

PROVINCIAL NOTICE 942 OF 2024



IMPOUNDMENT

OF ANIMALS BYLAW

2023/2024

Contents

1. Definitions..... 1

2. Revocation of by laws 2

3. Application of by law 2

4. Legislation 2

5. Objects of bylaw 3

6. Establishment of pound 3

7. Pound master 4

8. Rangers 4

9. Pound Assisstants..... 4

10. Detention and removal of animals..... 5

11. Impoundment..... 5

12. Impounded animals bearing identification mark or animals for which the owner is known to Pound Master... 6

13. Claim by owner.....6

14. Unclaimed animals..... 7

15. Procedure and notice of sale..... 7

16. Costs of impoundment which municipality is entitled to recover from owner..... 8

17. Care and treatment of animals..... 8

18. Duties of owners of animals..... 9

19. Destruction of sick or injured animals.....10

20. Appeal.....10

21. Offences and penalties.....10

22. Revocation of by laws.....11

35. Short title and commencement.....11

1. Definitions

"**animal**" means any equine, bovine, cow, bull, oxen, sheep, donkey, goat, pig, fowl, ostrich, dog, cat or other domestic animal or bird, or any wild animal, cattle, wild bird or reptile, including the young of such animal and includes also both sexes of such animal.

"**Animal disease**" has the meaning assigned to it in terms of the Animal Diseases Act No. 35 of 1984.

"**Animal health scheme**" has the meaning assigned to it in terms of the Animal Diseases Act No. 35 of 1984.

"**Auction sale**" means a public sale in which members of the public are invited to bid for the animal or animals being offered for sale, the animal or animals being sold to the highest bidder at the fall of the hammer, and which sale constitutes a legally binding contract, and which complies with the provisions of the Consumer Protection Act No 68 of 2008, where applicable.

"**Contagious disease**" means any disease, sickness, or illness which is capable of being transferred or transmitted from an infected animal, carcass or other thing to another animal, plant or human either through physical contact or by being airborne.

"**Council**" means the Council of the King Sabata Dalindyebo Local Municipality.

"**department**" means the Department of Forestry, Fisheries and Environment

"**hooves**" means horny covering protecting the ends of digits in the foot of certain animals, such as horses or donkeys.

"**Identification mark**" has the meaning assigned to it in terms of the Animal Identification Act, 2002.

"**municipality**" means the King Sabata Dalindyebo Local Municipality

"**mane**" means hair that grows from the top of the neck of a horse that naturally grows to cover the neck and forehead.

2. Revocation of by laws

1. The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality are hereby repealed as far as they relate to matters provided for in this by-law, and insofar as it has been made applicable to the municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.
2. Any by laws relating to this by law as adopted by the municipality or any erstwhile municipal council now comprising an administrative unit of the municipality shall be repealed from the date of promulgation of this by law.

3. Application of by law

1. This by law shall be binding on all persons and property within the jurisdiction of the municipality.

4. Legislation

1. Constitution of the Republic of South Africa
2. Local Government: Municipal Systems Act No 32. Of 2000.
3. National Road Traffic Act No 93 of 1996
4. Animal Identification Act No.6 of 2002.
5. Animal Diseases Act No. 35 of 1984.
6. Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act No 36 of 1947.
7. Criminal Procedure Act No 56 of 1955.
8. Animal Protection Act No 71 of 1962.
9. The legislation listed in sub-paragraphs 4.1. to 4.8 above do not represent an exhaustive list of legislation to which these by laws may be subject.
10. In the event of any ambiguity between any provision of this bylaw and the provision of any national or provincial legislation, the provision of such legislation shall prevail.

5. Objects of bylaw

1. To promote the effective monitoring and control of impounded animals within the jurisdiction of the municipality.
2. To ensure that the established pound as well as its administration is in line with applicable legislative requirements and requirements of the SPCA.
3. To foster a culture of stock responsibility among the communities of the municipality.
4. To administer the pound in a manner that is fair to stock owners, especially rural stock owners whose livelihood and status in their communities depend largely on their stock count.

6. Establishment of pound

1. The Council may establish a pound at any convenient place within its area of jurisdiction and, whenever the Council deems it necessary, may disestablish such pound.
2. The pound shall meet the following criteria, as well as any criteria required by the SPCA and or other legislation with regards to the keeping of animals:

- a) The pound area shall be well-fenced, secure with lockable gates (barbed wire fencing is discouraged as it poses a danger to impounded animals).
 - b) The pound area shall be reasonably large enough to allow for free mingling of animals,
 - c) provided different categories of animals shall be kept separate from one another if so, dictated by the SPCA or other applicable legislation.
 - d) The pound shall be large enough to allow for adequate grazing.
 - e) The pound area shall be sub-divided into enclosures to accommodate animals according to their feeding adaptations, behaviour, and state of health, provided that there are separate enclosures as follows:
 - (i) cattle
 - (ii) sheep, goats, and pigs
 - (iii) dogs; and
 - (iv) cats.
 - f) Where there is insufficient ground for grazing, there must be alternative provision for feeding.
 - g) The pound must have adequate shelter for the provision of shade and protection against adverse weather conditions, for both animals and pound personnel.
 - h) The pound must always have adequate supply of clean water.
 - i) The pound must be always clean and well-maintained.
 - j) Animal droppings must be removed from the enclosures as they pollute the area and serve as breeding ground for diseases.
 - k) A poisonous plant species must also be identified and destroyed.
 - l) The pound must have a constructed off-ramp for off-loading of animals from delivery vehicles.
 - m) Animals must be transported strictly in accordance with the transportation guidelines laid down for different categories of animals by the SPCA to ensure no harm is caused to any animal.
 - n) The pound shall have a separate quarantine section.
3. The Council shall give notice of the establishment of a pound, or the disestablishment thereof, by publishing a notice in at least two newspapers circulating in the area of jurisdiction of the Council.

7. Pound master

1. The municipality shall appoint a fit and proper person to be the pound master.
2. It is the duty of the pound master to receive into his or her charge, for impoundment, all animals brought to the pound, during such hours as the municipality may determine.
3. The pound master is responsible for the overall administration and management of the pound.
4. The pound master shall keep and manage the pound register.
5. The pound master shall liaise with the state veterinary surgeon or equivalent officer with regards to injured, sick or dead animals.
6. In the absence of the pound master, the municipality may appoint another person to act in such position, and such person shall assume all duties of the pound master as contained in this bylaw during the time of his or her acting as such.

8. Rangers

1. The municipality shall appoint one or more persons to be rangers.
2. Rangers shall patrol all public and municipal spaces within a prescribed radius.
3. Rangers shall deliver stray, lost or trespassing animals to the pound.
4. Rangers shall mark all animals upon delivery to the pound. The rangers shall ensure that the markings envisaged in this section are done in a safe, and non-harmful manner.
5. Rangers shall remove all dead or injured animals, provided that injured animals shall only be removed upon consultation with a veterinary surgeon, from roads, public spaces, and the pound.

9. Pound Assistants

1. The municipality may appoint as many pound assistants as it deems necessary to support the pound master in his or her duties.
2. Pound assistants shall be responsible for:
 - a) cleaning and maintenance of the pound.
 - b) provision of water and feed.
 - c) removal of animals from the pound upon instruction by the pound master.
 - d) tendering of animals in preparation for sale.
 - e) maintenance of enclosures and grazing land.
 - f) feeding of impounded animals.
 - g) destruction and disposal of sick or injured animals upon instruction by the pound master.

10. Detention and removal of animals

1. Any animal-
 - a) found trespassing on land; or
 - b) straying or wandering unattended in a public road or other public place, may be detained and removed to a pound by the owner of such land, a ranger, a member of the South African Police Services, the pound manager or his or her designee, or any other person.
2. Any person who has detained an animal for the purpose of impounding shall-
 - a) remove such animals to a pound within 24 hours after seizure; and
 - b) ensure that proper care is taken of the seized animal until the animal is received at the pound.

11. Impoundment

1. Any person removing an animal to a pound shall provide the pound manager with-
 - a) his or her name and permanent residential address.
 - b) the time and place of detention of the animal; and
 - c) the capacity in which he or she detained the animal.
2. The pound manager shall, upon receipt of a detained animal-
 - a) record the particulars furnished in terms of section 5(1) and enter the same in a book maintained for the purpose, which book shall be known as the pound register.
 - b) record in the pound register the number of animals impounded, a description of each animal, whether such animal has an identification mark and the general state of health as of time of impoundment as observed by the pound master.
 - c) furnish the person delivering the animal with a receipt reflecting-
 - (i) his or her name.

- (ii) a description of the animal or animals; and
 - (iii) the date and time of receipt of the animal(s) at the pound; and
 - (iv) keep a copy of each receipt issued in terms of section 5(2)(b).
3. No person shall release or attempt to release, otherwise than in accordance with these bylaws, any animal(s) which has been received at a pound.
 4. Where it is clear that any animal is sick or injured, the pound master shall immediately consult the state veterinary surgeon or other equivalent person, with a view to securing medical treatment for the animal.
 5. The pound master shall comply with any animal health scheme pertaining to any sick or diseased animal.
 6. Within 24 hours of the impoundment of any animal, the pound master shall cause a notice to be put up on the pound notice board, which notice shall contain a description of the animal or animals impounded, the vicinity in which such animal(s) was found wandering or trespassing, and advising owners to claim such animals within a period of 14 days, failing which the animal may be considered for sale by the municipality. Provided that where such animal is so sick or injured it may be disposed off, in accordance with these bylaws prior to or within the 14-day notice period.
 7. If an animal or animals impounded at the same time exceeds the fair market value of R10 000-00, the pound master must publish a copy of the notice referred to in clause 11.5 above in a newspaper published in the area in which the impounded animal was found, or if there is no such newspaper then in any newspaper circulating in the area.

12. Impounded animals bearing identification mark or animals for which the owner is known to Pound Master

1. In accordance with Regulation 8 of Government Notice R1683 dated 21 November 2003, issued in terms of section 14 of the Animal Identification Act, 2002, the pound master shall follow the following procedures with respect to animals bearing an identification mark or where the pound master is aware of the identification of the owner:
 - a) The pound master shall send by certified post to the owner of the animal a notice containing the following details:
 - (i) the name and address of the pound.
 - (ii) the name and address of the owner of the identification mark.
 - (iii) the description of the identification mark.
 - (iv) the description of the animals in the pound.
 - (v) the number of animals of each description;
 - (vi) the date on which the animals of each description were impounded.
 - (vii) the date on which the animals of each description will be auctioned; and
 - (viii) the date of issue of such notice.

13. Claim by owner

1. Where a person has satisfied the pound master that he or she is the legal owner of an impounded animal, the pound master may release such animal to such person only upon the following condition:
 - a) The claimant has paid the amount of an invoice issued by the pound master which reflects the costs incurred for the feeding, veterinary care and accommodation of the animal charged for the period of impoundment.
2. The pound master shall issue an invoice of charges to the claimant, such invoice to be paid at the municipality cashier's office.
3. Upon proof of payment issued by the municipal cashier, the pound master issue a payment receipt in triplicate. One receipt shall be given to the owner, one receipt shall be kept by the pound master and one receipt shall be filed in a payments receipts book to be handed over to the municipality treasury department once a month.
4. The pound master will thereafter facilitate the safe removal of the claimed animal from the pound.

14. Unclaimed animals

1. Where any impounded animal remains unclaimed for a period of more than 14 days from date of impoundment, such animal may be put up for sale by way of auction.

15. Procedure and notice of sale

1. If an animal has not been claimed by its owner or if the owner of the animal is unknown, the pound master must within 5 days from the end of the notice period of the notice contemplated in clause 11.4 above, apply to the magistrate's court in terms of the procedure prescribed by that court for an order to sell the animal on public auction.
2. After the court grants the order contemplated in 15.1 above, the pound master must publish the prescribed notice of sale of the animal.
3. The notice of sale must be displayed for 5 days in three public places on the municipality and must specify the time and place at which the animal will be publicly sold.
4. If the animal has not been claimed by the owner or someone on behalf of the owner after 5 days of the publication of the notice of sale, the pound master can proceed to dispose of the animal by way of public auction.
5. The animal must be sold to the highest bidder at the time and place mentioned in the notice.
6. Every sale of impounded animals must be conducted by the pound master, or some other person duly authorised thereto by the municipality.
7. Every sale of impounded animals must commence at the time and date mentioned in the notice in terms of clause 15.3 above.
8. No person conducting a sale may have any direct or indirect interest in any purchase at any sale so held by him or her.
9. At every sale no animal may be put up for sale unless impounded for at least 14 consecutive days.
10. No animals, except sheep and goats must be sold individually.
11. Sheep and goats must be sold in lots of not more than ten, and sheep and goats, or sheep and goats with different marks or brands may not be sold together in the same lot.
12. Animals must be sold for cash, and proceeds, less the amount of the pound fees and other costs incurred must be handed by the pound master to the municipality, to be paid to the owners of the animals sold.

13. Any monies, being the proceeds of the sale of any impounded animal, not being claimed by the owner of such animal within twelve months from the date of sale, accrues to the municipality.
14. The municipality may fix a reserve price for any animal offered for sale; and
15. The pound master may withdraw any animal from the sale if the highest bid received is not satisfactory, irrespective of whether a reserve price has been fixed by the municipality
16. If the owner claims the animal after 5 days of the notice of sale but before the animal is auctioned, the owner of the animal will be liable for the amount-
 - a) claimed for damages caused by the animal to the property of the person who impounded the animal
 - b) for veterinary fees.
 - c) for the service fee of the pound master as prescribed.
 - d) for the publication of the notice of sale; and
 - e) any other expense as may be prescribed by law.
17. The owner is entitled to the remittance of the net proceeds of sale contemplated in this section by application in the prescribed manner.
18. The pound master shall keep a record of every court order authorising an auction, as well as the purchase price of every animal sold in terms of such auction.
19. No animal shall be sold otherwise than in accordance with this section.

16. Costs of impoundment which municipality is entitled to recover from owner

1. Any owner who claims an impounded animal shall be responsible for the tariff of charges in respect of feed, accommodation and or veterinary costs and any other related costs for which a tariff has been

17. Care and treatment of animals

1. A temporary mark shall be applied to every impounded animal within 24 hours upon arrival at the pound.
2. The pound master shall ensure that the temporary marking is done in a humane manner and shall not in any way harm or injure the animal.
3. Where there is adequate grazing ground, animals must be allowed to graze for at least 2 hours per day after which they must be returned to their enclosures.
4. Young who are still suckling must not be separated from their mothers.
5. Provision for adequate water must be provided in the grazing area as well as in the enclosures.
6. Where there is insufficient grazing ground alternative and appropriate feed must be provided for each type of animal.
7. Male and female animals must be accommodated separately, provided that young sucklings must not be separated from their mothers.
8. Pound enclosures must provide sufficient protection from the elements, such as rain, sunshine, or wind.
9. The pound must be kept in a clean and hygienic state at all times.
10. The pound perimeter fences must always be in a state of good repair to prevent animals escaping from the pound.
11. No animal shall be ill-treated, beaten, ridden, caused to work, milked for human benefit, teased, played with, denied food or water, chained, tied, whipped or in any other manner treated cruelly or in an inhumane manner. Any official found contravening this section shall be immediately disciplined which may include dismissal for a first offence.
12. The pound master shall ensure that any animal that is visibly sick or injured shall receive

13. veterinary attention as soon as possible.
14. Whenever any animal is transported, it shall be so transported in a manner that complies with the SPCA's guidelines on the transportation of animals.
15. No pound official or other person may administer medical treatment to any animal otherwise than in accordance with the advice of a veterinary surgeon or other equivalent person.
16. The pound assistants shall ensure that the pound area and grazing areas are free of any alien or poisonous plant species or any other things or objects that may be harmful to the animals.
17. The pound master must ensure that grazing rotation is practised to avoid overgrazing of a particular area.
18. Before any animal is sold as provided for in clause 14 above, the pound master and rangers
19. shall ensure that each animal is tendered. This will include the trimming of manes, hooves, and branding.
20. The pound master shall not release any animal into the care of any person who is visibly under the influence of alcohol or other substance such as drugs. This provision shall apply equally to the owner who claims any animal.

18. Duties of owners of animals

1. Each owner of animals must-
 - a) apply for registration of an identification mark in terms of section 5(1) of the Animal Identification Act, 2002;
 - b) mark his or her animal in the prescribed manner.
 - c) where an identification mark on an animal is invisible or indistinct, mark the animal clearly with his or her identification mark, within 14 days after he or she is directed to do so by any official of the municipality.
 - d) notify the pound master of him or her being a registered owner, and providing the pound master with his or her names, identity number and permanent place of residence
 - e) notify the pound master in writing of any changes of his or her address
 - f) any owner of animals may apply for registration contemplated in sub-paragraph(a) above, with the assistance of the pound master who shall assist the owner with the filling in of necessary application forms and liaison with the department.
2. No person may -
 - a) within 14 days of the date on which he or she becomes the owner of an animal with an identification mark, sell, barter, give away or in any other manner dispose of that animal to another person, unless he or she furnishes a document of identification to the person who acquires that animal, or
 - b) after 14 days of the date on which he or she becomes the owner of that animal unless
 - (i) such animal has been marked in the prescribed manner with the identification mark of the owner disposing of that animal; and
 - (ii) he or she furnishes the person acquiring that animal with a document of identification.
 - c) A person acquiring an animal from a person disposing of an animal as contemplated in subsection (2) must retain the document of identification obtained from that person for a period of one year.

19. Destruction of sick or injured animals

1. No animal may be destroyed unless authorised by a veterinary surgeon or equivalent person.
2. Where a veterinary surgeon or equivalent person has authorised the destruction of an animal, he or she shall also prescribe the manner of destruction which shall be via medical means administered by a qualified person.

3. No animal shall be destroyed in a cruel or inhumane manner.
4. Prior to the destruction of such animal the pound master shall apply to the magistrates' court for an order authorising such destruction in line with the recommendations of the veterinary surgeon or equivalent person. Such application shall be made not more than 3 days after receipt of the recommendations of the veterinary surgeon or equivalent person. Where it is necessary for the immediate destruction of the animal in order to prevent further contamination or spread of disease to other animals or humans, such application must be made on an urgent basis.
5. The remains of the destroyed animal shall be buried (unless the veterinary surgeon or equivalent person specifically prescribes a cremation) in accordance with any applicable legislation in an area specifically demarcated outside the perimeter of the pound.
6. For each burial lime must be applied to the pit.

20. Appeal

1. Any person whose rights are affected by a decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Municipal Systems Act, 2000 to the municipal manager within 21 days of the date of notification of the decision.

21. Offences and penalties

1. Any person who-
 - a) contravenes or fails to comply with a provision of this bylaw.
 - b) deliberately obstructs or interferes with any person in the exercise of any power or the performance of any duty or function in terms of this bylaw; or
 - c) furnishes false, incorrect, or misleading information, commits an offence and is liable upon conviction to-
 - i. a fine or imprisonment, or to both such fine and such imprisonment; and
 - ii. in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine, or to both such additional fine and imprisonment for each day on which such offence is continued; and
 - iii. a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as a result of such contravention or failure.

22. Revocation of by laws

1. The provisions of any bylaws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality if applicable, are hereby repealed as far as they relate to matters provided for in this bylaw, and insofar as it has been made applicable to the municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act 117 of 1998.

23. Short title and commencement

1. This by-law is called the Municipal Pound By Law, 2022 and shall come into operation on the date of publication thereof in the Provincial Gazette.



Matatiele

PO Box 35

Matatiele, 4730

Tel: 039 737 3135

Fax: 039 737 3611

PROVINCIAL NOTICE 943 OF 2024**ECONOMIC DEVELOPMENT PLANNING****MALUTI TOWNSHIP ESTABLISHMENT CONDITIONS**

Under regulation 4(1) of Chapter 1 of the regulations published under Proclamation No. R.293 of 1962, read with section 229 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), as applicable in certain areas of the Eastern Cape Province, I hereby define and set apart the land described in Schedule 1 hereto as Maluti, subject to the Conditions of Establishment contained in Schedule 1 hereto.

SCHEDULE 1: CONDITIONS OF ESTABLISHMENT**1. NAME**

The name of the township shall be MALUTI.

2. PROPERTY DESCRIPTION

The township is situated on Erf 1 Maluti.

3. DESIGN

The township comprises 1208 erven numbered as follows:

- Residential erven: 2-13, 15-88, 90-116, 118-231, 233-316, 318-472, 474-671, 673-748, 750-1046, 1048-1104, 1106-1154, 1156-1220.
- Public places: 14, 89, 117, 232, 317, 473, 672, 749, 1047, 1105, 1155.

4. ACCESS

Access to the sites is as indicated on General Plan SG No. 11006/1969.

5. PERMISSIBLE USE

5.1 Residential (Erven: 2-13, 15-42, 44-88, 90-93, 96-110, 113-135, 139-158, 160-202, 204-220, 222-231, 233-490, 492-583, 585-672, 674-748, 750-807, 809-815, 817-1012, 1014-1032, 1034-1046, 1048-1104, 1106-1153, 1155-1189, 1191-1220, 1223-1238, 1240-1252)

The following sites shall only be used to erect single-dwelling houses:

Initials: SM.N

Conditions:

- Only one building with usual outbuildings (which shall not constitute a flat) may be built on a residential site without prior approval from the local authority.
- Occupants may practice social, religious activities, and their occupations, professions, or trades, including retail trade, provided:
 - Dominant use remains residential.
 - Activities are not noxious.
 - Activities do not interfere with neighbourhood amenity.
 - Building height does not exceed 2 storeys.
 - Total coverage of all buildings does not exceed 50% (single storey) or 40% (double storey) of the erf area, unless additional coverage is granted by the local authority.

5.2 Institutional (Erven: 43, 95, 137, 221, 491, 584, 808, 1013, 1033, 1190)

Institutional use is subject to:

- Building height not exceeding two storeys.
- Total building coverage depending on zoning of the erf area.

5.3 Government Use (Erven: 111, 112, 137, 138, 159, 816)

Government use is subject to:

- Building height not exceeding two storeys without local authority consent.
- Building coverage depending on zoning of the erf area.

5.4 Municipal Use (Erf: 203)

Municipal use is subject to:

- Building height not exceeding two storeys without local authority consent.
- Building coverage depending on zoning of the erf area.

5.5 Business, Industrial, and Special Use (Erven: 94, 136, 1221, 1222, 1239)

Business and Special use is subject to:

- Building height not exceeding two storeys without local authority consent.
- Building coverage depending on zoning of the erf area.

5.6 Parks (Erf: 11154)

The site shall be used for parks, playgrounds, sports, and recreational facilities, including associated buildings.

Initials: SMN

6. GENERAL CONDITIONS

Unless otherwise stated, the following apply:

- a) Mineral rights and sub-surface rights are reserved for the state.
- b) Only domestic pets are allowed; no other animals are permitted on the erf.
- c) Servitudes in favour of the local authority: - 3m servitude along the street boundary. - 2m rear boundary servitude. - Servitude along lateral boundaries with a joint width of 3m and a minimum width of 1m for sewer and other municipal purposes, relaxable upon application to the local authority.
- d) No buildings or structures within servitude areas, and no large-rooted trees planted within 1m of such areas.
- e) Local authority may temporarily deposit materials on land adjoining servitudes during construction, maintenance, or removal of sewerage mains and other works.
- f) Sites cannot be subdivided or consolidated without local authority consent.
- g) Except with local authority consent, no excavations, wells, boreholes, or subterranean water abstraction are allowed.
- h) Owners of lower-lying properties must accept stormwater from higher-lying properties and share costs of necessary drainage pipelines or drains.
- i) Building siting, entrances, and exits must satisfy the local authority.
- j) Building plans and material specifications must be submitted and approved by the local authority before construction.
- k) Property development is the owner's responsibility.

7. CONDITIONS OF TITLE

The following must be included in the title deed of all sites:

1. Ownership is subject to current and future township conditions.
2. Without local authority approval, the property:
 - o Cannot be used for purposes other than specified.
 - o Cannot be subdivided.
 - o Cannot be consolidated with other erven.
 - o Cannot be held under registered title by more than one person.

Initials: SM-N

3. Properties must not be developed or used in a way that detracts from the amenity or convenience of the area. This is enforceable by the local authority or any party.
4. Registered holders must pay fees, charges, and rates lawfully payable to the Local Authority or other duly constituted bodies.
5. The Executive Council for Local Government Local Authority may authorize public infrastructure projects over the ownership unit.

8. SERVING OF NOTICES

Notices may be served by:

- Delivering personally to any person or their authorized agent.
- By registered post.

9. OFFENCES

Non-compliance with any provision of these conditions constitutes an offence.

Initials: SM IN

PROVINCIAL NOTICE 944 OF 2024**REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND BUILDING LINE DEPARTURE FOR ERF 7205, EAST LONDON: 82 VINCENT GARDENS NORTH, VINCENT**

Approval is granted in terms of section 95 of the Municipal By-Law pertaining to the Spatial Planning and Land Use Management Act (Act 16 of 2013) for the removal of restrictive title conditions C. (1 - 4) contained in Deed of Transfer T4446/1993 pertaining to Erf 7205 East London.

Drake Flemmer & Orsmond (EL) Inc
Quenera Park
12 Quenera Drive
Beacon Bay
East London
Tel: 043 722 4210
Email: jenny@drakefo.co.za

PROVINCIAL NOTICE 945 OF 2024**REMOVAL OF RESTRICTIVE CONDITIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

ERF 937 BEACON BAY, EAST LONDON, EASTERN CAPE

Under Section 47(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) read with Section 95 of the Buffalo City Metropolitan Municipal Spatial Planning & Land Use Management Bylaw of 2016 and upon instructions by the Local Authority, a notice is hereby given that conditions B. 3 (a-d) and C. (1-3) contained in Deed of Transfer Number T17439/2021 applicable to Erf 937 Beacon Bay, are hereby removed.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1133 OF 2024

**NOTICE NO 40 OF 2024****APPOINTMENT OF MEMBERS TO SERVE IN THE KING SABATA DALINDYEBO (KSD) MUNICIPAL PLANNING TRIBUNAL AND THE COMMENCEMENT OF THE KSD MUNICIPAL PLANNING TRIBUNAL**

Notice is hereby given in terms of section 37 (4) of the Spatial Planning and Land Use Management Act, No 16 of 2013, read with section 3(1)(j) of the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 and section 38(4) and 43(1)(b) of the KSD Spatial Planning and Land Use Management by-law No 3742 of 2016 for the appointment of members to serve in the KSD Municipal Planning Tribunal for a period of five (5) years; and the commencement of the KSD Municipal Planning Tribunal.

The following members have been appointed by the municipal council to serve in the KSD Municipal Planning Tribunal for the period of 2023-2028:

Name and Surname	Qualification
1. Zininzi Ndzelu	Professional Town and Regional Planner
2. Linda Mavis Mqokoyi – Chairperson	Professional Town and Regional Planner
3. Tshililo Vele	Professional Town and Regional Planner
4. Sigqibo Vena (Deputy Chairperson)	Professional Land Surveyor
5. Bantu Gwadiso	Professional Electrical Engineer
6. Maryna N. Dickens	Attorney
7. Ludwe Toni	Construction Manager
8. Qondile Baliso	Environmental Specialist
9. Luthando Maboza	Civil Engineer

The KSD Municipal Planning Tribunal will commence operations in July 2024.

For enquiries, please contact Miss N. Tukwayo, Manager Forward Planning on 047 495 1174/ 060 997 5905, or visit office 221, 2nd Floor, Munitata Building, Mthatha, during working hours.


 2024/06/14.....
N. PAKADE
MUNICIPAL MANAGER

PUBLICATION DATES: JUNE 2024

LOCAL AUTHORITY NOTICE 1134 OF 2024

Nelson Mandela Bay Municipality (EASTERN CAPE)

**Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013
(Act 16 of 2013)**

ERF 2485, WALMER, PORT ELIZABETH, EASTERN CAPE

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions B. 5. and B. 6. (a-d) contained in Deed of Transfer No. T10159/2018 and any subsequent deed applicable to Erf 2485, Walmer is hereby removed.

LOCAL AUTHORITY NOTICE 1135 OF 2024

Issued by the Department of Cooperative Governance on 10 April 2014

MHLONTLO LOCAL MUNICIPALITY**LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT NO.6 OF 2004
REVISED SPECIMEN MUNICIPAL PROPERTY RATES BY-LAW (ISSUED ON 16
FEBRUARY 2021)****REPLACES THE SPECIMEN ISSUED ON 10 APRIL 2014****MUNICIPAL NOTICE NO: 09 of 2024/2025****Date: 31 May 2024**

Mhlontlo Local Municipality, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of the resolution adopted the Municipality's Property Rates By-law set out hereunder.

MHLONTLO LOCAL MUNICIPALITY**MUNICIPAL PROPERTY RATES BY-LAW****PREAMBLE**

WHEREAS section 229(1) of the Constitution requires a municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality;

AND WHEREAS section 13 of the Municipal Systems Act read with section 162 of the Constitution requires a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province;

AND WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 requires a municipality to adopt by-laws to give effect to the implementation of its property rates policy; the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates;

NOW THEREFORE IT IS ENACTED by the Council of the Mhlontlo Local Municipality, as follows:

1. DEFINITIONS

In this By-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), shall bear the same meaning unless the context indicates otherwise-

'Municipality' means Mhlontlo Local Municipality;

'Municipal Property Rates Act' means the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004);

'Rates Policy' means the Mhlontlo Local Municipality's property rates policy adopted by the Council in terms of section 3(1) of the Local Government: Municipal Property Rates Act, 2004.

2. OBJECTS

The object of this By-law is to give effect to the implementation of the municipality's Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

3. THE RATES POLICY

The municipality prepared and adopted a Rates Policy as contemplated in terms of the provisions of section 3(1) of the Municipal Property Rates Act. The Rates Policy outlines the municipality's rating practices; therefore, it is not necessary for this By-law to restate and repeat same.

The Rates Policy is hereby incorporated by reference in this By-law. All amendments to the Rates Policy as the Council may approve from time to time, shall be deemed to be likewise incorporated.

The Municipality does not levy rates other than in terms of its Rates Policy and the annually promulgated resolution levying rates which reflects the cent amount in the Rand rate for each category of rateable property.

The Rates Policy is available at ...

*list the places such as the municipality's head office, satellite offices and libraries and electronically e.g. website where members of the public can easily access the Rates Policy because it must be easily accessible to the persons it affects.

4. CATEGORIES OF RATEABLE PROPERTIES

The Rates Policy provides for categories of rateable properties determined in terms of section 8 of the Act.

5. CATEGORIES OF PROPERTIES AND CATEGORIES OF OWNERS OF PROPERTIES

The Rates Policy provides for categories of properties and categories of owners of properties for the purposes of granting relief measures (exemptions, reductions and rebates) in terms of section 15 of the Act.

6. ENFORCEMENT OF THE RATES POLICY

The Municipality's Rates Policy is enforced through the municipality's Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

7. SHORT TITLE AND COMMENCEMENT

This By-law is called the Mhlontlo Local Municipality Municipal Property Rates By-law, and takes effect on the date on which it is published in the *Provincial Gazette*.

Issued by the Department of Cooperative Governance on 10 April 2014

MHLONTLO LOCAL MUNICIPALITY



RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004. (ACT NO.6 of 2004).

Date: 31 May 2024

MUNICIPAL NOTICE NO: 09 of 2024/2025

RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2024 TO 30 JUNE 2025

Notice is hereby given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004; that at its meeting the Council resolved by way of council resolution to levy the rates on property reflected in the schedule below with effect from 1 July 2024.

Category of property	Cent amount in the Rand rate determined for the relevant property category
Residential property	R 0.009359
Business and commercial property	R 0.020634
Industrial property	R 0.020634
Agricultural property	R 0.002340
Properties owned by the organ of state and used for public service purposes	R 0.018860

Issued by the Department of Cooperative Governance on 10 April 2014

Full details of the Council resolution and rebates, reductions and exclusions specific to each category of owners of properties or owners of a specific category of properties as determined through criteria in the municipality's rates policy are available for inspection on the municipality's offices, website (www.municipality.gov.za) and all public libraries.

NAME: L. Ndabeni

DESIGNATION: Municipal Manager

047-5537000

96 LG Mabindla Street

QUMBU

5180

Closing times for **ORDINARY WEEKLY** **2024** EASTERN CAPE PROVINCIAL GAZETTE

The closing time is **15:00 sharp** on the following days:

- 21 December 2023, Thursday for the issue of Monday 01 January 2024
- 29 December 2023, Friday for the issue of Monday 08 January 2024
- 08 January, Monday for the issue of Monday 15 January 2024
- 15 January, Monday for the issue of Monday 22 January 2024
- 22 January, Monday for the issue of Monday 29 January 2024
- 29 January, Monday for the issue of Monday 05 February 2024
- 05 February, Monday for the issue of Monday 12 February 2024
- 12 February, Monday for the issue of Monday 19 February 2024
- 19 February, Monday for the issue of Monday 26 February 2024
- 26 February, Monday for the issue of Monday 04 March 2024
- 04 March, Monday for the issue of Monday 11 March 2024
- 11 March, Monday for the issue of Monday 18 March 2024
- 15 March, Friday for the issue of Monday 25 March 2024
- 22 March, Friday for the issue of Monday 01 April 2024
- 28 March, Thursday for the issue of Monday 08 April 2024
- 08 April, Monday for the issue of Monday 15 April 2024
- 15 April, Monday for the issue of Monday 22 April 2024
- 22 April, Monday for the issue of Monday 29 April 2024
- 26 April, Friday for the issue of Monday 06 May 2024
- 06 May, Monday for the issue of Monday 13 May 2024
- 13 May, Monday for the issue of Monday 20 May 2024
- 20 May, Monday for the issue of Monday 27 May 2024
- 27 May, Monday for the issue of Monday 03 June 2024
- 03 June, Monday for the issue of Monday 10 June 2024
- 10 June, Monday for the issue of Monday 17 June 2024
- 14 June, Friday for the issue of Monday 24 June 2024
- 24 June, Monday for the issue of Monday 01 July 2024
- 01 July, Monday for the issue of Monday 08 July 2024
- 08 July, Monday for the issue of Monday 15 July 2024
- 15 July, Monday for the issue of Monday 22 July 2024
- 22 July, Monday for the issue of Monday 29 July 2024
- 29 July, Monday for the issue of Monday 05 August 2024
- 02 August, Friday for the issue of Monday 12 August 2024
- 12 August, Monday for the issue of Monday 19 August 2024
- 19 August, Monday for the issue of Monday 26 August 2024
- 26 August, Monday for the issue of Monday 02 September 2024
- 02 September, Monday for the issue of Monday 09 September 2024
- 09 September, Monday for the issue of Monday 16 September 2024
- 16 September, Monday for the issue of Monday 23 September 2024
- 20 September, Friday for the issue of Monday 30 September 2024
- 30 September, Monday for the issue of Monday 07 October 2024
- 07 October, Monday for the issue of Monday 14 October 2024
- 14 October, Monday for the issue of Monday 21 October 2024
- 21 October, Monday for the issue of Monday 28 October 2024
- 28 October, Monday for the issue of Monday 04 November 2024
- 04 November, Monday for the issue of Monday 11 November 2024
- 11 November, Monday for the issue of Monday 18 November 2024
- 18 November, Monday for the issue of Monday 25 November 2024
- 25 November, Monday for the issue of Monday 02 December 2024
- 02 December, Monday for the issue of Monday 09 December 2024
- 09 December, Monday for the issue of Monday 16 December 2024
- 13 December, Friday for the issue of Monday 23 December 2024
- 19 December, Thursday for the issue of Monday 30 December 2024

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Also available at the Legal Advisory Services, **Province of the Eastern Cape**, Private Bag X0047, Bisho, 5605.
Tel. (040) 635-0052.