



FREE STATE PROVINCE BY-LAWS STATUS REPORT NOVEMBER 2012

(See important comments at end of report)

Standard By-laws

**(Promulgated by the MEC for COGTA for adoption by Free State
Municipalities)**

- STANDARD ADVERTISING, 2011
- STANDARD AIR QUALITY MANAGEMENT, 2011
- STANDARD BED AND BREAKFAST AND GUEST HOUSE, 2011
- STANDARD BUILDING REGULATIONS, 2011
- STANDARD CEMETERIES AND CREMATORIA, 2011
- STANDARD CHILDCARE SERVICES, 2011
- STANDARD COMMONAGE, 2011
- STANDARD CONTROL OF COLLECTIONS, 2011
- STANDARD CONTROL OF PUBLIC NUISANCES, 2011
- STANDARD CONTROL OF STREET VENDORS, PEDDLERS OR HAWKERS, 2011
- STANDARD CREDIT CONTROL AND DEBT COLLECTION, 2011
- STANDARD DELEGATION OF POWERS, 2011
- STANDARD DISTRICT MUNICIPAL ENVIRONMENTAL MANAGEMENT, 2011
- STANDARD DOGS AND CATS, 2011
- STANDARD DUMPING AND LITTERING, 2011
- STANDARD ELECTRICITY SUPPLY, 2011
- STANDARD ENCROACHMENT ON PROPERTY, 2011
- STANDARD ENVIRONMENTAL HEALTH, 2011
- STANDARD FENCES AND FENCING, 2011
- STANDARD FIRE AND EMERGENCY SERVICES, 2011
- STANDARD FRESH PRODUCE MARKETS, 2011
- STANDARD GENERAL STREET, 2011
- STANDARD IMPOUNDMENT OF ANIMALS, 2011
- STANDARD INDIGENT SUPPORT, 2011
- STANDARD INFORMAL SETTLEMENTS, 2011
- STANDARD KEEPING OF ANIMALS, POULTRY AND BEES, 2011
- STANDARD LIBRARIES, 2011
- STANDARD LICENSING OF DOGS, 2011
- STANDARD NUMBERING OF BUILDINGS, 2011



- STANDARD PROPERTY RATES, 2011
- STANDARD PUBLIC AMENITIES, 2011
- STANDARD PUBLIC SWIMMING POOL, 2011
- STANDARD REFUSE REMOVAL, 2011
- STANDARD RULES AND ORDERS, 2000
- STANDARD SPORTING FACILITIES, 2011
- STANDARD STORM WATER, 2011
- STANDARD STREET TRADING, 2011
- STANDARD TARIFF POLICY, 2011
- STANDARD TAXI RANKS, 2011
- STANDARD UNSIGHTLY AND NEGLECTED BUILDINGS, 2011
- STANDARD WARD COMMITTEE, 2011
- STANDARD WASTE MANAGEMENT, 2011
- STANDARD WATER RESTRICTIONS, 2011
- STANDARD WATER SERVICES, 2011

BY-LAW STATUS AND PROGRESS PER METROPOLITAN, DISTRICT AND LOCAL MUNICIPALITIES

METROPOLITAN MUNICIPALITY

MANGAUNG METROPOLITAN MUNICIPALITY

By-laws in operation:-

- CHILD CARE FACILITIES, 2008
- CONTROL OF COLLECTIONS, 2005
- DISCHARGE OF INDUSTRIAL EFFLUENT, 2008
- ELECTRICITY SUPPLY, 2005
- LAUNDRIES, 2005
- LEASE OF MUNICIPAL HALLS, 2005
- LICENSING OF DOGS, 2005
- MUNICIPAL CEMETERIES, 2002
- MUNICIPAL FRESH PRODUCE MARKET, 2009
- MUNICIPAL SWIMMING POOLS, 2002
- NUMBERING AND RE-NUMBERING OF BUILDINGS AND PLACES AND THE ASSIGNMENT OF NAMES TO AND THE DISPLAY THEREOF ON FLAT BUILDINGS, 2005
- OUTDOOR ADVERTISEMENT, 2008
- PARKING ATTENDANTS, 2006
- PROPERTY RATES, 2009
- RULES AND ORDERS, 2001
- STREET TRADING, 2006



Progress:-

The municipality is in the process of adopting the following by-laws:-

- Standard Control of Public Nuisance 2011
- Standard Dumping and Littering 2011
- Standard Informal Settlement 2011
- Standard General Street 2011
- Standard Building Regulations 2011
- Zoning By-Law

Public participation started..

DISTRICT MUNICIPALITY

FEZILE DABI DISTRICT MUNICIPALITY (FORMERLY NORTHERN FREE STATE DISTRICT MUNICIPALITY)

By-laws in operation:-

- MUNICIPAL HEALTH SERVICES, 2009

Progress:-

The municipality has started the process to adopt the following new by-laws:-

- Ward Committees by-laws
- Fire & Emergency by-laws

Public participation flawed. Very poor attendance and at some venues no turnout. Matter referred to council for resolution on public participation.

LOCAL MUNICIPALITIES

MAFUBE LOCAL MUNICIPALITY

By-laws in operation:-

- CUSTOMER CARE AND REVENUE MANAGEMENT, 2004
- OUTDOOR ADVERTISING AND SIGNAGE POLICY, 2009
- RULES AND ORDERS, 2006

Progress:-

The municipality is in the process of adopting the following by-laws:-

Building Regulations
Street Trading
Informal Settlements



Keeping of animals
Dumping and littering
Refuse removal

Awaiting council resolution to promulgate the above by-laws.

METSIMAHOLO LOCAL MUNICIPALITY

By-laws in operation:-

- ELECTRICITY, 2003
- WATER AND SANITATION, 2006

Progress:-

The municipality is in the process of adopting the following by-laws:-

- Street trading
- Commonages
- Impoundment of Animals
- Property Rates, and
- Tariff Policy

Still awaiting publication of notice for public comment and public participation.

MOQHAKA LOCAL MUNICIPALITY

By-laws in operation:-

- CREDIT CONTROL AND DEBT COLLECTION, 2004
- PROPERTY RATES, 2010
- STANDARD STANDING ORDERS, 2001

Progress:-

The municipality has started the process to adopt the following by-laws:-

- Cemeteries
- Parks and open spaces
- Sporting facilities

NGWATHE LOCAL MUNICIPALITY

By-laws in operation:-

- PROPERTY RATES, 2009
- STANDING RULES AND ORDERS, 2008

Progress:-

The municipality has started with the process to adopt the following by-laws:-

- electricity by-law
- control of street vendors, peddlers or hawkers



- credit control and debt collection by-law
- fire and emergency services by-law
- informal settlement by-law

Public participation in process.

DISTRICT MUNICIPALITY

LEJWELEPUTSWA DISTRICT MUNICIPALITY

No new By-laws came into force since 2000.

Progress:-

Late start. Awaiting publication of notice for public participation.

LOCAL MUNICIPALITIES

MASILONYANA LOCAL MUNICIPALITY

By-laws in operation:-

- CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION, 2007
- PROPERTY RATES, 2009
- TARIFFS, 2007
- WATER SERVICES, 2007

Progress:-

The municipality has started with the process to adopt the following by-laws:-

- Delegation of powers and functions
- Electricity Supply By-laws
- Dumping and Littering By-law

Council resolution to start process being awaited. Council now needs workshop on by-law process before proceeding. Delays caused by incompetent municipal manager and staff.

MATJHABENG LOCAL MUNICIPALITY

By-laws in operation:-

- CEMETERIES AND CREMATORIA, 2008
- CREDIT CONTROL AND DEBT COLLECTION, 2010
- CULTURE AND RECREATION, 2008
- DUMPING AND LITTERING, 2008
- HEALTH FOR HOME FOR THE AGED, 2010
- MARKET, 2010
- PARKING METER, 2008
- PROPERTY RATES, 2011

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- PUBLIC AMENITIES, 2008
- PUBLIC HEALTH, 2008
- PUBLIC ROADS AND MISCELLANEOUS, 2008
- REFUSE (SOLID WASTE) AND SANITARY, 2008
- STREETS AND PUBLIC PLACES, 2008
- STREET TRADING, 2008
- WASTE MANAGEMENT, 2010
- WATER SERVICES, 2010

Progress:-

Awaiting publication of notice for public comment and public participation

NALA LOCAL MUNICIPALITY

By-laws in operation:-

- CREDIT CONTROL AND DEBT COLLECTION, 2009
- PROPERTY RATES, 2010
- STANDARD RULES AND ORDERS, 2006

Progress:-

The municipality has started with the process to adopt the following by-laws:-

- Control of street vendors, peddlers or hawkers
- Dumping and littering
- Electricity supply
- Indigent support
- Informal settlements.

Council resolution to start process being awaited.

TOKOLOGO LOCAL MUNICIPALITY

By-laws in operation:-

- PROPERTY RATES, 2009

Progress:-

The municipality has started with the process to adopt the following by-laws:-

- Rules and Orders
- Credit Control and Debt Collection
- Indigent Support
- Water Services
- Dumping and littering
- Building Regulations
- Refuse Removal
- Storm water management
- Waste water Management

Council resolution to start process being awaited. Council fails to hold council meetings to address issue.



TSWELOPELE LOCAL MUNICIPALITY

By-laws in operation:-

- DUMPING AND LITTERING, 2009
- IMPOUNDMENT OF ANIMALS, 2007
- PROPERTY RATES, 2009
- REFUSE REMOVAL SCHEDULE, 2009
- RULES AND ORDERS, 2007
- WASTE MANAGEMENT, 2009
- BUILDING REGULATIONS, 2012
- CREDIT CONTROL AND DEBT COLLECTION, 2012
- INDIGENT SUPPORT, 2012
- INFORMAL SETTLEMENT, 2012
- TARIFF POLICY, 2012
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Progress:-

The municipality has started with the second phase. Busy identifying a new set of by-laws

DISTRICT MUNICIPALITY

THABO MOFUTSANYANA DISTRICT MUNICIPALITY

By-laws in operation:-

- WATER SUPPLY, 2000

Progress:-

By-laws not yet identified and notice for public participation being awaited.

LOCAL MUNICIPALITIES

DIHLABENG LOCAL MUNICIPALITY

By-laws in operation:-

- CREDIT CONTROL AND DEBT COLLECTION, 2002
- PROPERTY RATES, 2009
- STANDARD RULES AND ORDERS, 2001

Progress:-

- Dumping and littering
- Waste management
- Refuse removal

Report on by law status in the province as on 19 November 2012



- Control of public nuisance

By instruction of Speaker the process to start with by-laws halted. Proposed by-laws must first be tabled at meeting of policy committee.

MANTSOPA LOCAL MUNICIPALITY

By-laws in operation:-

- CREDIT CONTROL AND DEBT COLLECTION, 2008
- INDIGENT AND FREE BASIC SERVICES SUBSIDY, 2008
- STANDARD RULES AND ORDERS, 2001
- TARIFF POLICY, 2008

Progress:-

The municipality has started with the process to adopt the following by-laws:-

- Commonage, 2011
- Electricity Supply, 2011
- Property Rates, 2011
- Refuse Removal, 2011
- Water Restrictions
- Informal Settlements, 2011
- Impoundment of Animals, 2011

Public participation in process.

MALUTI-A-PHOFUNG LOCAL MUNICIPALITY

By-laws in operation:-

- CEMETERIES, 2002
- COMMONAGE, 2005
- CREDIT CONTROL AND DEBT COLLECTION, 2001
- FIRE AND EMERGENCY SERVICES, 2005
- IMPOUNDMENT OF ANIMALS, 2005
- KEEPING OF ANIMALS, BIRDS AND POULTRY, 2005
- LIBRARIES, 2005
- OUTDOOR ADVERTISING AND SIGNS, 2003
- PUBLIC AMENITIES, 2005
- STREETS, 2005
- SUPERVISION AND CONTROL OF THE CARRYING ON OF THE BUSINESS OF STREET VENDORS, PEDDLERS OR HAWKERS, 2001
- TRAFFIC, 2005
- WATER SERVICES, 2004

Progress:-

Awaiting council approval to start process with Informal Settlements and Property Rates By-laws.



NKETOANA LOCAL MUNICIPALITY

By-laws in operation:-

- FIREWORKS, 1999
- PROPERTY RATES, 2009

Progress:-

None. Meeting cancelled as council did not yet approve of starting the process.

PHUMELELA LOCAL MUNICIPALITY

By-laws in operation:-

- ADVERTISING BY-LAW, 2012
- CHILD CARE SERVICES BY-LAW, 2012
- CREDIT CONTROL AND DEBT COLLECTION BY-LAW, 2012
- IMPOUNDMENT OF ANIMALS BY-LAW, 2012
- INDIGENT SUPPORT BY-LAW, 2012
- PROPERTY RATES BY-LAW, 2012
- STREET TRADING BY-LAW, 2012
- ENVIRONMENTAL HEALTH BY-LAW, 2012

Progress:-

The municipality has started with the second phase to adopt the following by-laws:-

- Standard Bed and Breakfast and Guest house by-law,
- Standard Commonage by-law,
- Standard Encroachment on property by-law,
- Standard Delegation of powers by-law,
- Standard Fire and emergency services by-law,
- Standard sporting facilities by-law,
- Standard ward committees
- Standard Waste Management by-law,
- Standard Water restrictions by-law,
- Standard Environment Health by-law,
- Standard Building regulations by-law.

SETSOTO LOCAL MUNICIPALITY

By-laws in operation:-

- COMMONAGE, 2008
- KEEPING OF ANIMALS, POULTRY AND BEES, 2008
- MUNICIPAL MANAGEMENT AND CONTROL OF INFORMAL SETTLEMENTS, 2008
- OUTDOOR ADVERTISING AND SIGNAGE, 2008
- PARKING OF VEHICLES ON PUBLIC ROADS, 2008

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- PROPERTY RATES, 2008
- RULES AND ORDERS, 2008
- STREET TRADING, 2008
- TAXI AND BUS RANKS, 2008
- CEMETERIES AND CREMETORIA, 2012
- ELECTRICITY SUPPLY, 2012
- WASTE MAMGEMENT, 2012
- WATER RESTRICTIONS, 2012

Progress:-

In process of identifying second phase set of by-laws. Management looking into possible amendments of Credit Control and Debt collection, Indigent Support and Tariff Policy by-laws. Also requested comments from DWA as the Standard Water services by-law differs from their second Model Water Services by-laws

DISTRICT MUNICIPALITY

XHARIEP DISTRICT MUNICIPALITY

No new By-laws came into force since 1995

Progress:-

The municipality has started the process to adopt the following by-laws:-

- District Municipal Environmental Management By-law
- Environmental Health By-law
- Rules and Orders
- Dumping and littering

Still awaiting publication of notice for public comment and public participation. Public participation must be repeated in two no-go areas.

LOCAL MUNICIPALITIES

KOPANONG LOCAL MUNICIPALITY

By-laws in operation:-

- STANDARD RULES AND ORDERS, 2001

Progress:-

The municipality is in the process of adopting the following by-laws:-

- Standard Building Regulations
- Standard Commonage
- Standard Credit Control and Debt Collection
- Standard Dumping and Littering
- Standard Impoundment of Animals



- Standard Tariff Policy
- Standard Water Services

Set of by-laws submitted to council for adoption. No amendments were proposed by the public.
Not yet started with second phase.

LETSEMENG LOCAL MUNICIPALITY

By-laws in operation:-

- RULES AND ORDERS, 2007

Progress:-

Council on 30 March 2012 approved of the processing of the following six Standard By-laws:

- Commonages PN 176 of 2011
- Credit Control and Debt Collection PN 180 of 2011
- Dumping and Littering PN 184 of 2011
- Impoundment of Animals PN 192 of 2011
- Indigent Support PN 193 of 2011
- Informal Settlements PN 194 of 2011

Public participation flawed. At two venues there was no turnout. Matter referred to Council for resolution. No reply when phoned three times to get update information.

MOHOKARE LOCAL MUNICIPALITY

By-laws in operation:-

- IMPOUNDMENT OF ANIMALS, 2008
- DUMPING AND LITTERING, 2008
- CREDIT CONTROL AND DEBT COLLECTION, 2008
- KEEPING OF ANIMALS, 2009
- PROPERTY RATES, 2009
- RULES AND ORDERS, 2007

Progress:-

By-laws adopted by council. Should have been gazetted on 16 November 2012

NALEDI LOCAL MUNICIPALITY

By-laws in operation:-

- PROPERTY RATES, 2011
- STANDARD RULES AND ORDERS, 2007

Progress:-

None. Awaiting council approval to start process and identify priority by-laws.
New MM to discuss matter with Speaker before matter will be submitted to council.

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General Comments

Due to new cost containing measures implemented on 1 November 2012, the programmed visits to municipalities were cancelled to save on kilometres. This office in future will only visit up to four municipalities per month to render hands on support and only on request.

All municipalities were informed accordingly. Since 1 November 2012 not a single municipality requested any assistance.

Since 1 November 2012 the whole by-law process in all municipalities came to a virtual halt as municipal staff only deals with by-law matters when they are visited. Otherwise the adoption of by-laws is not a priority matter at municipalities. Please refer to the problematic municipalities identified above.