

PROVINCIAL NOTICE

[NO. 198 OF 2011]

NOTICE IN TERMS OF SECTION 14(2)(a)(i) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000:
PUBLICATION: STANDARD NUMBERING OF BUILDINGS BY-LAW

I, M.G Qabathe, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlement in the Free State Province, after consulting the Minister of Cooperative Governance and Traditional Affairs and the South African Local Government Association: Free State, do hereby in terms of section 14(2)(a)(i) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), make standard by-laws as set out in the Schedule.

SCHEDULE

NUMBERING OF BUILDINGS BY-LAW

Definitions

1. In these by-laws, unless the context otherwise indicates –
 - "**building**" means, in addition to its ordinary grammatical meaning, any portion of a building which has a street entrance and is not interlinking with any other portion of the building, having a separate pedestrian street entrance and forming a self-contained unit for purposes of its intended use, whether or not a registered sectional title scheme in respect of the building exists;
 - "**Council**" means the municipal council of the Local Municipality in which the executive and legislative authority of the municipality is vested, and which is the decision making body of the municipality, and its delegates;
 - "**display**" means as a verb, to affix surely to, or unless otherwise authorised by the General Manager in terms of section 2, to paint on a building, boundary wall, gate or other place authorised by the General Manager in such a manner as to be clearly visible from the street bordered by such building, boundary wall, gate or other authorised place, and has a corresponding meaning as a noun;
 - "**flat building**" means a building in which several residential apartments are situated and such buildings usually consists of more than one level and for purposes of these by-laws may also refer to any sectional title complex;
 - "**General Manager**" means the General Manager Planning of the Council or a person acting on the authority of that person;
 - "**metal**" means, any plastic material or any other durable material approved by the General Manager;
 - "**Municipality**" means the Local Municipality established in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with these by-laws by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;
 - "**occupier**" means, a person who actually occupies a property or any part thereof, irrespective of the title by virtue of which he or she occupies it and, in the case of a property which have been subdivided and are being let to various lodgers or various tenants, the person or persons entitled to the rental and, if the property form part of a scheme as referred to in the Sectional Titles Act, 1986 (Act No 95 of 1986), the body corporate referred to in that Act is deemed to be the occupier of the property;
 - "**property**" means any land, building, room or structure, regardless of whether anything has been erected thereon.

Allocation of street numbers

2. (1) Street numbers are allocated or reallocated from time to time by the Council to properties within the municipality.
- (2) After service on him or her of a notice in writing by the General Manager requiring him or her to do so, the owner or occupier of any such property must, within the time specified in such notice, display on such property the number allocated or reallocated thereto, in terms of this or any previous by-law by means of a metal number or metal plate bearing such number, or by means of paint if so authorised by the General Manager: Provided that such number or plate must be affixed in the position indicated in such notice or, if no such position is so indicated, then in a position where it is legible from the street on which such property fronts, and its dimensions must not be less than the minimum specified in section 5 : Provided further that the General Manager may prescribe the colour and finish of the digits or the type of paint that may be used, in such notice.
- (3) The provisions of subsection (2) applies to any property where such number or plate has become detached, illegible, obliterated or defaced, or does not meet the provisions of section 5, or is for any reason no longer legible from the street on which such property fronts.

Allocation and display of names on flat buildings

3. (1) After service on the owner of a notice in writing by the General Manager requiring him or her to do so, the owner of any flat building must, within the time specified in such notice, display, by means of a metal sign on such building, the name that has been assigned to it, or by means of paint if so authorised by the General Manager: Provided that such sign must be affixed in the position indicated in such notice or, if no such position is indicated, then in a position where it is legible from the street on which such building fronts and its dimensions shall not be less than the minimum specified in section 5: Provided further that the General Manager may prescribe the colour and finish of the letters or the type of paint that may be used in connection with such name in such notice.
- (2) The provisions of subsection (1) applies to any flat building where such sign has become detached, illegible, obliterated or defaced, or does not meet the provisions of section 5, or is for any reason no longer legible from the street on which such flat building fronts.

Allocation of numbers and letters to Flat Buildings

4. (1) After service on the owner of a notice in writing by the General Manager requiring him or her to do so, subject to the provisions of section 2, the owner of any flat building must, within the time specified in such notice -
 - (a) affix a metal number, or a metal plate, bearing a number, over the entrance to each separate flat;
 - (b) where there is more than one block of flats, or more than one main entrance to each block, affix at each main entrance to each block a metal letter or metal plate bearing a letter in either case of dimensions not less than the minimum specified in section 5;
 - (c) provide and maintain continuously in efficient working order, by means of illumination, by which the sign referred to in section 3 and the metal letter or plates referred to in subsection (1) (b) are made legible during the hours of darkness.
- (2) The numbers referred to in subsection (1)(a) must run from 1 upwards on the ground floor, from 101 upwards on the first floor, and so on.
- (3) The letters referred to in subsection (1)(b) shall run from A onwards and each block or main entrance shall be assigned a different letter.
- (4) The provisions of subsection (1) shall apply in respect of any metal number, metal plate or metal letter that has become detached, or is for any reason no longer legible.

Minimum dimensions of numbers and letters

5. (1) The minimum height of every number and letter with regard to a property within the municipality is, in respect of -
 - (a) flat buildings, office- or business buildings and shopping centres, is 150 millimetre, and
 - (b) any other property, is 75 millimetre:
 Provided that the distance between the lines which represent the actual number or letter should not be less than 10 millimetre.

Offences and penalties

6. (1) A person contravening or failing to comply with any of the provisions of these by-laws is guilty of an offence and must upon conviction by a court be liable to a fine or imprisonment for a period not exceeding three years or both a fine as well as period of imprisonment, or such other fine or period of imprisonment which the Minister of Justice may from time to time determine in terms of the provisions of section 92 of the Magistrate's Courts Act, 1944 (Act No 32 of 1944).
- (2) Any expense incurred by the Council as a result of a contravention of these by-laws or in the doing of anything which a person was directed to do under these by-laws and which he or she failed to do, may be recovered by the Council from the person who committed the contravention or who failed to do such thing.

Repeal

7. Any by-laws relating to the Numbering of Buildings adopted by the municipality or any municipality now comprising an administrative unit of the Municipality is repealed from the date of promulgation of these by-laws.

Short title and commencement

8. These by-laws are called the Numbering of Buildings By-law, 2011.