

NKETOANA MUNICIPALITY

PROPERTY RATES BY-LAW

1 JULY 2014

NKETOANA MUNICIPALITY
PROPERTY RATES BY-LAW

Notice no. 013/05

Date 30 May 2014

NKETOANA LOCAL MUNICIPALITY, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of (No of the resolution) adopted the Municipality's Property Rates By-law set out hereunder.

NKETOANA 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 require 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 THEREOF BE ENACTED by the council of the NKETOANA 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: Municipality Property Rates Act, 2004 (Act No. 6 of 2004), shall bear the same meaning unless the context indicates otherwise.

‘Municipality’ means NKETOANA LOCAL MUNICIPALITY

‘Property Rates Act’ means the Local Government: Municipality Property Rates Act, 2004 (Act No. 6 of 2004);

‘Rates policy’ means the policy of the levying of rates on rateable properties of the NKETOANA LOCAL MUNICIPALITY, contemplated in chapter 2 of the Municipality Property Rates Act.

2. OBJECTS

The object of this by-law is to give effect to the implementation of the Rates Policy as contemplated in Section 6 of the Municipality Property Rates Act

3. ADOPTION AND IMPLEMENTATION OF RATES POLICY/BY-LAW

- 3.1 The Municipality shall adopt and implement its Rates Policy consistent with the Municipality Property Rates Act on the levying of rates on rateable property within the jurisdiction of the municipality; and
- 3.2 The Municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

4. CONTENTS OF RATES POLICY/BY-LAW

The Rates Policy shall, *inter alia*:

- 4.1 Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget;

- 4.2 Comply with the requirements for;
 - 4.2.1 the adoption and rate contents of a rates policy specified in section 3 of the Act;
 - 4.2.2 the process of community participation specified in section 4 of the Act; and
 - 4.2.3 The annual review of a Rates Policy specified in section 5 of the Act.
- 4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipality Property Rates Act for the levying of rates which the council may adopt; and
- 4.4 Provide for enforcement mechanisms that are consistent with the Municipality Property Rates Act and the Local Government: Municipal System Act, 2000(Act No.32 of 2000).

5. ENFORCEMENT OF THE RATES POLICY/BY-LAW

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

6. SHORT TITTLE AND COMMENCEMENT

This By-law is called the Municipality Property Rates By-law, and takes effect on 1 July 2014.