



## **TARIFF POLICY**

**2024-2025**

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## PART 1: GENERAL INTRODUCTION AND OBJECTIVE

- 1.1. A tariff policy must be compiled, adopted and implemented in terms of Section 74 of the Local Government: Municipal Systems Act 2000, such policy to cover, among other things, the levying of fees for municipal services provided by the KSD Municipality itself or by way of service delivery agreements.
- 1.2. This tariffs policy has been compiled taking into account, where applicable, the guidelines set out in Section 74 of the Local Government: Municipal Systems Act 2000 (see part 9 of this policy).
- 1.3. In setting its annual tariffs the council shall at all times take due cognizance of the tariffs applicable elsewhere in the economic region, and of the impact which its own tariffs may have on local economic development.

## PART 2: GENERAL PRINCIPLES

- 2.1. Service tariffs imposed by the KSD Municipality shall be viewed as user charges and shall not be viewed as taxes, and therefore the ability of the relevant consumer or user of the services to which such tariffs relate, shall not be considered as a relevant criterion (except in the case of the indigency relief measures approved by the KSD Municipality from time to time). The KSD Municipality shall ensure that its tariffs are uniformly and fairly applied throughout the municipal region.
- 2.2. Tariffs for the two major services rendered by the KSD Municipality, namely:
  - a) Electricity
  - b) Refuse removal (solid waste),shall as far as possible recover the expenses associated with the rendering of each service concerned. The tariff that a particular consumer or user pays shall therefore be directly related to the standard of service received and the quantity of the particular service used or consumed.
- 2.3. The KSD Municipality shall, as far as circumstances reasonably permit, ensure that tariffs levied in respect of the foregoing services further generate an operating surplus each financial year of 10% or any such percentage as the council of the KSD Municipality may determine at the time that the annual operating budget is approved. Such surpluses shall be applied in relief of property rates and for the partial financing of general services or for the future capital expansion of the service concerned, or both. The modesty of such surplus shall prevent the service tariffs concerned from being viewed as concealed taxes.
- 2.4. The KSD Municipality shall develop, approve and at least annually review an indigent support programme for the municipal area. This programme shall set out clearly the KSD Municipality's cost recovery policy in respect of the tariffs, which it levies on registered and approved indigents, and the implications of such policy for the tariffs, which it imposes on other users and consumers in the municipal region.
- 2.5. In line with the principles embodied in the Constitution and in other legislation pertaining to local government, the KSD Municipality may differentiate between different categories of users and consumers in regard to the tariffs, which it levies.

- 2.6. Such differentiation shall, however, at all times be reasonable, and fully disclosed in each annual budget.
- 2.7. Cross subsidisation between categories of consumers or users shall be allowed and the KSD Municipality's tariff policy shall be transparent, and the extent to which there is cross-subsidisation between categories of consumers or users shall be evident to all consumers or users of the service in question.
- 2.8. The KSD Municipality further undertakes to ensure that its tariffs shall be easily explainable and understood by all consumers and users affected by the tariff policy concerned.
- 2.9. The KSD Municipality also undertakes to render its services cost effectively in order to ensure the best possible cost of service delivery.
- 2.10. In the case of directly measurable services, namely electricity, the KSD Municipality shall properly meter the consumption of such services, and meters shall be read, wherever circumstances reasonably permit, on a monthly basis. The charges levied on consumers shall be proportionate to the quantity of the service, which they consume.
- 2.11. In addition, the KSD Municipality shall levy monthly availability charges for the services concerned, and these charges shall be fixed for each type of property as determined in accordance with the detailed policies set out below. Generally, consumers of electricity shall therefore pay two charges: one, relatively minor, which is unrelated to the volume of consumption and is levied because of the availability of the service concerned; and another directly related to the consumption of the service in question.
- 2.12. In considering the costing of its electricity service, the KSD Municipality shall take due cognisance of the high capital cost of establishing and expanding such services, and of the resultant high fixed costs, as opposed to variable costs of operating these services. The KSD Municipality therefore undertakes to plan the management and expansion of the services carefully in order to ensure that both current and reasonably expected future demands are adequately catered for, and that demand levels which fluctuate significantly over shorter periods are also met. This may mean that the services operate at less than full capacity at various periods, and the costs of such surplus capacity must also be covered in the tariffs, which are annually levied.
- 2.13. In adopting what is fundamentally a two-part tariff structure, namely a fixed availability charge coupled with a charge based on consumption, the KSD Municipality believes that it is properly attending to the demands which both future expansion and variable demand cycles and other fluctuations will make on service delivery.
- 2.14. It is therefore accepted that part of the KSD Municipality's tariff policy for electricity services will be to ensure that those consumers who are mainly responsible for peak demand, and therefore for the incurring by the KSD Municipality of the associated demand charges from Eskom, will have to bear the costs associated with these charges. To this end the KSD Municipality shall therefore install demand meters to measure the maximum demand of such consumers during certain periods. Such consumers shall therefore pay the relevant demand charge as well as a service charge directly related to their actual consumption of electricity during the relevant metering period.

### PART 3: CALCULATION OF TARIFFS FOR MAJOR SERVICES

3.1. In order to determine the tariffs, which must be charged for the supply of the four major services, the KSD Municipality shall identify all the costs of operation of the undertakings concerned, including specifically the following:

- a) Cost of bulk purchases in the case of electricity.
- b) Distribution costs.
- c) Distribution losses in the case of electricity.
- d) Depreciation expenses.
- e) Maintenance of infrastructure and other fixed assets.
- f) Administration and service costs, including:
  - i. Service charges levied by other departments such as finance, human resources and legal services;
  - ii. Reasonable general overheads, such as the costs associated with the office of the municipal manager;
  - iii. Adequate contributions to the provisions for bad debts and obsolescence of stock;
  - iv. All other ordinary operating expenses associated with the service concerned including, in the case of the electricity service, the cost of providing street lighting in the municipal area (note: the costs of the democratic process in the KSD Municipality that is, all expenses associated with the political structures of the KSD Municipality - shall form part of the expenses to be financed from property rates and general revenues, and shall not be included in the costing of the major services of the KSD Municipality).
- g) The intended surplus to be generated for the financial year, such surplus to be applied:
  - i. As an appropriation to capital reserve; and/ or
  - ii. Generally in relief of rates and general services.
- h) The cost of approved indigency relief measures.

3.2. The KSD Municipality shall provide the first 50kWh of electricity per *month* free of charge to consumers who have registered as indigents in terms of the KSD Municipality's indigency relief programme. The KSD Municipality shall further consider relief in respect of the tariffs for refuse removal for such registered and approved indigents to the extent that the council deems such relief affordable in terms of each annual budget, but on the understanding that such relief shall not be less than a discount of 50% on the monthly amount billed for the service concerned.

3.3. Tariffs for pre-paid meters shall be the same as the ordinary consumption tariffs levied on the category of consumers concerned, but no availability *charge* shall be levied on properties where pre-paid meters have been installed.

3.4. This distinction is made in recognition of the financial advantages which pre-paid metering entails for the services in question.

#### **PART 4: ELECTRICITY**

4.1. The various categories of electricity consumers, as set out below, shall be charged at the applicable tariffs, as approved by the Council in each annual budget.

4.2. Tariff adjustments shall be effective from 1 July each year or as soon as possible thereafter.

4.3. Categories of consumption and charges shall be as follows:

- a) With the single exception of registered and approved indigents, all electricity consumers shall be billed for their electricity consumption at the tariff applicable to the category in which the particular consumer falls.
- b) The tariff for domestic consumption of electricity shall not exceed 75% per kWh of the tariff applicable to other consumers. All other consumers, including businesses, industries and institutional consumers shall pay the same tariff per kWh.
- c) All domestic electricity consumers of the KSD Municipality who are registered, as indigents with the KSD Municipality shall receive free the first 50kWh (fifty) of electricity consumed per month.
- d) All commercial, industrial and other non-domestic properties shall additionally be billed a monthly basic charge per meter installed and, where applicable, demands charge appropriate to their respective levels of consumption.
- e) The local KSD Municipality's departmental electricity consumption shall be charged at *cost*.
- f) In determining the stepped tariffs the KSD municipality will take into account those registered and approved indigents that qualify for discounts per KSD Indigent policy. (to be debated)

#### **PART 5: REFUSE REMOVAL**

5.1. The categories of refuse removal users, as set out below shall be charged at the applicable tariffs, as approved by the council in each annual budget.

5.2. Tariffs shall be effective from 1 July each year.

5.3. A separate fixed monthly refuse removal charge shall apply to each of the following categories of users, based on the cost of the services concerned:

- a) Domestic and other users (once weekly removal)
- b) Business and other users (twice weekly removal)
- c) Business and others users (thrice weekly removal).
- d) Business and other (bulk consumer)
- e) B n B (once weekly removal)

5.4. Registered and approved indigents may receive such discount on this charge as the council deems affordable when approving each annual budget.

5.5. In determining the tariffs the KSD municipality will take into account those registered and approved indigents that qualify for discounts per the KSD Indigency policy.

5.6. A fixed monthly charge shall be charged to the KSD Municipality's departments equal to the lowest (domestic) tariff.

#### **PART 6: MINOR TARIFFS**

6.1. All minor tariffs shall be standardised within the municipal region.

6.2. All minor tariffs shall be approved by the council in each annual budget, and shall, when deemed appropriate by the council, be subsidized by property rates and general revenues, particularly when the tariffs will prove uneconomical when charged to cover the cost of the service concerned, or when the cost cannot accurately be determined, or when the tariff is designed purely to regulate rather than finance the use of the particular service or amenity.

6.3. All minor tariffs over which the KSD Municipality has full control, and which are not directly related to the cost of a particular service, shall annually be adjusted at least in line with the prevailing consumer price index, unless there are compelling reasons why such adjustment should not be effected.

6.4. The following services shall be considered as subsidised services, and the tariffs levied shall cover 50% or as near as possible to 50% of the annual operating expenses budgeted for the service concerned:

- a) Burial and cemeteries
- b) Rentals for the use of municipal sports facilities

6.5. The following services shall be considered as community services, and no tariffs shall be levied for their use:

- a) Municipal museum and art gallery
- b) Municipal reference library
- c) Municipal botanical garden, and all other parks and open spaces.

6.6. The following services shall be considered as economic services, and the tariffs levied shall cover 100% or as near as possible to 100% of the budgeted annual operating expenses of the services concerned:

- a) Maintenance of graves and garden of remembrance (cremations)
- b) Housing rentals
- c) Rentals for the use of municipal halls, municipal public spaces and other premises (subject to the proviso set out below)
- d) Building plan fees
- e) Parking development fees
- f) Sales of plastic refuse bags
- g) Sales of refuse bins
- h) Cleaning of stands
- i) Municipal swimming pool
- j) Municipal lending library (except for fines set out below)

- k) Disposal of garden refuse at the municipal tip site
  - l) Electricity, New connection fees
  - m) Sales of livestock and plants
  - n) Photostat copies and fees
  - o) Clearance certificate
  - p) Municipal parking bays
  - q) Student accommodation
- 6.7. The following charges and tariffs shall be considered as regulatory or punitive, and shall be determined as appropriate in each annual budget:
- a) Fines for lost or overdue library books
  - b) Advertising sign fees.
  - c) Pound fees.
  - d) Electricity disconnection and reconnection fees
  - e) Penalty and other charges imposed in terms of the approved policy on credit control and debt collection.
  - f) Penalty charge for the submission of dishonoured, stale, post-dated or otherwise unaccepted cheques.
- 6.8. *Market-related rentals shall be levied for the lease of municipal properties.*
- 6.9. In the case of rentals for the use of municipal halls and premises, if the municipal manager is satisfied that the halls or premises are required for non-profit making purposes and for the provision of a service to the community, the municipal manager may waive 50% of the applicable rental.
- 6.10. The municipal manager shall determine whether an indemnity or guarantee must in each instance be lodged for the rental of municipal halls, premises and sports fields and in so determining shall be guided by the likelihood of the KSD Municipality's sustaining damages as a result of the use of the facilities concerned.

## **PART 7: ANNEXURE: LEGAL REQUIREMENTS**

### **1. ELECTRICITY ACT, 41 OF 1987 as amended.**

#### **SECTION 9: SCHEDULE OF APPROVED TARIFFS IN TERMS OF LICENCE**

- 7.1. A Municipality, in its capacity as an electricity services institution, shall not charge any consumer with other tariffs than those specified in the schedule of approved tariffs in his licence.
- 7.2. If the Municipality, in its capacity as electricity services authority, has imposed conditions under which electricity services are provided, such conditions must be accessible to consumers and potential consumers.
- 7.3. If the Municipality, in its capacity as electricity services authority, provides electricity for industrial use, or controls a system through which industrial effluent is disposed of, it must make by-laws providing for at least the following:
- a) The standards of the service;



- b) The technical conditions of provision and disposal;

**2. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT NO. 32 OF 2000**

**SECTION 74: TARIFF POLICY**

7.4. The council of a Municipality must adopt and implement a tariff policy on the levying of fees for the services provided by the Municipality itself or by way service delivery agreements.

7.5. Such policy must comply with the provisions of the present Act and any other applicable legislation.

7.6. Such tariff policy must reflect at least the following principles:

- a) That users of municipal services must be treated equitably in the application of the municipality's tariffs;
- b) That the amount individual users pay for services must generally be in proportion to the use of such services;
- c) That poor households must have access to at least basic services through tariffs which cover only operating and maintenance costs, special tariffs or lifeline tariffs for low levels of use or consumption of services or for basic levels of services, or any other direct or indirect method of subsidisation of tariffs for poor households;
- d) That tariffs must reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement costs, and interest charges;
- e) That tariffs must be set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned;
- f) That provision may be made in appropriate circumstances for a surcharge on the tariff for a service;
- g) That provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
- h) That the economic, efficient and effective use of resources, the recycling of waste, and other appropriate environmental objectives must be encouraged;
- i) That the extent of subsidisation of tariffs for poor households and other categories of users must be fully disclosed.

7.7. The tariff policy may differentiate in respect of services, service standards, service providers and other matters between different categories of users, debtors or geographical areas.

7.8. If the policy entails such differentiation, the municipality must ensure that this does not amount to unfair discrimination.

**SECTION 73: GENERAL DUTY**

7.9. The municipality must give effect to the provisions of the Constitution, and in doing so give priority to the basic needs of the local community, promote the development of the local community, and ensure that all members of the local community have access to at least the minimum level of basic municipal services.

7.10. The services provided by the municipality must be:

- a) Equitable and accessible;
- b) Provided in a manner conducive to the prudent, economic, efficient and effective use of available resources, and the improvement of standards of quality over time;

- c) Financially sustainable;
- d) Environmentally sustainable; and
- e) Regularly reviewed with a view to upgrading, extension and improvement.

**SECTION 75: BY- LAWS TO GIVE EFFECT TO POLICY**

7.11. The council of a municipality must adopt by-laws to give effect to the implementation and enforcement of its tariff policy.

7.12. Such by-laws may differentiate in respect of services, service standards, service providers and other matters between different categories of users, debtors or geographical areas, but in a manner, which does not amount to unfair discrimination.



**N. PAKADE**  
**MUNICIPAL MANAGER**

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