed in any street, public road, square, footway or other public place without a permit first having been obtained	Council	Director Infrastructure and Utilities		
	Determining whether the Municipality must remove a fence, scaffolding, hoarding or other obstruction erected or placed in any street, public road, square, footway or other public place without a permit first having been obtained or whether the Municipality shall appoint an external service provider to undertake such work	-	Director Infrastructure and Utilities		
	Determining the cost of removing or having removed a fence, scaffolding, hoarding or other obstruction erected or placed in any street, public road, square, footway or other public place without a permit first having been obtained	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing or having removed a fence, scaffolding, hoarding or other obstruction erected or placed in any street, public	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	road, square, footway or other public place without a permit first having been obtained				
15(2)	Approving applications for outdoor advertisement signs on a consistent basis	City Civil Engineer	-	(a) See also s 15(22)(c) (b) Except applications for erecting 5 or more advertisement signs on municipal property (c) Provided that a committee consisting of councillors and representatives of all relevant departments (of the Municipality) evaluated any sensitive application	
15(3)	Considering applications from any institution for erecting five or more advertisement signs on municipal property	Council	Director Infrastructure and Utilities		
15(4)	Establishing a committee consisting of councillors and representatives of all relevant departments (of the Municipality) to evaluate all "sensitive" applications	-	Council	<b>NOTE:</b> (a) In terms of the Afrikaans version of this section, the Committee is to consider all applications, not only "sensitive" ones. (b) The authority to approve (or deny) such applications is assigned to the City Civil Engineer in terms of s 15(2) and s 15(22)(a)	
	Deciding whether an application for erecting an advertisement sign is "sensitive"	-	Director Infrastructure and Utilities		
	Prescribing the manner in which a committee consisting of councillors and representatives of all relevant departments (of the Municipality) must evaluate all "sensitive" applications	-	Council		
	Supervising the final erection, layout and position of advertisement signs on road reserves that are the property of the Municipality	Traffic Department and City Civil Engineer	-		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
15(6)	Receiving proof that proposed advertisements do not adversely affect traffic visibility at intersections and road junctions	City Civil Engineer	-		
15(9)	Requesting the applicant to remove or relocate (at her/his cost) an advertisement if it is necessary in order to carry out any maintenance or extensions to roads or underground services	City Civil Engineer	-		
15(12)	Determining whether the positioning of an advertisement damaged municipal services	-	Director Infrastructure and Utilities		
	Determining the cost to repair damage to municipal services caused by the positioning of an advertisement	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in repairing damage to a municipal service caused by the positioning of an advertisement on the applicant	-	Chief Financial Officer		
15(14)	Deciding whether to grant authority to the City Civil Engineer to authorise the removal of illegal advertisements after 7 days notice	-	Council		
	Determining the cost of having an illegal advertisement removed	-	Director Infrastructure and Utilities		
	Deciding whether the expense incurred in having an illegal advertisement removed shall be recovered on the owner of the building or from the person to whom the projections or encroachments belong	-	Director Infrastructure and Utilities		
15(22)(a)	Receiving written applications to paint, fix, post or erect a sign	Council	Director Infrastructure and Utilities	See also s 5(1)	
15(22)(c)	Consenting in writing to an application to paint, fix, post or erect a sign	City Civil Engineer	-		
15(23)	Determining the administration fee	-	Director Infrastructure		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	payable in connection with an unsuccessful application		and Utilities		
	Recovering the administration fee payable in connection with an unsuccessful application	-	Chief Financial Officer		
15(25)	Approving safety glass used in a sign	-	Director Infrastructure and Utilities		
15(26)	Deciding whether it is necessary, where a sign uses electric current, for such sign to be equipped with suitable condensers	-	Director Infrastructure and Utilities		
15(27)	Consenting to any alteration being made to the electrical wiring or system of a sign as a result of which the message conveyed will change	City Civil Engineer	-		
15(28)	Approving the quality of materials and structures to be used for any form of outdoor advertising	City Civil Engineer	-		
15(31)	Requiring that a registered person be appointed and take responsibility for all structural work related to the construction of an advertisement sign contemplated by the applicant	-	Director Infrastructure and Utilities		
15(32)	Requiring that an application for installing an advertisement sign be accompanied by a written motivation, briefly setting out the benefits of the outdoor advertising fixture in environmental, social and economic terms	Council	Director Infrastructure and Utilities	<b>NOTE:</b> The Afrikaans text of this section states that such “written motivation” may be required only in respect of advertisement signs to be erected on municipal property	
15(33)	Requiring that an application for installing an advertisement sign the written approval of the registered owner of the property on which the sign is to be established, together with copies of the applicable title deeds or proof of written approval by the landlord must accompany such application	Council	Director Infrastructure and Utilities	<b>NOTE:</b> The Afrikaans text of this section does not require that an application must be accompanied by the landlord's written consent to establish the sign, where applicable,	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
15(34)	Expressing, regarding “sensitive” outdoor advertisement signs, in special sensitive cases when necessary or essential, satisfaction that an applicant’s proposed establishment of such sign is supported by both the collective representatives of the resident community of the neighbourhood (e.g. civic or residents’ associations) and the ward councillor concerned	Council	Director Infrastructure and Utilities		
	Deciding whether a particular application to establish an outdoor advertising sign – (a) constitutes a special sensitive case; (b) whether the proposed advertisement sign is sensitive; and (c) whether it is necessary or essential that the application concerned is supported by both the collective representatives of the resident community of the neighbourhood (e.g. civic or residents’ associations) and the ward councillor concerned	-	Director Infrastructure and Utilities		
15(35)	Expressing, in special cases when necessary or essential, satisfaction that cognisance has been taken of the relevant statutory provisions regarding the environmental impact of the proposed form of outdoor advertising	Council	Director Infrastructure and Utilities		
	Deciding whether a particular application to establish an outdoor advertising sign – (a) constitutes a special sensitive case; and (b) whether cognisance has been taken of the relevant statutory provisions regarding the environmental impact of the proposed form of outdoor advertising	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
15(39)	Dispensing, if it is advisable, with the compliance of any prescript of the Bylaws	Council	Director Infrastructure and Utilities		
	Relaxing, if it is advisable, any prescript of the bylaws	Council	Director Infrastructure and Utilities		
	Deciding whether it is advisable to dispense with compliance with any prescripts of the bylaws or to relax its prescripts	Council	Director Infrastructure and Utilities		
19(3)(b)	Expressing satisfaction with the design of signs, flags, banners or streamer signs which are larger than allowed in terms of subsection (2)	Council	Director Infrastructure and Utilities		
19(3)(h)	Notifying the owner of a sign, flag, banner or streamer sign that such sign, flag, banner or streamer sign is unsafe	Council	Director Infrastructure and Utilities		
	Ordering to be removed forthwith a sign, flag, banner or streamer sign that is deemed to be unsafe	-	Director Infrastructure and Utilities		
20(4)	Permitting or requiring that the dimensions of any sign be greater than those prescribed where it is considered desirable in the interest of the aesthetic appearance of the building on which the sign is placed or painted or of the neighbourhood of such building	Council	Director Infrastructure and Utilities		
21(3)	Approving the design of free-standing hoardings and billboards	City Civil Engineer	-		
22(3)	Approving a site plan, distances, sections, materials, fastening method, elevations in respect of permanent outdoor advertisements signs in road reserves which are municipal property	City Civil Engineer	-		
22(4)	Requiring the submission of structural plans or drawings prepared by a registered person , indicating loads,	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	stresses, stability, support and framework in respect of permanent outdoor advertisements signs in road reserves which are municipal property				
23(1)	Forming an opinion as to whether a sky-sign comply with the prescripts of section 23(1)(a) to (c), inclusive	Council	Director Infrastructure and Utilities		
23(2)	Forming an opinion as to whether a peripheral screen or other structure, against which a sky-sign shall be placed, fixed to a building is or will be satisfactory for the purpose in respect of the construction, strength, extent and appearance thereof	Council	Director Infrastructure and Utilities		
23(4)	Permitting the vertical dimensions of a sky-sign to exceed the prescribed dimensions	Council	Director Infrastructure and Utilities		
23(7)	Approving design and structural plans and drawings prepared by the responsible engineer	City Civil Engineer	-		
24(1)	Defining an area within which no poster, other advertisement or advertisement device with a view to advertise any meeting, function or event of a sporting, educational, charitable, political or any other character or the candidature or nomination of any person for, or other interest of any person in, an election to Parliament or the Council shall be displayed	Council	Director Infrastructure and Utilities		
24(2)	In writing permitting the display, outside an area defined by the Council, any poster or other advertisement advertising any meeting, function or event of a sporting, educational, charitable, political or any other character or the candidature or nomination of any person for, or other	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	interest of any person in, an election to Parliament or the Council				
24(3)(d)	Forming an opinion as to whether a board to which a poster or other advertisement is attached or material is placed on such a place or in such a manner as is likely to constitute a danger to vehicular traffic or pedestrians in any street or other public place.	Council	Director Infrastructure and Utilities		
24(3)(f)	Receiving a written statement from a person who displays or causes, permits or suffers to be displayed any poster or other advertisement, mentioning the street in or in view of which and the intersection nearest to which every such poster or other advertisement will be displayed	Council	Director Infrastructure and Utilities		
24(12)(f)	Granting permission for displaying a poster on a poster stand supplied by the Municipality for the use of the public	City Civil Engineer	-		
24(14)(b)	Determining additional numbers and varying display formats of posters for parliamentary or municipal elections	"Full" Council	None		
24(18)	Assessing, having regard for the number of posters or advertisements not removed, the proportionate part of a deposit paid in respect of the display of an advertisement which shall be forfeited to the Municipality for failing to remove such advertisement as prescribed	Council	Director Infrastructure and Utilities		
24(19)(f)	Removing and destroying any advertisement which – (a) is displayed without the permission of the Municipality; (b) has not been removed as prescribed; or (c) contravenes any prescript in the	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Bylaws				
	Assessing the cost of the Municipality removing an advertisement which is displayed without the permission of the Municipality, has not been removed as prescribed or contravenes any prescript in the Bylaws	-	Director Infrastructure and Utilities		
	Deducting the assessed cost incurred by the Municipality in removing an advertisement from the deposit held	-	Chief Financial Officer		
25(1)	Removing temporary direction indicators in road reserves which belongs to the Municipality upon failure of the person to whom permission for their erection was granted fails to do so	-	Director Infrastructure and Utilities		
25(13)	Forming an opinion as to whether a balloon is firmly and safely anchored to the ground	City Civil Engineer	-		
27(2)	Approving a sketch plan indicating sections, fastening method, position, one elevation and other applicable information in respect of an outdoor advertisement sign to be displayed on a residential, educational or institutional site	Council	Director Infrastructure and Utilities		
27(9)	Forming an opinion as to whether an advertisement sign established on a residential, educational or institutional site detracts from the residential character of the neighbourhood or have a negative impact on the market value of adjacent residential properties	City Civil Engineer	-		
28(1)	Instructing the owner or person who erected a banner on or over any street, footway or pavement to remove such banner	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
28(2)	Removing a banner erected a banner on or over any street, footway or pavement upon failure of the owner or person who erected it to remove it when so instructed or if it is not in accordance with the Bylaws	Council	Director Infrastructure and Utilities		
	Determining the cost of removing a banner which was erected on or over any street, footway or pavement	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing a banner which was erected on or over any street, footway or pavement	-	Chief Financial Officer		
28(3)	Supplying and maintaining formal banners on approved sites on municipal property	Council	Director Infrastructure and Utilities		
28(3)(j)	Ensuring that the applicant who wants to display a banner on an approved site on municipal property indemnifies the Municipality for any claim which may arise directly or indirectly from the presence of the banners	-	Director Infrastructure and Utilities		
28(3)(k) and (m)	Removing a banner displayed on approved sites on municipal property that does not meet the requirements of the Bylaw or if its ropes break	Council	Director Infrastructure and Utilities		
28(4)	Forming an opinion as to whether an informal banner erected on or against the boundary of private property is anchored firmly and safely thereto	City Civil Engineer	-		
28(4)(i)	Issuing requirements regarding informal banners erected on or against the boundary of private property	City Civil Engineer	-		
28(4)(j)	Removing an informal banner erected on or against the boundary of private property which does not comply with the conditions prescribed in the Bylaws	Council	Director Infrastructure and Utilities		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
29(1)	Approving mobile signs	City Civil Engineer	None		
29(4)	Designating sites where mobile signs shall only be permitted or moved to stand	Council	None		
29(4)(e)	Forming an opinion as to whether a mobile sign anchored safely to the ground	City Civil Engineer	None		
29(6)	Forming an opinion as to whether a mobile sign detracts from the character of the surrounding area or land uses.	City Civil Engineer	None		
29(11)	Notifying the owner of a mobile sign that it does not comply with the conditions enumerated in the Bylaws		None		
	Impounding a mobile sign that it does not comply with the conditions enumerated in the Bylaws	City Civil Engineer's or Traffic Department	None		
30(2)	Administering and controlling applications for advertisements on the back of parking meters	Traffic Department	None		
	Assuming responsibility for advertising applications on dustbins	Community Services Department	None		
33	Designating officials to whom authority to approve applications for outdoor advertising where the consent of the relevant Council is not required may be delegated	-	Director Infrastructure and Utilities		
	Referring an application for outdoor advertising that merit but which cannot be strictly classified in terms of the provisions of the policy and bylaws for outdoor advertising to the City Council for recommendation and final decision	Designated Officials	None		
34(2)	Requiring payment of charges payable on making an application (to display an advertisement) upon granting of an application	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
34(3)	Refunding to the person who by whom or on whose behalf payment was made in connection with an application to display an advertisement if the Council refuses such application	Council	Chief Financial Officer		
	Refunding the whole or any part of any payment made in terms of the Bylaws if the circumstances warrant such refund	-	Chief Financial Officer		
	Considering whether any circumstances warrants the whole or any part of any payment made in terms of the Bylaws being refunded	-	Director Infrastructure and Utilities		
34(5)	Refunding a proportion of rent paid to the Municipality to the person by whom or on whose behalf it was paid, when a hoarding was lawfully removed before the end of the period for which rent was paid in advance	Council	Chief Financial Officer		
	Determining the amount to be refunded to the person by whom or on whose behalf it was paid, when a hoarding was lawfully removed before the end of the period for which rent was paid in advance	-	Chief Financial Officer		
34(7)	Consulting with the Magistrate of Klerksdorp with regard to the fines payable for contravening the Bylaws	-	Director Infrastructure and Utilities		
35(1)	Receiving an appeal against a decision to reject an application for approval of any form of outdoor advertising	-	Municipal Manager	See s 62 of the Local Government: Municipal Systems Act 2000	
	Deciding an appeal against a decision to reject an application for approval of any form of outdoor advertising	Council	Relevant appeal authority established in terms of s 62 of the Local Government: Municipal Systems Act 2000		
36	Removing signs and consents on	-	Director Infrastructure		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	municipal property that do not comply with the regulations of the bylaws at their commencement		and Utilities		
	Determining the cost of removing a sign or consent on municipal property that do not comply with the regulations of the bylaws at their commencement	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing a sign or consent on municipal property that do not comply with the regulations of the bylaws at their commencement	-	Chief Financial Officer		
37(3)	Ensuring that the applicant who acquired consent to affix permanent, temporary or event advertisements on lamp posts indemnify the Municipality against any claim whatsoever and claims which are made as a result of the advertising boards or as a result of the advertising boards being a contributing factor to the institution of such claim	-	Director Infrastructure and Utilities		
37(5)	Notifying in writing the applicant who acquired consent to affix permanent, temporary or event advertisements on lamp posts to maintain such advertisements	-	Director Infrastructure and Utilities		
	Maintaining or removing permanent, temporary or event advertisements on lamp posts which the applicant who acquired consent to affix permanent, temporary or event advertisements on lamp posts fails to maintain or remove	Council	Director Infrastructure and Utilities		
	Determining the cost of maintaining or removing permanent, temporary or event advertisements on lamp posts which the applicant who acquired consent to affix permanent, temporary or event	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	advertisements on lamp posts fails to maintain or remove				
	Recovering the expense incurred to maintain or remove permanent, temporary or event advertisements on lamp posts which the applicant who acquired consent to affix permanent, temporary or event advertisements on lamp posts fails to maintain or remove	-	Chief Financial Officer		
37(9)	Determining whether damage to municipal services was caused by the positioning of lamppost signs	-	Director Infrastructure and Utilities		
	Determining the cost of repairing damage to a municipal service caused by the positioning of lamppost signs	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in repairing damage to a municipal service caused by the positioning of lamppost signs	-	Chief Financial Officer		
37(14)(vi)	Drafting a letter to be displayed in any unused advertising frame utilised for event advertising and product advertising affixed to a lamppost	Council	Municipal Manager	After consultation with the Speaker and the Executive Mayor	
37(15)	Determining positions/lampposts to be utilised for permanent, temporary or event advertisements on lamp posts	-	Director Infrastructure and Utilities	After consultation with the Director Municipal and Social Services	
37(17)	Establishing an Advertising Committee consisting of Councillors, designated officials, the applicant and other applicable role-players	-	Council		
	Designating officials to serve as members of the Advertising Committee	-	Municipal Manager		
	Determining which other role-players are applicable and needs to serve on the Advertising Committee	-	Council		
	Determining the total number of	Advertising	None		

<b>Section</b>	<b>Power conferred</b>	<b>Delegating authority</b>	<b>Delegated body</b>	<b>Conditions, limitations and directions</b>	<b>Sub-delegate</b>
	permanent, temporary or event advertisements which may be displayed on lamp posts in each township	Committee			
37(19)	Amending/extending the charges for considering of outdoor advertisement signs and hoardings as set out in Schedule 1 of the "Klerksdorp Outdoor Advertising Policy and By-laws" to include the monthly rental tariff applicable to lamppost advertising	-	Council		

## Drainage and plumbing bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
1(1)	Authorising one or more officials to sign orders, notices and documents to be issued or served in terms of the bylaws	-	Director Infrastructure and Utilities		
3(1)	Receiving reports regarding suspected blockages in a drainage installation on premises	Council	Director Infrastructure and Utilities		
3(3)	Receiving telephonic notification, or notification given otherwise, from a plumber or drain layer before removing a blockage in a drainage installation of her/his intention to remove such blockage	Council	Director Infrastructure and Utilities		
	Receiving telephonic notification, or notification given otherwise, from a plumber or drain layer after she/he removed a blockage in a drainage installation of that fact and of the nature, location and cause of the said blockage	Council	Director Infrastructure and Utilities		
3(4)	Deciding to remove a blockage from a drainage installation	Council	Director Infrastructure and Utilities		
	Determining the cost of removing a blockage from a drainage installation	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing a blockage from a drainage installation	Council	Chief Financial Officer		
3(6)	Forming an opinion as to whether an obstruction in a connecting sewer which caused a drainage installation on premises to overflow was caused by objects emanating from the drainage installation	Council	Director Infrastructure and Utilities		
	Determining the cost of removing an obstruction caused by objects	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	emanating from the drainage installation in a connecting sewer which caused a drainage installation on premises to overflow				
	Recovering the expense incurred in removing an obstruction caused by objects emanating from the drainage installation in a connecting sewer which caused a drainage installation on premises to overflow	Council	Chief Financial Officer		
4(1)	Notifying a person to carry out any work whether by way of construction, repair, replacement or maintenance in terms of the Bylaws	-	Director Infrastructure and Utilities		
	Carrying out any work required to be performed by a person if she/he fails to carry out such work within the period of time stipulated in the notice requiring her/his to carry out such work	-	Director Infrastructure and Utilities		
	Determining the cost of carrying out work required in terms of the Bylaws to be performed where the person required to carry out such work failed to do so	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in carrying out work required in terms of the Bylaws to be performed where the person required to carry out such work failed to do so	-	Chief Financial Officer		
4(2)	Assessing the amount to be raised and paid to cover all expenditure reasonably incurred in performing any work done by the Municipality other than that for which a fixed charge is provided in any appendix to the Bylaws	Council	Director Infrastructure and Utilities		
4(3)	Determining whether damage caused to the Municipality's sewers or any part	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	of its sewerage or sewage treatment system by or in consequence of the non-compliance with or contravention of any provision of the Bylaws may be attributed to any person				
	Identifying the person responsible for damage caused to the Municipality's sewers or any part of its sewerage or sewage treatment system by or in consequence of the non-compliance with or contravention of any provision of the Bylaws	-	Director Infrastructure and Utilities		
	Assessing the cost of repairing damage caused to the Municipality's sewers or any part of its sewerage or sewage treatment system by or in consequence of the non-compliance with or contravention of any provision of the Bylaws	Council	Director Infrastructure and Utilities		
	Recovering the expense incurred in repairing damage caused to the Municipality's sewers or any part of its sewerage or sewage treatment system by or in consequence of the non-compliance with or contravention of any provision of the Bylaws on the person identified as being responsible for such non-compliance with or contravention of any provision of the Bylaws	-	Chief Financial Officer		
5(1)	Authorising persons to break into, enter or in any other manner whatsoever interfere with any sewer, connecting sewer, manhole or other work or any part thereof intended for the conveyance or treatment of sewage and which vests in the Municipality, whether or not situated on premises	Council	Director Infrastructure and Utilities		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	owned or controlled by the Municipality				
5(2)	Approving plans for carrying out alterations to any drain, trap, screen inspection chamber or other work or any part of any drainage installation	Council	Director Infrastructure and Utilities		
	Authorising persons to make alterations to any drain, trap, screen inspection chamber or other work or any part of any drainage installation	Council	Director Infrastructure and Utilities		
6	Withdrawing the permission granted to use a conservancy or septic tank		Director Infrastructure and Utilities		
	Requiring a conservancy or septic tank that is no longer required for the storage or treatment of sewage or of which the permission to use it has been withdrawn, to be dealt with otherwise than filling it in with earth or other suitable material	Engineer	Director Infrastructure and Utilities		
	Permitting, with or without conditions, a conservancy or septic tank that is no longer required for the storage or treatment of sewage or of which the permission to use it has been withdrawn, to be used for some other purpose	Engineer	Director Infrastructure and Utilities		
7(1)	Deciding to sell or dispose of sewage sludge, compost or animal manure resulting from the operation of any sewage treatment works operated by the Municipality or farm associated therewith	Council	Director Infrastructure and Utilities		
	Determining, if the Council decides to sell or dispose of sewage sludge, compost or animal manure resulting from the operation of any sewage treatment works operated by the Municipality or farm associated	Council	Director Infrastructure and Utilities	After consultation with the Director Municipal and Social Services insofar as it relates to the use, application or processing of sewage sludge, compost or animal manure	

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	therewith conditions regarding the - (a) loading and conveyance thereof; (b) the place to which it is conveyed; (c) and the manner in which it is to be used, applied or processed				
7(2)	Entering into one or more long term contracts for the purpose of removing sludge, compost or animal manure resulting from the operation of any sewage treatment works operated by the Municipality or farm associated therewith	-	Municipal Manager	Subject to the requirements of the Municipality's supply chain management policy	
8(2)	Serving notice on the owner or occupier of any premises from which industrial effluent is discharged to comply with any or all of the requirements of s 8(2)(a) to (h), inclusive	Council	Director Infrastructure and Utilities		
8(2)(a)	Determining the extent to, and manner in, which the effluent cycle of the industrial process producing industrial effluent shall be modified to enable any sewage treatment works receiving such effluent to produce treated effluent complying with any standards which may apply in respect of such works in terms of the Water Services Act 1997 (Act No 108 of 1997)	Council	Director Infrastructure and Utilities		
8(2)(b)	Specifying the maximum hours and maximum rate of discharge of industrial effluent that may be discharged into a sewer or sewer system	-	Director Infrastructure and Utilities		
	Directing the owner or occupier of premises from which industrial effluent is discharged to install at her/his own expense such tanks, appliances and other equipment as may be necessary or adequate for compliance with any	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	restriction imposed regarding the maximum hours and maximum rate of discharge of industrial effluent				
8(2)(c)	Directing the owner or occupier of premises from which industrial effluent is discharged to install a separate drainage installation for the conveyance of industrial effluent and to discharge the same into the sewer through a separate connection	-	Director Infrastructure and Utilities		
	Directing the owner or occupier of premises from which industrial effluent is discharged to refrain from discharging the said effluent through any drainage installation intended or used for the conveyance of domestic sewage or from discharging any domestic sewage through a separate installation for industrial effluent	-	Director Infrastructure and Utilities		
8(2)(d)	Directing the owner or occupier of premises from which industrial effluent is discharged to construct at her/his own expense in any drainage installation conveying industrial effluent to the sewer one or more inspection, sampling or metering chambers	Council	Director Infrastructure and Utilities		
	Prescribing the dimensions, materials and positions in which inspection, sampling or metering chambers must be constructed in any drainage installation conveying industrial effluent to a sewer	Council	Director Infrastructure and Utilities		
8(2)(e)	Directing the owner or occupier of premises from which industrial effluent is discharged to provide all such information as may be required to assess the charges payable in terms of	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the tariff				
	Determining the information that is required to assess the charges payable in terms of the tariff with regard to the discharge of industrial effluent	Engineer	-		
	Assessing the charges payable in terms of the tariff with regard to the discharge of industrial effluent	Engineer	-		
8(2)(f)	Directing the owner or occupier of premises from which industrial effluent is discharged to provide and maintain at her/his own expense a meter measuring the total quantity of water drawn from any borehole, spring or other natural source of water and used on the premises concerned	Council	Director Infrastructure and Utilities		
8(2)(g)	Directing the owner or occupier of premises from which industrial effluent is discharged to submit, at her/his own cost, a chemical analysis as described in section 10 of the Bylaws to the Council	Council	Director Infrastructure and Utilities		
8(2)(h)	Directing the owner or occupier of premises from which industrial effluent is discharged to submit, in writing, the information as described in Appendix 1	Council	Director Infrastructure and Utilities		
8(3)(a)	Forming an opinion as to whether the discharge of industrial effluent into a sewer is likely to cause damage to any sewer, mechanical appliance, sewage treatment works or sewage farm or process	Engineer	None		
	Notifying the person who discharges industrial effluent into a sewer, or causes or permits it to be so discharged or is about to do so of the intention to close and seal off the drain conveying	Engineer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	such effluent to the sewer for such period as may be expedient so as to prevent such effluent from entering the sewer if such effluent is likely to cause damage to any sewer, mechanical appliance, sewage treatment works or sewage farm or process				
	Closing and sealing off the drain conveying industrial effluent, which is likely to cause damage to any sewer, mechanical appliance, sewage treatment works or sewage farm or process, to the sewer for such period as may be expedient so as to prevent such effluent from entering the sewer	Engineer	None		
8(3)(c)	In writing permitting a person to open or break the seal of a drain which was closed and sealed off	Engineer	None		
9(1)	Incorporating in any drainage installation conveying industrial effluent to a sewer, any meter, gauge or other device for the purpose of ascertaining the volume or composition of the said effluent	Council	Director Infrastructure and Utilities		
	Entering into an agreement with any person discharging industrial effluent into a sewer, establishing an alternative method of assessing the quantity of effluent so discharged rather than installing a meter, gauge or other device for that purpose	Council	Director Infrastructure and Utilities		
9(2)	Determining the cost of installing a meter, gauge or other device for the purpose of ascertaining the volume or composition of the said effluent in a drainage installation	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Recovering the expense incurred in installing a meter, gauge or other device for the purpose of ascertaining the volume or composition of the said effluent in a drainage installation on the owner of the premises concerned	-	Chief Financial Officer		
9(3)(a)	Registering boreholes situated on premises used for a water supply for trade or industrial purposes	Council	Director Infrastructure and Utilities		
9(3)(b)	Receiving full particulars of the discharge capacity of a borehole situated on premises used for a water supply for trade or industrial purposes	Council	Director Infrastructure and Utilities		
9(3)(c)	Forming an opinion as to the reliability of the particulars regarding the discharge capacity of a borehole situated on premises used for a water supply for trade or industrial purposes supplied to the Municipality	Council	Director Infrastructure and Utilities		
	Performing, where there is reason to believe that the particulars regarding the discharge capacity of a borehole situated on premises used for a water supply for trade or industrial purposes supplied to the Municipality is unreliable, tests on the discharge capacity of the borehole	Council	Director Infrastructure and Utilities		
	Determining the cost of performing tests on the discharge capacity of a borehole situated on premises used for a water supply for trade or industrial purposes where there is reason to believe that the particulars regarding the discharge capacity of the borehole supplied to the Municipality is unreliable	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in performing tests on the discharge	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	capacity of a borehole situated on premises used for a water supply for trade or industrial purposes where there is reason to believe that the particulars regarding the discharge capacity of the borehole supplied to the Municipality is unreliable				
10(2)(s)(i)	Forming an opinion as to whether any sewage, industrial effluent or other liquid or substance discharged into any sewer is no amenable to treatment at the sewage treatment works or which causes or may cause a breakdown or inhibition of the normal sewage treatment processes	Engineer	None		
	Forming an opinion as to whether any sewage, industrial effluent or other liquid or substance discharged into any sewer is of such nature as is or may be amendable to treatment only to such degree as to prevent the final treated effluent from the sewage treatment works from satisfying, in all respects, any requirements imposed in terms of the Water Services Act 1997	Engineer	None		
10(3)	Reviewing, amending, modifying or revoking any permission given or any conditions attached to such permission and/or imposing new conditions for the acceptance of any industrial effluent into the sewer or prohibiting the discharge of any or all of such effluent to the sewer due to – (a) any change in circumstances arising from a change in the method of sewage treatment; or (b) the introduction of new or revised	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>or stricter or other standards by the Council or in terms of the Water Services Act 1997; or</p> <p>(c) any amendment to the Bylaws; or</p> <p>(d) any other reason</p>				
	<p>Notifying a person of the intention to –</p> <p>(a) review, amend, modify or revoke any permission given for the acceptance of any industrial effluent into the sewer; or</p> <p>(b) any conditions attached to such permission; and/or</p> <p>(c) imposing new conditions for the acceptance of any industrial effluent into the sewer; or</p> <p>(d) prohibiting the discharge of any or all of such effluent to the sewer</p>	-	Director Infrastructure and Utilities		
10(4)(a)	Duly authorising one or more officials to instruct person to stop the discharge to the sewer of any substance not complying with the standards in terms of s 10(1) of the Bylaws	Council	Director Infrastructure and Utilities		
10(4)(b)	<p>Consulting with the Magistrate of Klerksdorp regarding fines for –</p> <p>(a) contravening the provisions of s 10(1) of the Bylaws; or</p> <p>(b) failing to comply with any order to stop the discharge to the sewer of any substance not complying with the standards in terms of s 10(1) of the Bylaws; and</p> <p>(c) a continuing offence for each day or part of a day during which such offence continues</p>	-	Director Infrastructure and Utilities		
	<p>Determining fines for –</p> <p>(a) contravening the provisions of s 10(1) of the Bylaws; or</p>	-	Director Infrastructure and Utilities		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	(b) failing to comply with any order to stop the discharge to the sewer of any substance not complying with the standards in terms of s 10(1) of the Bylaws; and (c) a continuing offence for each day or part of a day during which such offence continues				
10(4)(c)	Forming an opinion as to whether industrial effluent discharged into a sewer is likely to seriously prejudice the efficient operation of any sewage treatment works	Council	Director Infrastructure and Utilities		
	Refusing to permit the discharge of any industrial effluent which is likely to seriously prejudice the efficient operation of any sewage treatment works, into the sewer until such time as that effluent complies in all respects with the requirements prescribed in terms of the Bylaws	Council	Director Infrastructure and Utilities		
	Stopping, where the person responsible for such discharge fails to do so, the discharge of any industrial effluent which is likely to seriously prejudice the efficient operation of any sewage treatment works, into the sewer until such time as that effluent complies in all respects with the requirements prescribed in terms of the Bylaws	Council	Director Infrastructure and Utilities		
11	Deciding whether to recover from any person who discharges to a drain or sewer any industrial effluent or any substance, which is prohibited or restricted in terms of section 10 of the Bylaws or which has been the subject of an order issued in terms of section	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	8(2) of the Bylaws all costs, expenses or charges the Municipality incurred or will incur as a result of any or all of the matters enumerated in section 11(a) and (b) of the Bylaws				
	Determining the costs, expenses or charges the Municipality incurred or will incur as a result of any or all of the matters enumerated in section 11(a) and (b) of the Bylaws	-	Director Infrastructure and Utilities		
	Recovering the expense incurred or that will be incurred as a result of any or all of the matters enumerated in section 11(a) and (b) of the Bylaws from any person who discharges such effluent or substance to a drain or sewer	-	Chief Financial Officer		

## Water Supply Bylaws

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
5(1)	Authorising one or more officials to enter upon any premises and make such examination and enquiry thereon as she/he may deem necessary at all reasonable times or at any time in an emergency and without previous notice	-	Director Infrastructure and Utilities		
5(2)	Deciding whether it is necessary, for the purpose of examination or inspection or of carrying out any other work in terms of the Bylaws, to move any earth, concrete, brick, wood or metal work or any part of premises	Engineer Authorised Officer	None		
	Deciding whether immediate action is necessary that requires the moving of any earth, concrete, brick, wood or metal work or any part of premises at once	Engineer Authorised Officer	None		
	Giving 24 hours notice of the intention to move any earth, concrete, brick, wood or metal work or any part of premises	Engineer Authorised Officer	None		
	Determining the cost of moving any earth, concrete, brick, wood or metal work or any part of premises	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in moving any earth, concrete, brick, wood or metal work or any part of premises	-	Chief Financial Officer		
5(3)	Authorising the expense to restore any earth, concrete, brick, wood or metal work or any part of premises that was moved in order to conduct an examination or inspection to establish a suspected breach of the Bylaws and no such breach is discovered	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
6	Authorising one or more officers to connect a water installation to a main communication pipe	-	Director Infrastructure and Utilities		
8	Entering on behalf of the Municipality into a contract for the supply of water to premises	-	Chief Financial Officer		
	Giving written permission to a person who has not entered into a contract for the supply of water to premises to take any water from or make or cause to be made any connection with any main, communication pipe, reservoir, hydrant, conduit pipe, cistern or other place, containing water of the Municipality	Council	Director Infrastructure and Utilities		
11(1)	Prescribing the form of an application for the supply of water	Council	Chief Financial Officer		
11(2)	Prescribing the form of a consumer's agreement for the supply of water to be entered into	Council	Chief Financial Officer	1. See s 12(5) 2. After consultation with the Director Corporate Governance	
11(5)	Deciding to render to the consumer a provisional account during the period between meter readings	Council	Chief Financial Officer		
11(6)	Determining the amount of a provisional account rendered to a consumer during the period between meter readings	Treasurer	Chief Financial Officer		
12(1)(a)	Approving classes of consumers other than the Government of the Republic of South Africa (including the Transvaal Provincial Administration and the South African Railways and Harbours Administration) which shall be exempt from the requirement to pay a deposit as security for the payment of any amount that may become due by the Applicant/consumer for, or in respect of, the supply of water	Council	Municipal Manager		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Determining the amount of a deposit payable by an applicant as security for the payment of any amount that may become due by the applicant/consumer for, or in respect of, the supply of water	Treasurer	-		
12(1)(b)	Deciding to accept a guarantee in lieu of a deposit as security for the payment of any amount that may become due by the applicant/ consumer for, or in respect of, the supply of water	Treasurer	-		
	Determining the form of a guarantee to be supplied in lieu of a deposit as security for the payment of any amount that may become due by the applicant/ consumer for, or in respect of, the supply of water	Council	Chief Financial Officer		
	Approving a bank guarantee as guarantee in lieu of a deposit as security for the payment of any amount that may become due by the applicant/ consumer for, or in respect of, the supply of water	-	Chief Financial Officer		
12(2)	Requiring a consumer at any time when the deposit or guarantee is found to be inadequate to increase the deposit made or guarantee furnished	Treasurer	-		
	Deciding to discontinue the supply of water if a consumer who has been called upon to supplement a deposit or guarantee fails to do so within 30 days of being called upon to do so	Council	Chief Financial Officer		
12(3)	Determining the amount, if any, to be deducted from a deposit made by or on behalf of a consumer upon termination of the consumer's agreement	-	Chief Financial Officer		
12(4)(a)	Prescribing a receipt that a person who claims refund of a deposit must sign for	Council	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the refund of a deposit or part thereof				
	Forming an opinion as to whether a person who claims refund of a deposit is entitled to such refund	Council	Chief Financial Officer		
12(6)(a)	Refunding to the person who paid the deposit on being satisfied of her/his identity and the amount owing	Council	Chief Financial Officer		
12(6)(b)	Refunding to any person whom the Municipality is satisfied is entitled to it, a forfeited part of deposit	Council	Chief Financial Officer		
12(7)	Requiring a consumer who has applied for a greater supply of water than he is receiving to increase the deposit or furnish an increased guarantee	Treasurer	Chief Financial Officer		
13(1)	Attaching special conditions or making special provisions relating to the supply of water to any person or consumer or premises in any case where, by reason of the purpose for which the supply is desired, the nature or situation of the premises, the quantity to be supplied, the availability of supply or the method of supply it is necessary or desirable to attach special conditions or make special provisions relating to the supply	Council	Director Infrastructure and Utilities		
	Determining whether it is necessary or desirable to attach special conditions or make special provisions relating to the supply of water to any person or consumer or premises by reason of the purpose for which the supply is desired, the nature or situation of the premises, the quantity to be supplied, the availability of supply or the method of supply	Council	Director Infrastructure and Utilities		
13(2)(a)	Permitting a consumer outside the Municipality to whom water is supplied	Council	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	in bulk to resell such water to other consumers resident outside the Municipality				
13(2)(b)	Where the Council has permitted the reselling of water by a consumer outside the Municipality to whom water is supplied in bulk, imposing conditions fixing the maximum and minimum price at which the water may be resold	Council	None		
	Requiring a consumer outside the Municipality to whom water is supplied in bulk whom the Council has permitted the reselling of water to submit plans of any proposed water supply system and reticulation	Council	Director Infrastructure and Utilities		
	Approving plans of any proposed water supply system and reticulation submitted by a consumer outside the Municipality to whom water is supplied in bulk whom the Council has permitted the reselling of water	Council	Director Infrastructure and Utilities		
13(2)(c)	Where any consumer is given a supply by means of more than one connection from the Municipality's mains, stipulating the manner in which and the times during which the supply from anyone or each of such connections may be used	Council	Director Infrastructure and Utilities		
13(2)(d)	Stipulating the maximum quantity to be supplied to any consumer and fixing the hours or periods during which any consumer shall be entitled to supply	Council	Director Infrastructure and Utilities		
14(1)	Deciding to restrict the supply of water to any consumer to a maximum of 6 kl per month	-	Chief Financial Officer		
	Giving notice of the intention to discontinue the water supply to a		Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	consumer, where such consumer has – (a) wilfully or negligently damaged or caused or permitted damage to be inflicted upon any main, communication pipe, meter or other part or apparatus belonging to the council and used or intended to be used by it in connection with the supply of water; (b) committed a breach of any of the Bylaws; (c) tampered or interfered with or caused or permitted any tampering or interference with any plant or apparatus under the Municipality's control and used or intended to be used by it in connection with the supply of water				
15	Deciding to terminate any agreement entered into in terms of the Bylaws	Council	Chief Financial Officer		
	Giving notice of the intention to terminate any agreement entered into in terms of the Bylaws	Council	Director Infrastructure and Utilities		
16	Deciding to disconnect the water supply to premises where an agreement for the supply of water has been terminated	Council	Director Infrastructure and Utilities		
17(1)	Deciding to restrict the supply of water to the whole or any portion of the area of supply	Council	None		
	If the supply of water to the whole area of supply is not restricted, determining the part or parts of the supply area where it is restricted	Council	None		
	Determining the hours during which the supply of water shall be restricted	Council	None		
	Prohibiting the use of water for any	Council	None		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	specific purpose or for any purpose other than specified				
17(2)	Giving public notification of any restriction on the supply of water determined by the Council	-	Director Corporate Governance		
19(2)	Granting supply of water to any premises or part thereof situated above a level that can be served by the normal pressure in the Municipality's main, where such supply is available	Council	Director Infrastructure and Utilities		
	Determining conditions regarding the supply of water to any premises or part thereof situated above a level that can be served by the normal pressure in the Municipality's main	Council	Director Infrastructure and Utilities		
19(3)(c)	Determining the minimum capacity of a storage tank supplied with water from the Municipality's main as determined by the engineer where the supply of water to any premises or part thereof situated above a level that can be served by the normal pressure in the Municipality's main	Engineer	None		
19(3)(f)	Approving and authorising a pumping system to be used to pump water from a storage tank to a consumer's premises situated above a level that can be served by the normal pressure in the Municipality's main	Engineer	None		
21(a)	Supplying a portable meter together with stand pipe, hydrant coupling, hose pipes and necessary unions for connection to the meter for the measuring such water supplied to a consumer from hydrants	Council	Director Infrastructure and Utilities		
21(g)	Determining the cost of repairing a portable meter which was returned in a	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	damaged condition				
	Recovering the cost of replacing or repairing a portable meter that was not returned or which was returned in a damaged condition	-	Chief Financial Officer		
21(h)	Directing the place where a consumer shall take delivery of a portable meter and to where it shall be returned	Engineer	None		
23(1)	Providing, laying down and maintaining a communication pipe to serve premises with a supply of water	Council	Director Infrastructure and Utilities		
	Determining the position of a communication pipe	Engineer	None		
23(2)	Determining the sum to be paid by the owner of premises in respect of the supply, laying down and maintenance of a communication pipe where a tariff has not been determined due to the size or length of the communication pipe	Council	None		
25(a)	Forming an opinion as to whether the supply of water to premises by a single communication pipe would result in hardship or grave inconvenience or other similar circumstance	Council	Director Infrastructure and Utilities		
	Determining the number of communication pipes to supply water to premises where a single communication pipe would result in hardship or grave inconvenience or other similar circumstance	-	Director Infrastructure and Utilities		
26	Determining the size of meter to be installed	Engineer	None		
27(2)	Requiring a consumer to supply a suitable and safe place within her/his premises in which to fix the meter	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
27(3)	Maintaining that portion of the communication pipe between the street boundary and a meter within premises	Council			
	Determining the cost of maintaining that portion of the communication pipe between the street boundary and a meter within premises	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in maintaining that portion of the communication pipe between the street boundary and a meter within premises	-	Chief Financial Officer		
28(2)	Deciding to provide and install a stop cock at a suitable point on a communication pipe immediately inside the boundary of premises in the case of a meter installed outside the boundary, and in the case of a meter installed on the premises at a suitable point on the consumer's side of the meter	Council	Director Infrastructure and Utilities		
	Determining the cost of providing and installing a stop cock at a suitable point on the communication pipe	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in providing and installing a stop cock at a suitable point on the communication pipe	-	Chief Financial Officer		
31	Determining the amount of damage or injury done to or sustained by a meter	-	Director Infrastructure and Utilities		
	Recovering the amount damage or injury done to or sustained by a meter	-	Chief Financial Officer		
32(1)	Authorising on or more representatives to disconnect or interfere with any meter or fittings connected therewith	Engineer	None		
32(3)	Forming an opinion as to whether any fitting, machine or appliance used on any water installation caused damage	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	or is likely to cause damage				
33	Effecting repairs to a meter	Council	Director Infrastructure and Utilities		
34(2)	Forming an opinion as to whether damage to a meter may be attributed to an act or omission of a consumer		Director Infrastructure and Utilities		
	Determining the cost of repairing a meter, including the cost of removing and re-installing it, or substitution if necessary, that has been wilfully or accidentally damaged by the consumer	Council	Director Infrastructure and Utilities		
	Recovering the expense incurred in repairing a meter, including the cost of removing and re-installing it, or substitution if necessary, that has been wilfully or accidentally damaged by the consumer	Council	Chief Financial Officer		
35	Deciding to disconnect and remove a meter and to install and substitute another meter	Council	Director Infrastructure and Utilities		
36(3)	Deciding to discontinue the supply of water to a consumer for failing to make payment within the period stated in the tariff or the account	Council	Chief Financial Officer	<b>NOTE:</b> This section may be inconsistent with s 4(3) of the Water Services Act 1997 (Act No 108 of 1997)	
38(1)	Receiving written notices from consumers wishing to have their water meters tested	Council	Director Infrastructure and Utilities		
	Testing a water meter	Council	Director Infrastructure and Utilities		
39(2)	Estimating the quantity of water that has been consumed during a period that a meter ceased to register or which is found to be faulty in any respect	Council	Director Infrastructure and Utilities		
40(1)	Granting written permission to a person to lay, fix, alter, construct or cause to be laid, fixed, altered or constructed any	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	pipe, channel or conduit on, in or under any street, public place or lands vested in or under the control of the Municipality for the purpose of conveying water, whether such water is derived originally from a municipal supply or from private sources of supply				
	Prescribing conditions under which a person may lay, fix, alter, construct or cause to be laid, fixed, altered or constructed any pipe, channel or conduit on, in or under any street, public place or lands vested in or under the control of the Municipality for the purpose of conveying water, whether such water is derived originally from a municipal supply or from private sources of supply	Council	Director Infrastructure and Utilities		
40(4)	Giving notice of the withdrawal of permission granted to lay, fix, alter, construct or cause to be laid, fixed, altered or constructed any pipe, channel or conduit on, in or under any street, public place or lands vested in or under the control of the Municipality for the purpose of conveying water	Council	Director Infrastructure and Utilities		
42	Inspecting and approving any water installation and any alteration or extension of a water installation	Council	Director Infrastructure and Utilities		
43	Receiving written notice from the owner or any other person occupying or in control of the premises that a water installation or any alteration or extension of such water installation has been completed	Council	Director Infrastructure and Utilities		
44(1)	Inspecting water installations and issuing certificates of approval	Engineer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Authorising one or more representatives to inspect water installations and to issue certificates of approval	-	Director Infrastructure and Utilities		
45(2)	Authorising one or more representatives to inspect water installations which have been altered and prepared to enable the Municipality to supply metered water and to issue certificates of approval	-	Director Infrastructure and Utilities		
46	Approving joints that may be used in a water installation	Council	Director Infrastructure and Utilities		
47(a)	Testing, approving and stamping a tap, valve, water-mixer or other device for controlling or regulating the flow, pressure or temperature of water or other article to be installed in any water installation that does not bear an appropriate standardisation mark of the South African Bureau of Standards	Council	Director Infrastructure and Utilities		
50(2)	Calculating the “normal” water consumption on premises prior to an undetected water leakage on premises	-	Director Infrastructure and Utilities		
	Calculating the above “normal” consumption of water on premises due to an undetected leakage of water	-	Director Infrastructure and Utilities		
	Calculating tariffs for the consumption of water on premises due to an undetected leakage of water	City Treasurer	None		
50(2)(iii)	Investigating and confirming that a leakage of water on premises has actually been stopped	Council’s Official	Director Infrastructure and Utilities		
50(3)	Determining the cost of repairing, digging or replacing or any other operation which the Municipality undertakes to, or in respect of, its	-	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	mains, including stop cocks, in order to enable a consumer to carry out repairs or other work to her/his own water installation				
	Recovering the expense incurred by the Municipality in relation to repairing, digging or replacing or any other operation which the Municipality undertakes to, or in respect of, its mains, including stop cocks, in order to enable a consumer to carry out repairs or other work to her/his own water installation	-	Chief Financial Officer		
51(2)	Approving the means, other than by means of fixing to a stake securely driven into the ground, of securing stand pipes or other pipes projecting above the ground which are not secured to any structure	Engineer	None		
54(2)	Approving that a water closet, urinal, steam boiler, trade vessel or apparatus may be connected directly to the water installation without the interposition of a cistern or break-pressure tank, where adequate means for the prevention of reverse flow or re-entry of water from such fitment to the water installation are provided	Council	Director Infrastructure and Utilities		
55(1)(a)	Forming an opinion as to whether the material from which a tank or cistern for the reception or storage of water, other than a cistern used for flushing water closets or other sanitary fittings is constructed, is sufficiently strong for the purpose for which the tank or cistern is to be used and capable of resisting corrosion	Engineer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
55(1)(d)	Approving a ball, tap or check-valve to be provided in the inlet pipe to a tank or cistern for the reception or storage of water, other than a cistern used for flushing water closets or other sanitary fittings	Engineer	None		
55(2)	Instructing a consumer using a tank or cistern for the reception or storage of water, other than a cistern used for flushing water closets or other sanitary fittings, to take immediate steps to drain the cistern or tank, cleanse it and disinfect it before re-filling and replacing in service	Engineer	None		
	Setting standards for disinfecting a cistern or tank used for the reception or storage of water, other than a cistern used for flushing water closets or other sanitary fittings in which water had been contaminated	Engineer	None		
55(3)	In writing instructing a consumer using a cistern or tank for the reception or storage of water, other than a cistern used for flushing water closets or other sanitary fittings, to replace it because it no longer complies with the requirements of the Bylaws	Engineer	None		
58(1)	Testing and approving the type, design and material of every boiler, hot-water tank or other water-heating apparatus connected to a water installation pipe	Council	Director Infrastructure and Utilities		
	Approving the design, specification and position of an unobstructed outlet or expansion pipe, safety valve or other pressure release device which is adequate for the release of excess pressure of a boiler, hot-water tank or	Council	Director Infrastructure and Utilities		



Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	other water-heating apparatus connected to a water installation pipe				
60(2)	Giving written approval for the laying, installation, fixing or maintenance of a tap, valve or similar apparatus within 2 m from an electrical socket outlet, appliance or distribution board	Head of the Electricity Department	None		
63(1)	Laying communication pipes which are intended for preventive or automatic use in case of fire as far as the boundary of the consumer's property	Council	Director Infrastructure and Utilities		
64(a)	Supplying proper sluice valves to be fitted in a communication pipe (intended for preventive or automatic use in case of fire)	Council	Director Infrastructure and Utilities		
64(d)	Determining the position in which a sluice valve shall be fitted in a communication pipe (intended for preventive or automatic use in case of fire)	Engineer	None		
65	Giving written consent to add and connect further sprinklers to a sprinkler fire extinguishing system after such system has been connected to the main	Council	Director Infrastructure and Utilities		
66	Taking all steps necessary to remove an extension or connection from a fire-extinguishing system on one premises to another premises	Council	Director Infrastructure and Utilities		
	Determining the cost of removing an extension or connection from a fire-extinguishing system on one premises to another premises	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in removing an extension or connection from a fire-extinguishing system on one premises to another premises	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
67	Inspecting and certifying in writing that a fire extinguishing system complies with the requirements of the Bylaws and the work has been satisfactorily carried out	Engineer	None		
	Forming an opinion as to whether the installation of a fire extinguishing installation has been done satisfactorily	-	Director Infrastructure and Utilities		
	Authorising one or more representatives to inspect and certify, on behalf of the Engineer, in writing that a fire extinguishing system complies with the requirements of the Bylaws and the work has been satisfactorily carried out	-	Director Infrastructure and Utilities		
68(1)	Granting or refusing an application to connect a fire extinguishing system to the Municipality's main	Council	Director Infrastructure and Utilities		
68(2)	Requiring a fire extinguishing system which is not kept in proper working order or which is otherwise not properly maintained to be disconnected from the Municipality's main	Council	Director Infrastructure and Utilities		
	Deciding to disconnect a fire extinguishing system which is not kept in proper working order or which is otherwise not properly maintained from the Municipality's main	Council	Director Infrastructure and Utilities		
	Determining the cost of disconnecting a fire extinguishing system which is not kept in proper working order or which is otherwise not properly maintained from the Municipality's main	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in disconnecting a fire extinguishing system which is not kept in proper working order or which is otherwise not	-	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	properly maintained from the Municipality's main				
69	Deciding to install a a water meter in the fire-extinguishing communication pipe	Council	Director Infrastructure and Utilities		
	Forming an opinion as to whether water has been drawn from a fire-extinguishing communication pipe otherwise than for the purpose of extinguishing a fire	-	Director Infrastructure and Utilities		
71(1)	Approving a reflux valve to be fitted in an accessible position permitting of its ready inspection, repair and removal on premises where a fire-extinguishing installation includes a fire-pump connection	Council	Director Infrastructure and Utilities		
71(3)	Approving a registered <u>bona fide</u> firm as being capable of undertaking the annual servicing of a reflux valve fitted in a fire extinguishing installation including a fire pump connection	Engineer	None		
71(4)	Calling upon a consumer to produce a certificate, issued by an approved a registered <u>bona fide</u> firm, that a reflux valve fitted in a fire extinguishing installation including a fire pump connection has been serviced	Engineer	None		
73(6)	Receiving notice of the intention to drain a tank supplied in connection with a fire extinguishing system	Engineer	None		
	Deciding whether it is necessary for an inspection to be arranged and made when a tank supplied in connection with a fire extinguishing system is to be drained	Engineer	None		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
74(1)	Notifying the owner of land that a communication pipe between the Municipality's main and a fire extinguishing installation has been laid and is ready for connection	Council	Director Infrastructure and Utilities		
74(3)	Calculating the annual charges to be paid for the inspection and maintenance of communication pipes between the Municipality's main and a fire extinguishing installation	-	Chief Financial Officer		
76(1)	Sealing a private hydrant	Council	Director Infrastructure and Utilities		
	Breaking the seal on a private hydrant in the course of testing	Council's Officers	None		
76(2)	Determining the cost of resealing a private hydrant the seal of which has been broken for purpose other than testing	-	Director Infrastructure and Utilities		
	Recovering the expense incurred in resealing a private hydrant the seal of which has been broken for purpose other than testing	-	Chief Financial Officer		
76(3)	Determining the quantity of water consumed from a private fire hydrant after the breaking of the seal, other than in the course of testing or in case of fire	Engineer	None		
78(a)	In writing permitting the use of piping of suitable material other than galvanised iron, lead or copper	Engineer	None		
78(b)	Approving suitable coating for piping of not less than 75mm diameter	Engineer	None		
79	Approving a recognised standard specification, other than the relevant South African Bureau of Standards Specification for steel or iron medium or	Council	Director Infrastructure and Utilities		

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	heavy pipes				
80	Approving a recognised standard specification, other than the relevant South African Bureau of Standards Specification, for lead pipes	Council	Director Infrastructure and Utilities		
82	Approving a recognised standard specification, other than the relevant South African Bureau of Standards Specification, for copper pipes	Council	Director Infrastructure and Utilities		
83(1)(a)	Approving material other than brass or gunmetal, or if hot pressings, of brass or manganese bronze, or in either case of an equally suitable corrosion-resisting alloy from which the component parts of flushing valves shall be made	-	Director Infrastructure and Utilities		
83(1)(f)	Approving self-closing taps of a non-concussive type	Council	Director Infrastructure and Utilities		
84	Consulting with the Magistrate of Klerksdorp to determine fines for contravening the Bylaws	-	Director Infrastructure and Utilities		
	Determining fines for contravening the Bylaws	-	Director Infrastructure and Utilities		