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NOTICES BY LOCAL AUTHORITIES**CEDERBERG MUNICIPALITY****CUSTOMER CARE, CREDIT CONTROL and DEBT COLLECTION POLICY****1. Purpose**

1.1. Section 95 of the Local Government: Municipal Systems Act, no 32 of 2000 ("the Act") requires the Municipality to:

- 1.1.1. establish a sound customer management system;
- 1.1.2. establish mechanisms for users of services and ratepayers to give feedback to the municipality regarding the quality of services;
- 1.1.3. Take reasonable steps to ensure that users of services are informed of the costs of service provision, the reason for the payment of service fees, and the manner in which monies are utilised;
- 1.1.4. Take reasonable steps to ensure the accurate measurement of consumption of services;
- 1.1.5. Ensure the receipt by persons liable for payments of regular and accurate accounts that indicate the basis for calculating the amounts due;
- 1.1.6. Provide accessible mechanisms for those persons to query or verify accounts and metered consumption, and appeal procedures which allow for prompt redress for inaccurate accounts;
- 1.1.7. Provide accessible mechanisms for dealing with complaints, prompt replies and corrective action;
- 1.1.8. Provide mechanisms to monitor response times to such complaints;
- 1.1.9. Provide accessible pay points and other mechanisms for settling accounts or for making pre-payments for services.

1.2 Section 96 of the Act requires the Municipality to:

- 1.2.1 Collect all money that is due and payable to it;
- 1.2.2 For the abovementioned purpose, adopt, maintain and implement a credit control and debt collection policy.

1.3 Section 97 of the Act requires that such a policy must provide for:

- 1.3.1 Credit control procedures and mechanisms;
- 1.3.2 Debt collection procedures and mechanisms;
- 1.3.3 Indigent debtors;
- 1.3.4 Realistic targets;
- 1.3.5 Interest on arrears;
- 1.3.6 Extension of time for payment of accounts;
- 1.3.7 Termination of services or the restriction of the provision of services when payments are in arrears;
- 1.3.8 Matters relating to unauthorised consumption of services.

1.4 The purpose of this policy is to provide for the matters referred to in 1.1, 1.2 and 1.3.

2. Definitions

In this policy:

- 2.1 Unless the context clearly requires a different interpretation, any word or expression which has been defined in the By-law shall bear the same definition when used in this policy;
- 2.2 unless the context clearly requires a different interpretation:
 - 2.2.1 "The Act" shall mean the Local Government: Municipal Systems Act, 2000;
 - 2.2.2 "The By-law" shall mean the Municipality's By-law which must be adopted to pursuant to Section 98 of the Act to give effect to this policy;

- 2.2.3 "Customer care officials" shall mean the Customer Care Customer care officials establish in accordance with this policy;
- 2.2.4 "Council" shall mean the Council of the Municipality;
- 2.2.5 "Customer" shall mean any person to whom the Municipality supplies services.
- 2.2.6 "The Executive Mayor" shall mean the Executive Mayor of the Municipality;
- 2.2.7 "The Municipal Manager and or Delegated Manager" shall mean the Municipal Manager and or Chief Financial Officer of the Municipality.

3 Supervisory Authority

- 3.1 As provided by section 99 of the Act, the Executive Mayor of the municipality is responsible for overseeing and monitoring :
 - 3.1.1 The implementation and enforcement of this policy and the by-law;
 - 3.1.2 The performance of the Municipal Manager and or Chief Financial Officer in implementing this policy and the by-law.
- 3.2 The Executive Mayor shall at least once a year cause an evaluation or review of this policy and the by-law to be performed, in order to improve the efficiency of the municipality's credit control and debt collection mechanisms, processes and procedures, as well as the implementation of this policy.
- 3.3 The Executive Mayor shall submit a report to Council regarding the implementation of this policy at such intervals as Council may determine.

4 Implementing Authority

- 4.1 As contemplated in Section 100 of the Act, the Municipal Manager and or Delegated Manager:
 - 4.1.1 Is responsible for implementing and enforcing this policy and the by-law;
 - 4.1.2 Is accountable to the Executive Mayor for the enforcement of this policy and shall submit a report to the Executive Mayor regarding the implementation and enforcement of the policy at such intervals as may be determined by Council;
 - 4.1.3 Must establish effective administration mechanisms, processes and procedures to collect money that is due and payable to the municipality.
- 4.2 In addition, the Municipal Manager and or Chief Financial Officer shall:
 - 4.2.1 Where necessary, make recommendations to the Council with the aim of improving the efficiency of the credit control and debt collection mechanisms, processes and procedures;
 - 4.2.2 Establish effective communication between the municipality and account holders with the aim of keeping account holders abreast of all decisions by Council that may affect account holders;
 - 4.2.3 Establish customer service customer care officials located in such communities as determined by the Municipal Manager and or Delegated Manager.
- 4.3 The Municipal Manager and or Chief Financial Officer may, in writing, delegate any of the powers entrusted or delegated to him or her in terms of this policy or the by-law to the Chief Financial Officer.
- 4.4 A delegation in terms of 4.3 :
 - 4.4.1 Is subject to any limitations or conditions that the Municipal Manager and or Chief Financial Officer may impose;
 - 4.4.2 May authorise the Chief Financial Officer to sub-delegate in writing duties and responsibilities to the Manager: Revenue.
 - 4.4.3 Does not divest the Municipal Manager and or Chief Financial Officer of the responsibility concerning the exercise of the delegated power.
- 4.5 The Municipal Manager and or Chief Financial Officer shall report monthly to the executive mayor and quarterly to the council on the actions taken in terms of the by-law and on the payment levels for the periods concerned.

4.6 Such reports shall indicate any administrative shortcomings, the measures taken or recommended to address such shortcomings, and any actions by councillors which could reasonably be interpreted as constituting interference in the application of the by-law.

4.7 It is incumbent on all the officials of the municipality to promote and support both this policy and the application of the by-law. The responsibilities of all officials include reporting to the Municipal Manager and or Chief Financial Officer any evident breaches of the by-law, whether by members of the community, other officials or councillors of the municipality.

5 Customer Care and Management

Customer care and management shall be carried out in accordance with the provisions of 6 to 12.

6 Customer Care officials

6.1 The Municipality shall establish a Customer Care Customer care officials whose general function shall be to create a positive and reciprocal relationship between the persons liable for payments and the municipality.

6.2 In particular, the Customer care officials shall:

6.2.1 Serve as the conduit for receiving feedback regarding the quality of services, and to this end, shall receive, process, analyse and report to the Municipal Manager and or Chief Financial Officer on such feedback;

6.2.2 Provide information to customers on the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from services are utilised;

6.2.3 Serve as the point at which queries regarding accounts may be submitted and shall deal with such queries;

6.2.4 Serve as the point at which complaints may be submitted, and shall respond to such complaints.

6.3 The Municipality shall ensure that the Customer care officials is adequately staffed and funded, and that appropriate provision is made for it in the Municipality's budget and staff establishment.

6.4 The Customer care officials shall be housed in an appropriate location and shall be properly equipped to deal with the matters referred to in 5.2 telephonically, by mail, e-mail and directly with the public.

7 Communications

The Municipality shall promote communications and feedback channels as follows:

7.1 This policy or relevant extracts thereof will be available in any two of the official languages;

7.2 Copies of this policy may be obtained from the Municipality at a cost determined by the Council from time to time and will be made available by general publication and on specific request, and will also be available for perusal at Council's offices and the official web site.

7.3 The municipality will endeavour to distribute a regular newsletter, which will give prominence to customer care and debt collection issues.

7.4 Ward councillors will be required to hold regular ward meetings, at which customer care and debt collection issues will be given prominence.

7.5 The press will be encouraged to give prominence to Council's customer care and debt collection issues, and will be invited to Council or Committee meetings where these are discussed.

7.6 In particular, the mechanisms referred to in 7.3, 7.4 and 7.5 shall be used to convey to customers information relating to the costs involved in service provision, and how funds received for the payment of services are utilised, and may where necessary employ the services of local media to convey such information.

8 Metering

8.1 Where meters are provided for the measuring of the consumption of services, the Municipality will endeavour to ensure that they are read monthly, and as close to the same date as is practical in each month.

8.2 The municipality shall ensure that meters accurately record consumption.

8.3 If a meter is not read in any month, the municipality will estimate the consumption for the month in question, and to that end, where possible, it will base its estimate on the average consumption for the three preceding months. The next account based on an actual reading shall reflect any adjustments that need to be made to provide for any excess amount or shortfall in the estimated account.

8.4 Customers may request verification of meter readings.

9 Accounts and Billing

9.1 Customers will receive accounts on a monthly basis for services supplied and for rates.

9.2 If all the services are supplied to, and the rates are payable by, a single person at the premises, then the account may be consolidated for all such services.

9.3 All accounts shall reflect how the amount thereof is made up and calculated, and shall include, where applicable, an indication of the units consumed.

9.4 Accounts shall be understandable and accurate.

9.5 The due date for payment shall be indicated on each account.

9.6 Accounts shall be sent to the address of the consumer last recorded with the Municipality.

10 Queries and appeals

10.1 A customer who believes that any account incorrectly reflects the amount owed by him or her may lodge a query regarding such account with the customer care officials in the Treasury Department or with the Manager Treasury.

10.2 Such query must be in writing and must specify the nature of the query and the manner in and extent to which the customer believes the amount stated in the account differs from that actually owed, and the basis for such belief.

10.3 The administration shall endeavour to resolve the query within 10 working days.

10.4 Pending resolution of the query, the customer shall nonetheless be liable to pay, on or before the due date for payment of the account in question, an amount equal to average of the amounts payable in respect of the three months preceeding the month of the account in question. Any excess payment or shortfall made in terms hereof shall be adjusted and provided for in the next account.

10.5 For purposes of resolving the query, the customer care officials must diligently make all necessary inquiries with the relevant departments, and in accordance with the information obtained in the course of such inquiries, shall determine the amount actually payable and shall either:

10.6.

10.6.1. Confirm the amount stated in the account; or

10.6.2. Accede to the customer's query and adjust the account according to the amount claimed by the customer; or

10.6.3 Partially accede to the customer's query and adjust the account by a different amount.

10.7 Should the customer not be satisfied with the determination of the delegated officials and or manager, he or she may appeal to the Municipal Manager and or Chief Financial Officer against such determination.

10.8 Such appeal must be made in writing and lodged with the municipality within 21 (twenty-one) days after the notification of the administration's determination, and must:

10.8.1 Set out the reasons for the appeal.

10.8.2 Be accompanied by any security determined for the testing of a measuring device, if applicable.

10.9 Upon receipt of the appeal, the Municipal Manager and or Chief Financial Officer shall make such inquiries as he or she considers necessary and endeavour to determine the amount actually owed within 45 days of the appeal being made.

10.10. In accordance with such determination the Municipal Manager and or Chief Financial Officer shall:

- 10.11 Confirm the amount stated in the account; or
 - 10.11.1 Accede to the customer's appeal and adjust the account according to the amount claimed by the customer; or
 - 10.11.2 Partially accede to the customer's appeal and adjust the account by a different amount.
- 10.12 The determination of the Municipal Manager and or Chief Financial Officer shall be final and binding, subject, however, to the outcome of any court proceedings instituted by or against the customer in respect of the disputed amount.
- 10.13 The customer shall be notified in writing of any determination of the customer care officials or the Municipal Manager and or Delegated Manager.

11. Service Complaints

- 11.1 Should a customer have any complaint about any service rendered by the Municipality, he or she may lodge such complaint in writing, setting out full particulars of the complaint with the Customer care officials.
- 11.2 The customer care officials shall investigate the matter and if it finds that the complaint is justified, shall propose such remedial action as in the circumstances is reasonable and practical to apply.
- 11.3 Such remedial action shall, however, be ratified by the Chief Financial Officer before it is implemented.
- 11.4 The response time and efficiency in dealing with any complaint shall be monitored by the Manager Treasury.
- 11.5 Every effort must be made to resolve any complaint in the shortest possible time.
- 11.6 The customer shall be notified in writing of the outcome of any investigation and any remedial action ratified by the Municipal Manager and or Chief Financial Officer and or delegated Chief Financial Officer and or Treasury manager.

12. Payment Facilities

- 12.1 The Municipality shall establish accessible pay points and other mechanisms for settling accounts.
- 12.2 Such pay points and mechanisms may include:
 - 12.2.1 Cashier desks at the Municipality's offices;
 - 12.2.2 Postal payment facilities;
 - 12.2.3 On-line payment facilities;
 - 12.2.4 Direct deposit facilities;
 - 12.2.5 Third - party payment facilities.
- 12.3 The municipality may in terms of section 103 of Act:
 - 12.3.1 with the consent of a customer approach an employer to secure a debit or stop order arrangement to deduct any amount owed from that persons salary; and
 - 12.3.2 Provide for special incentives as contemplated in section 103 of the Systems Act.

13. Targets

The municipality shall endeavour to achieve the targets set out in Appendix A hereto.

14. INDIGENT DEBTOR

- 14.1 This policy must be read in conjunction with the municipality's approved indigent policy, which is deemed to be incorporated in and form part of this policy.
- 14.2 Any debt owing by an indigent debtor, after deduction of the indigent support subsidy, shall be recovered from him or her, in accordance with this policy.

15. Applications for Services and Agreements: All Debtors/ Clients

- 15.1. All applications for the provision of municipal services in respect of any immovable property shall, as from the coming into force of this policy, be made by the owner of the aforesaid property, or by the occupier of the property with the consent of the owner, in writing, and in the prescribed form.

- 15.2 Such form shall contain the terms and conditions for the provision of such services to the customer, and upon such application being accepted by the municipality, such terms and conditions shall become binding as an agreement between the municipality and such applicant.
- 15.3 Prior to signing such form, the applicant shall be entitled to inspect a copy of this policy or to purchase a copy at a price determined according to the Municipality's tariff for copying.
- 15.4 Applications for services shall be processed by the Treasury Department of the Municipality.
- 15.5 Prior to accepting such application, the Municipality shall cause all such investigations into the creditworthiness of the applicant as it deems necessary. The application form referred to above shall provide for the authorisation by the applicant of the Municipality to do so. Only if, after carrying out such investigations, the Municipality is satisfied as to the creditworthiness of the applicant shall it accept such application.
- 15.6 The Municipal Manager and or Delegated Manager, in consultation with the Chief Financial Officer of the Municipality, shall for the purposes of determining the creditworthiness of applicants, establish norms setting out levels of risk which the municipality is prepared to accept in order to be satisfied as to creditworthiness. Such norms may distinguish between different categories of person.
- 15.7 If any application is accepted by the Municipality, the relevant form shall be signed on behalf of the Municipality by the Municipal Manager and or Chief Financial Officer or a member of staff to whom the Municipal Manager and or Chief Financial Officer has delegated the authority to sign.
- 15.8 If any municipal services have been provided prior to the commencement of this policy to any customer other than in terms of a written agreement, then the municipality and the customer must enter into a written agreement for the continued provision of such services by no later than six months after this policy coming into force.

16. Deposits

- 16.1 An applicant for the provision of municipal services shall be required to pay, before municipal services will be provided, a deposit in an amount as provided in the Municipality's tariff of charges. Such tariff may distinguish between different categories of person and may provide different deposits for different categories.
- 16.2 Such deposit may be increased at any time during the period of the provision of the service at the discretion of the Municipality up to a maximum as provided for in the Municipalities' tariff structure for the applicable financial year.
- 16.3 No interest will be payable by the Municipality on any deposits.
- 16.4 If the customer fails to pay any amount due to the Municipality by due date, the Municipality shall be entitled to deduct such amount from the deposit, in which event the Municipality may require the customer to reinstate the deposit to its full amount.
- 16.5 On the termination of the agreement the amount of the deposit, less any outstanding amount due to the municipality, will be refunded to the consumer.

17. Payments

- 17.1 Every account rendered by the municipality shall be payable on or before the due date appearing on that account.
- 17.2 Failure on the part of any customer to receive an account shall not absolve that person from the responsibility to pay any account by due date, and every customer shall be responsible, by means of inquiry directed to the Municipality, to ascertain his her liability in any month.
- 17.3 Any amount which remains due and payable after the due date shall attract interest.
- 17.4 Payments may be made at established pay points or by any other established mechanism.
- 17.5 A payment shall be deemed to be late, unless it is received by the due date:
 - 17.5.1 at a municipal pay point by 15.00; or
 - 17.5.2 in the Municipality's bank account by 16.00 if payment is made by some other mechanism.

- 17.6 Electronic payments or payments made via duly authorised agents must:
- 17.6.1 Clearly indicate the details of the customer on behalf of whom the payment is made; and.
 - 17.6.2 Must be accompanied by the relevant account numbers.

18 Arrangements to Pay

- 18.1 Upon good cause shown, the Municipal Manager and or Chief Financial Officer and or delegated officials may enter into an arrangement with a debtor other than an indigent debtor for:
- 18.1.1 an extension of time for the payment of an outstanding account, or
 - 18.1.2 Payment of an account by way of instalments.
- 18.2 A maximum of 12 months or at the discretion of the Chief Financial Officer may be allowed for an extension of time to pay.
- 18.3 An arrangement to pay by way of instalments shall provide for payment according to applicable schedules, according to the category of customer and the amount of the debt and according to the discretion of the Chief Financial Officer.
- 18.4 In addition, every such arrangement must provide for the following:
- 18.4.1 an acknowledgement of debt by the customer;
 - 18.4.2 a consent to judgement by the customer;
 - 18.4.3 The payment of interest by the customer;
 - 18.4.4 an acknowledgement by the customer that, if the arrangements are later defaulted on, no further arrangements will be possible and that disconnection of water and electricity will follow immediately, as will legal proceedings;
 - 18.4.5 An undertaking by the customer to pay all legal costs.
- 18.5 The terms of any such arrangement shall otherwise be as approved by the Municipal Manager and or Chief Financial Officer or the Chief Financial Officer.
- 18.6 Every such arrangement shall be recorded as a written agreement, and shall be signed on behalf of the Municipality by the Municipal Manager and or Chief Financial Officer or a person to whom the authority to sign has been delegated by the Municipal Manager and or Delegated Manager.
- 18.7 Any debtor who enters into a *bona fide* arrangement with the municipality for the settlement of arrears and who fails to honour the terms of such arrangement shall not be allowed to enter into any further arrangements with the municipality unless any amount (including all interest and other charges) owing under the first-mentioned arrangement has been fully paid, or if, in the opinion of the Municipal Manager and or Delegated Manager, special circumstances exist which justify the entering into of such further arrangements .
- 18.8 No such arrangement shall be entered into with any National or Provincial Government Department, as these are expected to pay their accounts in full without delay.
- 18.9 The municipality may require as a condition of any agreement contemplated above that a prepaid system be installed in place of a metering system on the property in question.

19 Restriction or termination of Services

- 19.1 The municipality may restrict, discontinue or disconnect the supply of water or any other service to any premises, whenever a customer, in respect of a particular service fails to make full payment on the due date, or fails to make an acceptable arrangement for the repayment of any amount for such particular service;
- 19.2 The Municipal Manager and or Chief Financial Officer shall, where an account has not been paid by the due date, issue a written notice to the account holder stating that unless the arrears relating to such account is paid in full within fourteen days of the date of such notice, the services concerned may be restricted or discontinued. Such notice may be delivered by hand or post or by any other means to the address of the accountholder as indicated in the Municipality's records.
- 19.3 If the debtor fails to pay the outstanding account within the aforementioned period of fourteen days then the municipality may restrict or discontinue the supply of the service to the Municipality.

- 19.4 Nothing contained in this section shall be construed so as to detract from the requirements of section 4(3) of the Water Services Act, 1997.
- 19.5 The chief financial officer may, in respect of an owner or occupier of a property where the water and or electricity connection has been disconnected at least twice during the preceding period of 12 (twelve) months, give notice of his or her intention to review the amount of the deposit required from that owner or occupier, which reviewed deposit shall not be less than three times the average monthly account calculated over the three immediately preceding months;
- 19.6 Block of prepaid meters
- 19.6.1 Debtors, clients with prepaid meters with accounts in arrears more than 90 days may be blocked by the relevant officials in the Treasury Department. The list to be cut/ blocked must be approved by the relevant Manager Treasury or the Chief Financial Officer.
- 19.7 Alternatively the accounts in arrears may be put on 60/40 principle after approval of the list by the relevant Manager Treasury or the Chief Financial Officer.

20 Reconnection of Services

The Municipal Manager and or Chief Financial Officer shall authorise the reconnection of services or the reinstatement of service delivery, after satisfactory payment, or an arrangement for payment (including the payment of any reconnection charges), has been made by a debtor.

21 Theft and Fraud

- 21.1 Any person who consumes any services without proper authorisation or who tampers with meters or any reticulation network or any other supply equipment or who without proper authorisation connects or reconnects to municipal services, or commits any unauthorised act associated with the supply of municipal services, as well as theft of and damage to Council property, will be prosecuted.
- 21.2 The Municipality will immediately terminate the supply of services to a customer who commits any such act, and shall not reconnect such supply unless it is satisfied that the customer concerned shall not continue such conduct and until it is compensated for all loss or damage arising from such conduct. The Municipality may in such circumstances increase any deposit payable by such customer.

22 Institution of Legal and Other Proceedings

- 22.1 If a debtor has failed to pay by due date any amount owing to the municipality, whether in respect of water or any other services or any other cause, including the interest raised on such account, or has not made an acceptable arrangement with the Municipal Manager and or Chief Financial Officer for the payment of the arrear account, including the interest raised on such account, then proceedings for the recovery of the amounts owing shall be instituted unless the cost of such collection and the prospects of recovery in relation to the amount of the arrears concerned would render such action non-cost-effective.
- 22.2 Such proceedings may include but need not be limited to:
- 22.2.1 the making of a written demand;
- 22.2.2 the handing over of any claim to collection or debt recovery agents;
- 22.2.3 the institution of proceedings out of the appropriate court, and
- 22.2.4 if necessary, pursuant to proceedings contemplated above, the sale in execution of property to recover arrear any amount owing (if the accountholder is also the owner of the property).
- 22.3 The Municipal Manager and or Chief Financial Officer shall determine the nature and extent of proceedings to be instituted in any particular case, subject to the requirements that all action as may necessary to recover the amount outstanding must be taken, provided that such action is cost – effective.
- 22.4 Such proceedings must, subject to the requirements of any law, be commenced as soon as possible.
- 22.5 All legal expenses incurred by the municipality shall be for the account of the defaulting debtor.
- 22.6 If attorneys are to be instructed to institute proceedings on behalf of the Municipality, the Municipal Manager and or Chief Financial Officer a person authorised thereto by the Municipal Manager and or Chief Financial Officer may instruct such attorneys to do so.

22.7 If the Municipal Manager and or Chief Financial Officer is of the opinion that the institution or continuation of proceedings for the recovery of any amount shall be fruitless or not cost-effective, the Municipal Manager and or Chief Financial Officer may recommend to the Council that such action be not commenced, or be discontinued or terminated.

22.8 The institution of any proceedings shall be subject to the provisions of the National Credit Act, 2005.

23 Allocation of Part- Payments

If a debtor pays only part of any municipal account due, the Municipal Manager and or Chief Financial Officer shall, notwithstanding any instructions to the contrary given by the debtor, allocate such payment as follows:

23.1 first, to any unpaid charges levied by the municipality in respect of unacceptable cheques, notices, legal expenses and reconnections or reinstatements of services in respect of the account or property concerned ;

23.2 second, to any unpaid interest raised on the account;

23.3 third, to rates and

23.4 Fourth, to outstanding/ arrears services.

24 Dishonoured Cheques

If an accountholder tenders a cheque which is subsequently dishonoured by or is found to be unacceptable to the accountholder's bankers, the Municipal Manager and or Chief Financial Officer shall, in addition to taking the steps contemplated in this policy against defaulting accountholders, charge such accountholder the penalty charge for unacceptable cheques, as determined by the council from time to time, and such charge shall rank equally with the costs and expenses incurred by the municipality for purposes of determining the sequence of allocations and appropriations contemplated above.

25 Uncollectable Arrears

25.1 It is recognised that it may be impractical or impossible to recover certain debts.

25.2 The Municipal Manager and or Chief Financial Officer shall as soon as possible after each quarter present to the council a report indicating the amount of the arrears which it is believed is uncollectable, together with the reasons for this conclusion.

25.3 The council shall then approve the write off of such arrears, on an annual basis if it is satisfied with the reasons provided.

25.4 The writing off of arrears shall be further governed by the Municipality's policy on writing off of bad debts, if such a policy exists.

26 Interest on Outstanding Debts

26.1 All outstanding accounts of a debtor that are not paid by due date shall attract interest at a rate to be determined by resolution of the council.

26.2 Interest shall be calculated on a monthly basis.

26.3 For purposes of determining arrear amounts, all amounts unpaid including interest previously raised and penalty charges shall be taken into account.

27 Review of Tariffs, etc

In considering each annual budget the council shall review the adequacy of its interest charges, and shall determine the following for the financial year concerned

27.1 charges for disconnection or restriction of services;

27.2 charges for reconnection or reinstatement of services;

27.3 charges for notices of default;

27.4 penalty charges for dishonoured cheques;

27.5 service deposits;

27.6 Any other applicable charges such as tampering fees;

27.7 Rate of interest.

28 Tenders

- 28.1 The Municipality may require any person tendering for the supply of goods or services to the Municipality to produce a certificate issued by the Chief Financial Officer of the Municipality stating that the said person maintains regular payments on all his or her accounts.
- 28.2 Where a person fails to provide such certificate, the municipality may recover any outstanding amounts owed for service charges, by way of deductions from all monies due and owing to such person and arising from a tender awarded to or contract concluded with the said person.
- 28.3 In the application of this section, the municipality shall interpret the provisions hereof so as to be consistent with the principles and contents of its supply chain management policy.

29 Power of entry and inspection

- 29.1 For any purpose related to the implementation or enforcement of this policy, and at all reasonable times, or in an emergency, a duly authorised representative of the municipality may enter premises, request information and carry out such inspection or examination, as he or she may deem necessary:
- 29.1.1 with regard to the installation or repair of any meter or service connection or reticulation; or
- 29.1.2 so as to limit, discontinue, disconnect or reconnect the provision of any service.
- 29.2 If the municipality considers it necessary that work be performed to enable the authorised representative to perform a function as aforesaid properly and effectively, then it may –
- 29.2.1 by written notice require the owner or occupier of the premises, at his or her own expense, to do specific work within a specified period; or
- 29.2.2 if, in its reasonable opinion, the situation is a matter of urgency, then the municipality may do such work, or cause it to be done, at the expense of the owner or occupier, and without written notice.

30 Procedures and Forms

The Municipal Manager and or Chief Financial Officer may prescribe:

- 30.1 Procedures, which shall not be inconsistent with this policy, for the purpose of implementing this policy;
- 30.2 Forms which are required of the purpose of any application made in terms of this policy or which are otherwise required for implementing this policy.

31 National Credit Act

This policy must be interpreted and applied in accordance with and subject to the requirements of the National Credit Act, 2005.

32 Commencement

This policy shall come into force on 1st of July 2015.

Appendix A**CUSTOMER SERVICE TARGETS**

- (i) Response time to customer queries: - Initial response within 10 working days.
- (ii) Resolution of Queries: - 45 working days to resolve queries and appeals.
- (iii) Date of first account delivery of new customers: - By second billing cycle after date of application or occupation which even is the latest.
- (iv) Reconnection time: - within 24 hours after appropriate payment / arrangement.
- (v) Meter reading cycle: - 95% of meters being read on monthly basis on a similar date with a maximum of 3 consecutive months estimated.

ADMINISTRATIVE PERFORMANCE TARGETS

- (i) Cost efficiency of debt collection :
 - Cost of collection not to exceed the capital debt amount;
 - All reasonable steps to be taken to limit cost to Council or the customer;
 - Cost of collection is to be recovered from the defaulting customers;
 - Total cost of collection to be recovered by means of applicable credit control tariffs.
- (ii) Enforcement mechanism ratios :
 - 95% of total number of arrear customers being successfully notified / disconnected;

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In terms of Section 229 of the constitution, a municipality may impose rates on property

In terms of section 4(1) of the Local Government: Municipal Systems Act, 2000 (No 32 of 2000), a municipality has the right to finance the affairs of the municipality by imposing, inter alia, rates on the property.

In terms of Section 62(1) (f) (ii) of the Local Government: Municipal Finance Management Act, 2003 (No. 56 of 2003) the municipal manager must ensure that the municipality has and implements a rates policy.

In terms of section 2(1) Local Government: Municipal Property Rates Act, 2004 (No 6 of 2004) a metropolitan or local municipality may levy a rate on property in its area in accordance with the other provisions of the Local Government: Municipal Property Rates Act, 2004 (No 6 of 2004).

This Policy must be read with and is subject to the provisions of the Local Government: Municipal Property Rates Act, 2004 (No 6 of 2004), as amended by the Rates Amendment Act, published in the Government Gazette:Vol. 590, No 37922, 18 August 2014 and the Property Rates By-law.

1. Definitions:

For the purpose of this policy any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) and the Property Rates Policy adopted and implemented in terms thereof shall bear the same meaning in this Policy, and unless the context indicates otherwise-

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004).

“**municipality**” means the municipal council for the **municipal area of Cederberg**

“**Private towns serviced by the owner**” means single properties situated in an area not ordinarily serviced by the municipality, divided through sub division or township establishment into (ten or more) full title stands and / or sectional titles and where all the rates related services inter alia for water ,electricity, sewerage and refuse removal inclusive of water, electricity, sewerage and refuse removal and roads development are installed at the full cost of the developer and maintained and rendered by residents of such estate.

2. Rating of property:

In terms of section 2(3) of the Act the power of the municipality to levy rates on property is subject to-

- (a) Section 229 and other applicable provisions of the Constitution
- (b) The provisions of the Act
- (c) The municipality’s Rates Policy.

3. General principles:

- (1) Rates to balance the operating budget after taking into account the profits generated on trading and economic services and the amounts required to finance the exemptions, rebates and reductions as approved by council are levied as an amount in the Rand based on the market value of all rateable property contained in the municipality’s valuation roll.
- (2) Criteria are provided for the determination of categories of property and owners and for the purpose of levying different rates on categories of property and owners.
- (3) Different rates will be levied for different categories of rateable property determined in terms of section 8 of the Act..
- (4) Relief measures in respect of payment for rates will not be granted to any category of property or owners on an individual basis, other than by way of an exemption, rebate or reduction.
- (5) All ratepayers with similar properties will be treated the same.
- (6) The financial ability of a person to pay rates will be taken into account.
- (7) Provision may be made for the promotion of local social development and sustainable local government.
- (8) The rate imposed by council will be equitable, affordable, sustainable and cost effective

- (9) Property rates will be used to finance subsidised and community services only.
- (10) Take into account the effect of rates on the poor.
- (11) The cost and benefit of exemptions, rebates, reductions, and phasing –in of rates must be identified and qualified.
- (12) The effect of rates on public benefit organisations and psi's must be taken into account.
- (13) Promote local and social economic development.

4. Classification of services and expenditure:

- (1) The municipal manager or his/her nominee subject to the guidelines provided by the National Treasury and Executive Mayor or Committee and principles contained in the Rates Policy will classify services, categorise expenditure and create cost centres to prevent that property rates subsidise trading and economic services.
- (2) Trading and economic services will be ringfenced and financed from service charges while community and subsidised services will be financed from rates, rates related income and regulatory fees. Surpluses on the trading and economic services may be transferred to subsidise the community and subsidised services.

5. Categories of properties and owners:

- (1) In terms of section 3(3) of the Act the municipality must determine the criteria for the determination of categories of property and owners for granting exemptions, reductions and rebates and criteria if it levies different rates for different categories of property.
- (2) In terms of sections 8(1) and 15(1) read in conjunction with section 19 of the Act the municipality may exempt a category of owner of property from rates or grant a rebate or reduction in the rates.
- (3) The criteria for categories of property and owners and the different categories of property and owners are reflected in the municipality's Rates Policy and may be adjusted annually, if required, during the budget process.

6. Properties used for multiple purposes:

Rates on properties used for multiple purposes will be levied on properties used for—

- (a) a purpose corresponding with the permitted use of the property, if the permitted use of the property is regulated;
- (b) a purpose corresponding with the dominant (main or primary) use of the property; or
- (c) by apportioning the market value of a property to the different purposes for which the property is used.

If the market value of the property can be apportioned each portion must be categorized according to its individual use. If the market value of the property cannot be apportioned to its various use purposes, then such a property must be categorised as either (a) or (b) above ; and

- (d) applying the relevant cent amount in the rand to the corresponding apportioned market value.

7. Differential rating:

- (1) Criteria for differential rating on different categories of properties in terms of section 8(1) of the Act will be according to—
 - (a) The use of the property.
 - (b) Permitted use of the property; or
 - (c) A combination of (a) and (b).
- (2) Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category and/or by way of reductions and rebates

8. Criteria for exemptions, rebates and reductions:

Criteria for determining categories of owners of property for the purpose of granting exemptions, rebates and reductions in terms of section 15(2) of the Act will be according to—

- (a) indigent status of the owner of a property
- (b) sources of income of the owner of a property
- (c) owners of property situated within an area affected by-
 - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - ii. any other serious adverse social or economic conditions;
- (d) owners of residential properties with a market value below a determined threshold
- (e) owners temporarily without income
- (f) the services provided to the community by public service organisations
- (g) the need to preserve the cultural heritage of the local community
- (h) the need to encourage the expansion of psi's
- (i) the need to accommodate indigents, less affluent pensioners and people depending on social grants for their livelihood.
- (j) the inability of residential property owners to pass on the burden of rates, as opposed to the ability of the owners of business, commercial, industrial and certain other properties to recover such rates as part of the expenses associated with the goods or services, they produce
- (k) the value of agricultural activities to the local economy coupled with the limited municipal services extended to such activities, but also taking into account the municipal services provided to municipal residents who are employed in such activities; or
- (l) owners of agricultural properties who are *bona fide* farmers
- (m) the requirements of the Act.

9. Impermissible Rates:

The municipality may not levy rates on categories of property and categories of owners of property as determined in sections 16(1) & 17(1) of the Act.

Section 93A: Transitional arrangement: Public service infrastructure

Rates may not be levied on the following properties referred to in the definition of public service infrastructure:

- (a) Roads
- (b) Water infrastructure
- (e) Rail infrastructure
- (g) airports and the vacant land surrounding it which must be vacant for air navigation purposes
- (h) breakwaters, quays etc

The prohibition on levying rates on the above properties must be **phased in** over a period of five municipal financial years as from the date of the commencement of the Rates Amendment Act of 2014, which is as of 1 July 2015.

The rates that will be levied on the property in question will decrease as illustrated in the table below:

Year	% Rateable
1	80
2	60
3	40
4	20
5	10

10. Exemptions:**Categories of properties:**

- (1) Over and above the exemptions provided for in paragraph 9 above, specific categories of property as indicated in the table below are exempted from the payment of rates within the meaning of section 15(1)(a) of the Act and 10(2) to 10(7) of this policy.

Description of category of property	Criteria
Municipal properties	10(2)
Residential properties	10(3)
Cemeteries and Crematoriums	10(4) and 10(9)
Public service infrastructure	As prescribed in the Act
Public Benefit organisations	10(5) and 10(9)
Museums	10(6) and 10(9)
National Monuments	10(7) and 10(9)
A right registered against immovable property	10(8) and 10(9)

- (2) Municipal properties are exempted from paying rates as it will increase the rates burden or service charges to property owners or consumers.
- (3) All residential properties (including informal settlements) with a market value of less than R 15, 000 are exempted from paying rates. The R 15 000 impermissible rates contemplated in terms of section 17(1) (h) of the Property Rates Act is included in the R 15, 000 amount.
This is an important part of the council's indigent policy and is aimed primarily at alleviating poverty.
- (4) Cemeteries and crematoriums registered in the names of private persons and operated not for gain.
- (5) Public benefit organisations as provided for in the Rates Policy may apply for the exemption of property rates subject to producing a tax exemption certificate issued by the South African Revenue Services (SARS) as contemplated in Part 1 of the Ninth Schedule of the Income Tax Act, 1962 (No 58 of 1962):
- (6) Registered Museums
- (7) Registered National monuments
- (8) A right registered in the deeds office against immovable property
- (9) Exemptions will be subject to the following conditions:
- all applications must be addressed in writing to the municipality;
 - a SARS tax exemption certificate must be attached to all applications;
 - the municipal manager or his/her nominee must approve all applications;
 - applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought; and
 - the municipality retains the right to refuse exemptions if the details supplied in the application form were incomplete, incorrect or false.

11. Rebates:**(1) Categories of properties**

- (a) The municipality may grant rebates within the meaning of section 15(1) (b) of the Act on the rates to the owners of the following categories of properties and subject to the criteria and conditions contained in 11(1)(b) to 11(1)(f) of this policy:

Description of category of property	Criteria
(a) Residential	11(1)(d)
(b) Industrial	11(1)(b)
(c) Business/commercial	11(1)(b)
(d) Agricultural	11(1)(e)
(e) properties owned by organ of state and used for public service purposes	11(1)(c)
(f) Property below a prescribed valuation level	11(1)(f)

- (b) The municipality may grant rebates to rateable enterprises that promote local, social and economic development in its area of jurisdiction, based on its Local, Social and Economic Development Policy.
- i. The following criteria will apply:
 - a. job creation in the municipal area;
 - b. social upliftment of the local community; and
 - c. creation of infrastructure for the benefit of the community.
 - ii. Rebates will be granted on application subject to:
 - a. a business plan issued by the directors of the company indicating how the local, social and economic development objectives of the municipality are going to be met;
 - b. a continuation plan issued by the directors and certified by auditors of the company stating that the objectives have been met in the first year after establishment and how the company plan to continue to meet the objectives;
 - c. an assessment by the municipal manager or his/her nominee indicating that the company qualifies; and
 - d. a municipal resolution.
- (c) Properties owned by an organ of state and used for public service purposes which are:
- i. Hospitals and clinics;
 - ii. Schools, pre-schools, early childhood development centres or further education and training colleges;
 - iii. National and provincial libraries and archives;
 - iv. Police stations;
 - v. Correctional facilities; or
 - vi. courts of law,
but excludes property contemplated in the definition of "public service infrastructure".
- (d) Residential properties
- i. used predominantly for residential purposes, with not more than two dwelling units per property,
 - ii. registered in terms of the Sectional Title Act,
 - iii. owned by a share-block company,
 - iv. a rateable residence on property used for or related to educational purposes
- (e) Agricultural property rebate
- i. Agricultural properties will be granted a rebate based on certain applicable information in an affidavit by 30 September each year.
 - ii. Qualifying requirements are that the owner should be taxed by SARS as a **bona fide** farmer and the last tax assessment must be provided as proof.
 - iii. The following rebates may apply:

Flat rebate applicable to all agricultural properties.
75 %

Additional rebates applicable to bona fide farmers only.
80 %
- (f) Properties with a market value below a prescribed valuation level may, instead of a rate determined on the market value, be levied a uniform fixed amount per property.

(2) Categories of owners:

- (a) The following categories of owners of rateable properties may be granted a rebate on rates within the municipality within the meaning of section 15(1) (b) of the Act:

Description of Category of Owners	Criteria
Retired and disabled persons	11(2)(b)
Owners temporarily without income	11(2) (c)
Public benefit organisations	11(2) (d)

(b) Criteria for granting rebates to category of owners**i. Retired and Disabled Persons Rate Rebate**

To qualify for the rebate a property owner must:

- a. occupy the property as his/her normal residence;
- b. be at least 60 years of age or in receipt of a disability pension from the Department of Welfare and Population Development;
- c. be in receipt of a total monthly income from all sources (including income of spouses of owner) not exceeding the amount annually set by the council .
- d. not be the owner of more than one property; and
- e. provided that where the owner is unable to occupy the property due to no fault of his/her own, the spouse or minor children may satisfy the occupancy requirement.

ii. Property owners must apply on a prescribed application form for a rebate as determined by the municipality.**iii. Applications must be accompanied by—**

- a. a certified copy of the identity document or any other proof of the owners age which is acceptable to the municipality;
- b. sufficient proof of income of the owner and his/her spouse;
- c. an affidavit from the owner;
- d. if the owner is a disabled person proof of a disability pension payable by the state must be supplied; and
- e. if the owner has retired at an earlier stage for medical reasons proof thereof must be submitted.

iv. These applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought.**v. The municipality retains the right to refuse rebates if the details supplied in the application form are incomplete, incorrect or false.****(c) Owners who are temporarily without income due to economic/labour circumstances or for reasons beyond their control.**

These applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought.

The municipality retains the right to refuse rebates if the details supplied in the application form are incomplete, incorrect or false.

(d) Owners of rateable property registered in the name of institutions or organisations, which in the opinion of the council, performs welfare, charitable and humanitarian work; cultural work; amateur sport and social activities; protect or maintain collections or buildings of historical or cultural interest, including art galleries, archives and libraries; conservation; environment and animal welfare; education and development; health care; agricultural (Experimental farms);municipal property and usage where the council is engaged in land sales transactions which take place after the financial year has started; where the municipality register a road reserve or servitude on a privately owned property a pro-rata

rebate equal to the value of the reserve or servitude will be given to the owner; state hospitals, clinics and institutions for mentally ill persons, which are not performed for gain.

These applications must reach the municipality before the end of October preceding the start of the new municipal financial year for which relief is sought.

The municipality retains the right to refuse rebates if the details supplied in the application form are incomplete, incorrect or false.

12. Reductions:

(1) Categories of property and owners

- (a) A reduction in the rates payable as contemplated in section 15(1)(b) of the Act will be granted where the value of a property is affected by-
- i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - ii. any other serious adverse social or economic conditions
- (b) The reduction will be in relation to the certificate issued for this purpose by the municipal valuer
- (c) All categories of owners can apply for a reduction in the rates payable as described above
- (d) Owners of the following categories of rateable property situated within the municipality may be granted a reduction within the meaning of section 15(1) (b) of the Act in the rates payable in respect of their properties and subject to the conditions contained in 12 of this policy:

Description of category of property	Criteria
(a) Residential	12(1)(e)
(b) Industrial	12(1)(e)
(c) Business	12(1)(e)
(d) Agricultural	12(1)(e)
(e) properties owned by organ of state and used for public service purposes	12(1)(e)
(f) Municipal owned properties	12(1)(e)
(g) Public service infra-structure	12(1)(e)
(l) Public benefit organisations (Part 1 of the Ninth Schedule to the Income Tax Act)	12(1)(e)
(m) Multiple purpose property	12(1)(e)
(n) Private towns serviced by the owner	The Municipality grants a rebate of 75%, which applies to privately owned towns serviced by the owner qualifying as such and as defined in the definition paragraph of this policy, provided an application to that effect is received not later than 31 October of each year.

- (e) Criteria for granting reductions
- i. A reduction in the rates payable in section 15(1)(b) of the Act will be granted where the value of a property is affected by fire damage, demolition or floods.
 - ii. The reduction will be in relation to the certificate issued for this purpose by the municipal valuer.

13. Cost of exemptions, rebates & reductions:

The Chief Financial Officer must inform the council of all the costs associated with the exemptions, rebates & reductions. Provisions must be made in the operating budget for the full potential income associated with property rates, and the full cost of the exemptions, rebates & reductions. A list of all exemptions, rebates & reductions must be tabled before council.

14. Phasing-in of certain rates:

Rates levied on newly rateable property must be phased in over a three year period, or the period indicated in the Act for certain specified properties, the MEC for Local Government may extend, on written request by the municipality, this period to a maximum of six financial years. When extending the period the MEC must determine the minimum phasing-in discount on the rate payable during each financial year in the extended period.

15. Rates increases:

- (1) The municipality will consider increasing rates annually during the budget process in terms of the guidelines issued by National Treasury from time to time.
- (2) Rate increases will be used to finance the increase in operating costs of community and subsidised services.
- (3) Relating to community and subsidised services the following annual adjustments will be made:
 - (a) All salary and wage increases as agreed at the South African Local Government Bargaining Council
 - (b) An inflation adjustment for general expenditure, repairs and maintenance and contributions to statutory funds, and
 - (c) Additional depreciation costs or interest and redemption on loans associated with the assets created during the previous financial year.
- (4) Extraordinary expenditure related to community services not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an increase in property rates.
- (5) Affordability of rates to ratepayers.
- (6) All increases in property rates will be communicated to the local community in terms of the municipality's policy on community participation.

16. Notification of rates:

- (1) The municipality will give notice of all rates approved at the annual budget meeting at least 30 days prior to the date that the rates become effective. Accounts delivered after the 30 days notice will be based on the new rates.
- (2) A notice stating the purport of the municipality's resolution and the date on which the new rates become operational will be advertised in the media and the resolution will be displayed by the municipality at places provide for in legislation and the municipality's website and also promulgated in terms of and in accordance with section 14 of the Act.

17. Payment of rates:

- (1) Ratepayers may, by special written arrangements with the council, choose to pay rates annually in one installment on or before 30 September, normally the rates will be payable in twelve equal installments on or before the tenth day of the month following on the month in which it becomes payable.
- (2) The municipality must furnish each person liable for rates with a detailed account as set out in section 27 of the Act.
- (3) Interest on arrears rates, whether payable on or before 30 September or in equal monthly installments, shall be calculated in accordance with the provisions of the Credit Control, Debt Collection and Indigent Policy of the municipality.
- (4) If a property owner who is responsible for the payment of property rates in terms of this policy, fails to pay such rates in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control, Debt Collection and Indigent Policy of the Municipality.
- (5) Joint owners are jointly and severally liable for the amount due for rates. In the case of agricultural property the rates due will be recovered as stipulated in the council's Rates Policy.
- (6) Arrears rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act.
- (7) Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.

- (8) In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.

18. Deferral of payment of rates liabilities:

The municipality will consider each application for deferral of rates, taking into account the merits and demerits of each and the financial implications thereof in so far the cash-flow of the municipality is concerned.

19. Special rating area:

The municipality may by council resolution, after consultation with the local community to obtain the majority's consent, determine an area within its boundaries as a special rating area for the purpose of raising funds for improving or upgrading that area; and differentiate between categories of property when levying an additional rate. The municipality must determine the boundaries and indicate how the area is to be improved by the additional rates and establish a separate accounting and record-keeping system regarding the income & expenditure. The municipality may establish a committee representing the community to act as a consultative and advisory forum. Representivity, including gender must be taken into account when establishing such a committee.

20. Supplementary Valuation Debits:

In the event that a property has been transferred to a new owner and an Supplementary Valuation took place, the previous owner as well as the new owner will jointly and separately be held responsible for the outstanding amount due for rates.

21. Ownership:

Properties which vests in the municipality during developments, i.e open spaces and roads should be transferred at the cost of the developer to the municipality. Until such time, rates levied will be for the account of the developer

22. Rates Clearance Certificate:

Rates clearance certificates will be valid until 30 June of a financial year, if monies is paid in full until such date. However, should a request to extend the certificate for 120 days beyond this date be received and this extension surpasses the date of 30 June, the new year's rates become payable in full.

23. Sectional Title Schemes:

A rate on property which is subject to a sectional title scheme, will be levied on the individual sectional title units in the scheme.

24. General and Supplementary valuations:

A municipality intending to levy a rate on property must cause a general valuation based on the market value of the property to be made on all properties, and prepare a valuation roll in terms of such valuation. The municipality shall prepare a new general valuation roll of all properties every (4) four years and a supplementary valuation roll annually. If the municipality does not intend to levy rates on its own properties, public infrastructure in the name of the municipality, on rights in properties and properties of which it is impossible or unreasonably difficult to establish the market value because of legal insecure tenure resulting from past racial discrimination, the municipality is not obliged to value such property. The General valuation roll takes effect from the start of the financial year following completion of the public inspection period and remains valid for that financial year or for one or more subsequent financial years, as the municipality may decide, but in total not for more than 5 (five) financial years. The Supplementary Valuation roll remains valid for the duration of the current general valuation roll.

25. Disregarded items for valuation purposes:

The items described in section 45(3) of the Act must not be taken into account in determining the market value of the property.

26. Short title:

This policy is the Property Rates Policy of the Cederberg Local Municipality.

Cederberg Local Municipality

Tariff Policy

A tariff policy must be compiled, adopted and implemented in terms of Section 74 of the Local Government Municipal Systems Act, 2000 (Government Gazette No. 21776, dated 20 November 2000), such policy to cover, among others, the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements.

The tariff policy for Cederberg Local Municipality has been compiled taking into account, where applicable, the guidelines set out in Section 74.

ASSESSMENT RATES

- All rateable property in the Cederberg Local Municipality is to be value at least once every four years.
- The rate in rand is to be uniform throughout the municipal area unless otherwise determined by the council.
- Varying rebates on assessment rates will be applied in the following categories:
 - Agricultural holdings and farm portions in terms of the provisions of the Municipal Property Rates Act, (Act 6 of 2004)
 - Pensioners, who earn less than a determined amount, are at least 60 years of age, are registered owners of the said property and have submitted proof of income to the municipality under oath.

The rate in rand, as well as the rebates, will be determined and approved by Council when the budget and tariffs are annually submitted for consideration.

ELECTRICITY

All electricity tariffs must be approved by the National Electricity Regulator.

The various categories of electricity consumers, as set out below; will be charged at the applicable tariffs, as approved by the Council at least one month before implementation.

Tariff adjustments will be effected only from 1 July each year, except if the actual tariff increases announced by Eskom exceed the increase allowed for by the Council in its budget. In the latter case, the Council reserves the right to make a further adjustment to the electricity tariffs, subject to the exemption granted by the Minister of Finance in terms of Section 42 of the Municipal Finance Management Act, (Act 56 of 2003) such adjustment to be effective from or after the date on which the Eskom increase takes effect.

Categories of consumption:

- With the single exception set out in the immediately ensuing paragraph, all electricity consumers shall be billed for their electricity consumption at the tariff applicable to the category in which the particular consumer falls.
- The first 50 kWh for all domestic indigent electricity consumers shall be free of charge. This policy is designed to cater for poor households only.
- All domestic electricity consumers with the exception of pre-paid consumers shall additionally be billed an availability charge, and this charge may differentiate between properties with improvements and properties without improvements.
- All business properties shall additionally be billed a monthly basic and a monthly fixed charge where applicable.
- All high and low voltage consumers shall additionally be billed a monthly basic, fixed and KVA charge.

- Churches, sport clubs, public benefit organisations, retirement homes, hospitals and museum consumers shall additionally be billed a monthly basic charge.
- Schools and hostels shall additionally be billed a monthly basic and a monthly fixed charge where applicable.
- Casual electricity consumers shall additionally be charged a fixed charge and the surcharge applicable to the tariff category.
- The Cederberg Local Municipality's departmental electricity consumption shall be charged at the tariff applicable to the category of consumption.

WATER

The following categories of water consumers shall be charged at the applicable tariffs, as approved by Council, at least one month before implementation, when the budget is compiled.

Tariff adjustments shall be effected from 1 July each year. However, the Council reserves the right to adjust such tariff subsequently if the bulk supplier(s) of water to the Council increases its (their) tariff by an amount greater than that allowed by the Council in compiling its budget. Such further adjustment shall take effect from or after the date on which the bulk supplier's tariff increase takes effect and will be subject to an exemption granted by the Minister of Finance in terms of Section 42 of the Municipal Finance Management Act, (Act 56 of 2003).

The Council further reserves the right to introduce a quota system for water consumption, with penalty tariffs for consumers exceeding their quotas, whenever a quota system is imposed by a bulk supplier by on the Council itself.

Finally, the Council reserves the right to apply a pre-determined water tariff whenever drought or adverse circumstances necessitates a reduction in the consumption of water due to scarcity in availability of water for the area of jurisdiction.

- All domestic registered indigent water consumers shall receive the first six (6) kilolitres of water consumption free per month. Thereafter a stepped tariff shall be applicable on metered consumption. This policy is to cater for poor households.
- All other consumers (including business, industry, flats, hospitals, schools, churches, sport clubs, public benefit organisations and museums) shall be charged on actual water consumption at a rate per kl.
- A basic charge shall be charged on domestic vacant stands, and other areas identified by the council and on business and industrial properties where applicable. Where a property has multiple consumers and/or dwellings the basic charge shall apply to each additional consumer/dwelling/user.
- Cederberg Local Municipality's departmental water consumption shall be charged at the tariff applicable to the category of consumption.

REFUSE REMOVAL

The following categories of refuse removal shall be charged at the applicable tariffs, as approved by the Council at least one month before implementation, when budget is compiled:

- A separate fixed monthly refuse removal charge shall apply to each of the following categories of users:
 - a) Domestic
 - b) Cederberg Local Municipality's departments
 - c) Casual consumers
 - d) Business/ Industrial
 - e) Builders/Contractors

- f) Public Benefit Organisations
- g) Schools/ Hostels/Hospitals
- h) Any other class or category of consumer not included in the above categories

Tariff adjustments will be effected from 1 July each year.

Indigent consumers may be exempted from the payment of the refuse removal domestic tariff, either partially or in full, or may be subsidised in the payment for domestic refuse removal as determined in the indigent policy of the Municipality.

The council further reserves the right to, at a tariff determined charge for the removal of bulk refuse per M³ for the following categories of consumers:

- a) Business/Industrial
- b) Builders/Contractors
- c) Casual or incidental consumers
- d) Schools/ Hostels/ Hospitals
- e) Any other class or category of consumer not included in the above categories

SEWAGE

The following categories of sewage users shall be charged per month at the applicable tariff as approved by Council at least one month before implementation, when budget is compiled:

- A charge per toilet on the applicable incremental scale shall be charged for domestic consumers.
- A charge per toilet on the applicable incremental scale or tariff specifically determined for the individual or category of consumers shall be charged for business/industrial users connected to sewerage reticulation system.
- Sewer availability charges may be charged in respect of unimproved stands where a connection to the sewer reticulation network of the municipality is possible.
- A basic infrastructure charge shall be levied for all domestic, residential and business and or commercial properties connected to the sewerage system;
- A fixed charge for builders/contractors to be levied.
- A fixed charge shall be charged to Cederberg Local Municipality's department based on actual costs.
- Sewer fees for vacuum tank services shall be determined annually for areas not connected to the water borne sewage system of the Municipality and will be charged per removal/load and varied fees shall be charged for weekdays, weekends, after normal office hours and for public holidays.

Indigent consumers may be exempted from the payment of sewer fees, either partially or in full, or may be subsidised in the payment for sewer fees for the service being rendered to one toilet per household only as determined in the indigent policy of the Municipality. Additional toilets must be paid at the tariff applicable to the domestic category of consumers.

Tariff adjustments will be effected from 1 July each year.

GENERAL

Uniform rates and tariffs shall apply throughout the Cederberg municipal area for all types of services and residents unless otherwise determined in the annual budget of the municipality to deliver or enhance a specific municipal service or services for an area determined by the Council.

The policy of the Cederberg Local Municipality for electricity, water, refuse removal and sewage shall be at least to cover all costs, and whenever appropriate to generate 10% surplus, or lesser percentage determined when the budget is compiled and approved by the Council.

The determination of rates and services tariffs shall take into account provision for bad debts. The bad debts provision for the Cederberg Local Municipality must at all times be at least 50% of the total outstanding of rates and service debtors aged beyond 120 days as at 30 June of each year. In order to ensure an adequate provision for bad debt, the provision for bad debts shall be phased in over a period of 2 (three) financial years commencing 1 July 2009.

All minor and sundry tariffs shall be approved and implemented on an annual basis, and shall, when appropriate, be subsidised by the rates account particularly when the tariffs will prove uneconomically when charged at cost or when cost cannot be accurately determined or when the tariff is designed purely to regulate rather than finance the use of a particular service or amenity.

Operating surpluses generated through the application of any tariff for any service will form part of the general, operating income of the council, unless otherwise stipulated. All operating surpluses will at year-end be consolidated and shall accrue to the general operating surplus of the council.

All minor tariffs shall be standardised with the municipal region.

Minor tariffs includes, but is not limited to the following:

- Ambulance fees (agency service for the Province)
- Cemetery fees
- Flat rentals
- Housing rentals
- Library fees (e.g. membership, fines, lost books , lost membership cards)
- Fire brigade fees
- Health (e.g. systologic test, sale of milk powder)
- Rent: sport grounds
- Refuse removal: mass removal
- Plastic bag sales
- Refuse bin sales
- Cleaning of stands
- Sewerage application fees
- Factory effluent
- Photostat copies
- Clearance certificates
- Rent of garages: private/government
- Electricity: reconnection fees
- Electricity: new connection for pre-paid meters
- Electricity: new connection fees
- Water: reconnection fees
- Water: new connection fees
- Fines for tampering with the council metering or equipment;
- BUILDING DEVELOPMENT MANAGEMENT TARIFF STRUCTURE.

Where the imposition of fees, tariffs or fines are not expressly mentioned in the tariff policy document, council resolution or where applicable, the tariff determination of the relevant by-laws shall apply.

