



# MUNICIPAL TARIFF BY-LAW

## NOTICE NO. C

Mkhambathini Municipality, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of Ordinary Council meeting on .....adopted the Municipality's Tariff By-law set out hereunder.

Council Resolution Number: C

## Bylaw

To give effect to the implementation of the Mkhambathini Municipality's Tariff Policy and to provide for matters incidental thereto for .

## Preamble

WHEREAS section 75(1) of the Local Government: Municipal Systems Act, 2000(No.32 of 2000) as amended, requires a municipality to adopt Bylaws to give effect to the implementation of its Tariff Policy;

AND WHEREAS SECTION 75(2) of the Local Government: Municipal Systems Act (No. 32 of 2000) as amended, provides that Bylaws adopted in terms of section 75(1) may differentiate between different categories of properties; and different categories of owners of properties liable for the payment of rates.

BE IT THEREFORE ENACTED by the Council of the Mkhambathini Municipality, as follows:

### 1. Definitions

In this Bylaw any word or expression to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) shall bear the same meaning and unless the context indicates otherwise-

**"Act"** means the Local Government: Municipal Systems Act, 2000( Act 32 of 2000);

**"Council" means** the Council of the Mkhambathini Municipality; and

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**“tariff”** means a municipal tariff on rates and services envisaged in section 229 of the Constitution of the Republic of South Africa.

## **2. Adoption and implementation of a Tariff Policy**

- (1) The Council shall adopt and implement a Tariff Policy consistent with the Act on the levying of rates and services as provided within the jurisdiction of the municipality; and
- (2) The Council shall not be entitled to levy any fees on other services than in terms of its tariff policy and also where applicable referred to in its Consumer Care and Credit Control Policy

## **3. Contents of the Tariff Policy**

The Council's Tariff Policy shall, *inter alia*:

- (1) Apply to all tariffs levied by the Council pursuant to the adoptions of its Annual Budget.
- (2) Comply with the requirements for:
  - the adoption and contents of Tariffs Policy specified in section 74 of the Act;
  - the process of community participation as specified in section 75(A) of the Act; and
  - the annual review of a Tariffs Policy specified in the Act.
- (3) Specify any further principles, criteria and implementation measures consistent with the Act for the levying of services which the Council may adopt; and
- (4) Include such further enforcement mechanisms, if any, as the Council may wish to impose.

## **4. Enforcement of Tariff Policy**

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

## **5. Short title and commencement**

This Bylaw is the Tariff Bylaw, and takes effect on .....

