Provincial Gazette

Free State Province



Provinsiale Koerant

Provinsie Vrystaat

Published by Authority

Uitgegee op Gesag

| NO. | 38 FRIDAY, 29 JULY 201 | 11 | NO. 38 VRYDAG, 29 JULIE 2 | 2011 | |
|--------------------|--|----|--|------|--|
| PROVINCIAL NOTICES | | | PROVINSIALE KENNISGEWINGS | | |
| 70 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein (Central Business District): Erven 1003, 1005, R/1006 and 28424 | 2 | 70 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein Sentrale Besigheids Gebied): Erwe 1003, 1005, R/1006 en 28424 | 2 | |
| 71 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 39: Erf 5291 (Wilgehof) | 2 | 71 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 39: Erf 5291 (Wilgehof) | 2 | |
| 72 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 65: Erven 11143 and 22045] (Hamilton) | 3 | 72 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 65: Erwe 11143 en 22045] (Hamilton) | 3 | |
| 73 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein (Westdene): Erf 3217 | 3 | 73 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein (Westdene): Erf 3217 | 3 | |
| 74 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 130: Erf 19561 (Brandwag) | 3 | 74 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 130: Erf 19561 | 3 | |
| 75 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 89: Erf 14524 (Fichardtpark) | 4 | 75 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 89: Erf 14524 | 4 | |
| 76 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 77: Erf 13119 (Brandwag) | 4 | 76 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 77: Erf 13119 (Brandwag) | 4 | |
| 77 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 85: Erf 13968 (Bayswater) | 5 | 77 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 85: Erf 13968 (Bayswater) | 5 | |
| 78 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein, Extension 46: Erf 6634 (Dan Pienaar) | 5 | 78 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein, Uitbreiding 46: Erf 6634 (Dan Pienaar) | 5 | |
| 79 | Removal of Restrictions Act, 1967 (Act No. 84 of 1967): Bloemfontein: Erf 13425 (Dan Pienaar) | 5 | 79 Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967): Bloemfontein: Erf 13425 (Dan Pienaar) | 5 | |
| C | COOPERATIVE GOVERNANCE, TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS NOTICE | | | | |
| Mafu | Mafube Municipality 6 | | | | |
| MISCELLANEOUS | | | ALLERLEI | | |
| Towr | Townships Board Notices 16 | | Dorperaadskennisgewing | 16 | |
| Rem | oval of Restrictions Act, 1967 (Act No. 84 of 1967) | 18 | Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967) | 18 | |

COOPERATIVE GOVERNANCE, TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS NOTICE

MAFUBE MUNICIPALITY

PROPERTY RATES BY-LAW (FINAL)

(22 JUNE 2011)

FOR IMPLEMENTATION ON 1 JULY 2011

MAFUBE LOCAL MUNICIPALITY PROPERTY RATES BY-LAW

The Municipal Manager of Mafube Local Municipality hereby, in terms of Section 6 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004), publishes the Property Rates By-law for the Mafube Local Municipality, as approved by its Council as set out hereunder.

PURPOSE OF BY-LAW

To allow Council to exercise its power to value and impose rates on immovable properties located within its area of jurisdiction in such a manner that it will contribute to effective and economic service delivery to the entire community.

TABLE OF CONTENTS:

- 1. DEFINITIONS
- 2. PRINCIPLES
- 3. APPLICATION OF BY-LAW
- 4. PRINCIPLES APPLICABLE TO FINANCING OF SERVICES
- 5. CATEGORIES OF PROPERTY
- 6. CATEGORIES OF OWNERS
- 7. PROPERTIES USED FOR MULTIPLE PURPOSES
- 8. DIFFERENTIAL RATING
- 9. EXEMPTIONS AND IMPERMISSIBLE RATES
- 10. REDUCTIONS
- 11. REBATES
- 12. PAYMENT OF RATES
- 13. ACCOUNTS TO BE FURNISHED
- 14. PHASING IN OF RATES
- 15. FREQUENCY OF VALUATION
- 16. COMMUNITY PARTICIPATION
- 17. REGISTER OF PROPERTIES
- 18. REGULAR REVIEW PROCESSES
- 19. SHORT TITLE
- 20. COMMENCEMENT

1. Definitions

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise-

- 1.1 "Act" means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) and any amendment thereof;
- 1.2 "Agent", in relation to the owner of a property, means a person appointed by the owner of the property-
- (a) to receive rental or other payments in respect of the property on behalf of the owner; or
- (b) to make payments in respect of the property on behalf of the owner;
- "Agricultural purpose" in relation to the use of a property, includes the use of a property for the purpose of eco-tourism or for the trading in or hunting of game;
- 1.4 "Annually" means once every financial year;
- 1.5 "Business and commercial property" means -
- (a) property used for the activity of buying, selling or trading in commodities or services and includes any office or other accommodation on the same property, the use of which is incidental to such activity; or
- (b) property on which the administration of the business of private or public entities take place;
- 1.6 "Category"
- (a) in relation to property, means a category of properties determined in terms of Section 7 of this policy; and
- (b) in relation to owners of properties, means a category of owners determined in terms of Section 8 of this policy.

- 1.7 **"Child-headed household"** means a household where the main caregiver of the said household is younger than 18 years of age. Child-headed household means a household headed by a child as defined in terms of section 28(3) of the Constitution.
- 1.8 "Definitions, words and expressions" as used in the Act are applicable to this policy document where ever it is used;
- 1.9 **"Exclusion"** in relation to a municipality's rating power, means a restriction of that power as provided for in sections 16 and 17 of the Act:
- 1.10 "Exemption" in respect of the calculation of a rate means an exemption granted in terms of section 15(1)(a) of the Act;
- 1.11 "Farm property or small holdings used for agricultural purpose" means property that is used for the cultivation of soils for purposes of planting and gathering in of crops; forestry in the context of the planting or growing of trees in a managed and structured fashion; the rearing of livestock and game or the propagation and harvesting of fish, but includes the use of a property for the purpose of eco-tourism; and in the respect of property on which game is reared, trade or hunted, it excludes any portion that is used for commercial or business purposes;
- 1.12 **"Farm property not used for any purpose"** means agricultural property which is not used for such purpose, regardless of whether such portion of such property has a dwelling on it which is used as a dwelling and must be regarded as residential property;
- 1.13 "Financial year" the period starting from 1 July in a year to 30 June the following year;
- 1.14 **"Industrial property"** means property used for a branch of trade or manufacturing, production, assembly or processing of finished or partially finished products from raw materials or fabricated parts on such a large scale that capital and labour are significantly involved, and includes any office or other accommodation on the same property, the use of which is incidental to such activity;
- 1.15 "Land reform beneficiary", in relation to a property, means a person who -
- (a) acquired the property through -
- (i) the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993); or
- (ii) the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);
- (b) holds the property subject to the Communal Property Associations Act, 1996 (Act. No 28 of 1996);
- (c) holds or acquires the property in terms of such other land tenure reform legislation as may pursuant to section 25(6) and (7) of the Constitution (Act No.108 of 1996) be enacted after this Act has taken effect;
- 1.16 "Land tenure right" means an old order right or a new order right as defined in section 1 of the Communal Land Rights Act, 2004 (Act No.11 of 2004);
- 1.17 **"Municipality"** means the Local Municipality of Mafube;
- 1.18 "Newly Rateable property" means any rateable property on which property rates were not levied before the end of the financial year preceding the date on which this Act took effect, excluding –
- (a) a property which was incorrectly omitted from a valuation roll and for that reason was not rated before that date; and
- (b) a property identified by the Minister by notice in the Gazette where the phasing-in of a rate is not justified;
- 1.19 "Occupier" in respect of a property means a person in actual occupation of a property, whether or not that person has a right to occupy the property;
- 1.20 "Open space" means land that is used as a park, garden, for passive leisure or maintained in its natural state;
- 1.21 "Owner"-
- (a) in relation to a property referred to in paragraph (a) of the definition of "property", means a person in whose name ownership of the property is registered:
- (b) in relation to a right referred to in paragraph (b) of the definition of "property", means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of "property", means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of "property", means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of "publicly controlled", provided that a person mentioned below may for the purposes of this Act be regarded by a municipality as the owner of a property in the following cases:-

- a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator, in the case of a property in a deceased estate;
- (iii) a trustee or liquidator, in the case of a property in an insolvent estate or in
- (iv) a judicial manager, in the case of a property in the estate of a person under
- (v) a curator, in the case of a property in the estate of a person under curatorship;
- (vi) a person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of a property that is registered in the name of a municipality and is leased by it; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;
- 1.22 **"privately open space"** means land that is privately owned and used for practising of sport, play- or leisure facilities or used as a botanical garden, cemetery or nature area;
- 1.23 "Privately owned towns serviced by the owner" means single properties, situated in an area not ordinarily being serviced by the municipality, divided through sub division or township establishment into (ten or more) full title stands and/ or sectional units and where all rates related services inclusive of installation and maintenance of streets, roads, sidewalks, lighting, storm water drainage facilities, parks and recreational facilities are installed at the full cost of the developer and maintained and rendered by the residents of such estate.

1.24 "Property" means -

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure.

1.25 "Public service infrastructure" means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across a municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigational aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mentioned in paragraphs (a) to (i).

1.26 "Residential property" means improved property that:-

- (a) is used predominantly (60% or more) for residential purposes, including any adjoining property registered in the name of the same owner and used together with such residential property as if it were one property. Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes;
- (b) is a unit registered in terms of the Sectional Title Act and is used predominantly for residential purposes;
- (c) is owned by a share-block company and is used predominantly for residential purposes;
- (d) is a residence used for residential purposes situated on a property used for educational purposes;
- (e) is property which is included as residential in a valuation list in terms of section 48(2)(b) of the Act;
- (f) are retirement schemes and life right schemes used predominantly (60% or more) for residential purposes; vacant properties (empty stands), hotels, hostels, old-age homes and accommodation establishments, irrespective of their zoning or intended use, have been specifically excluded from this property category;

- 1.27 **"Rural communal settlements"** means the residual portion of rural communal land excluding identifiable and rateable entities within the property and excluding State Trust Land and land reform beneficiaries as defined in the Act.
- 1.28 "small holding" means
- (a) all agricultural zoned land units situated within an urban region with an area of one to three hectares; or
- (b) any agricultural zoned land unit situated outside an urban region with an area of three hectares or less;
- 1.29 "state owned property" excludes any property included in the valuation roll under the category 'residential property' or 'vacant land'.
- 1.30 "state trust land" means land owned by the state-
- (a) in trust for persons communally inhabiting the land in terms of a traditional system of land tenure;
- (b) over which land tenure rights were registered or granted; or
- (c) which is earmarked for disposal in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994).
- 1.31 In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa.

2. Principles

- 2.1 Rates will be levied in accordance with the Act as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll and supplementary valuation roll.
- 2.2 The municipality will differentiate between various categories of property and categories of owners of property as contemplated in clause 5 and 6 of this by-law.
- 2.3 Some categories of property and categories of owners will be granted relief from rates.
- 2.4 The municipality will not grant relief in respect of payments for rates to any category of owners or properties, or to owners of properties on an individual basis.
- 2.5 There will be no phasing in of rates based on the new valuation roll, except as prescribed by legislation and in accordance with clause 14 of this by-law.
- 2.6 The municipality's rates policy will be based on the following principles:
- (a) Equity
 - The municipality will treat all ratepayers with similar properties the same.
- (b) Affordability
 - The ability of a person to pay rates will be taken into account by the municipality. In dealing with the poor/indigent ratepayers the municipality will provide relief measures through exemptions, reductions or rebates and cross subsidy from the equitable share allocation.
- (c) <u>Sustainability</u>
 - Rating of property will be implemented in a way that:
- i. it supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality;
- ii. Supports local, social and economic development; and
- iii. Secures the economic sustainability of every category of ratepayer.
- (d) <u>Cost efficiency</u>

Rates will be based on the value of all rateable property and will be used to fund community and subsidised services after taking into account surpluses generated on trading (water, electricity) and economic (refuse removal, sewerage disposal) services and the amounts required to finance exemptions, rebates, reductions and phasing-in of rates as approved by the municipality from time to time.

3. Application of By-law

- 3.1 Where this by-law contradicts national legislation, such legislation has preference over this by-law. The Municipal Manager shall bring such conflicts immediately to the attention of the municipality once he becomes aware of such conflicts and will propose changes to the municipality's by-laws to eliminate such conflicts.
- 3.2 If there is any conflict between this by-law and the Property Rates policy of the municipality, this by-law will prevail.
- 3.3 In imposing the rate in the rand for each annual operating budget component, the municipality shall grant exemptions, rebates and reductions to the categories of properties and categories of owners.

4. Principles applicable to financing services

- 4.1 The municipal manager or his/her nominee must, subject to the guidelines provided by the National Treasury and Executive Committee of the municipality, make provision for the following classification of services:-
- (a) Trading services
- . Water
- ii. Electricity
- (b) <u>Economic services</u>
- Refuse removal.
- ii. Sewerage disposal.
- (c) Community and subsidised services
 - These include all those services ordinarily being rendered by the municipality excluding those mentioned in 4.1 (a) and (b).
- 4.2 Trading and economic services as referred to in clauses (a) and (b) must be ring fenced and financed from service charges while community and subsidised services referred to in clause (c) will be financed from surpluses on trading and economic services, regulatory fees, rates and rates related income.

5. Categories of property

- 5.1 Different rates may be levied in respect of the categories of rateable properties as determined by the municipality's rates policy.
- 5.2 Such rates will be determined on an annual basis during the compilation of the municipality's budget.
- 5.3 In determining the category of a property referred to in 5.1 the municipality shall take into consideration the dominant use of the property regardless the formal zoning of the property;
- 5.4 Properties used for multiple purposes shall be categorised and rated as provided for in section 9 of the Act and as more fully described in clause 7 of this by-law.

6. Categories of owners

For the purpose of granting exemptions, reductions and rebates in terms of clause 9, 10 and 11 respectively, different categories of owners of properties will be determined in the municipality's rates policy.

7. Properties used for multiple purposes

7.1 Rates on properties used for multiple purposes will be levied by the "dominant use of the property".

8. Differential rating

- 8.1 Criteria for differential rating on different categories of properties will be according to-
- (a) The nature of the property including its sensitivity to rating e.g. agricultural properties used for agricultural purposes.
- (b) The promotion of social and economic development of the municipality.
- 8.2 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
- by way of reductions and rebates as provided for in the municipality's rates policy document.

9. Exemptions and Impermissible Rates

- 9.1 Categories of property and categories of owners as determined by the municipality's rates policy on an annual basis will be exempted from paying rates.
- 9.2 Conditions determined by the rates policy will be applied accordingly.
- 9.3 Exemptions will automatically apply where no applications are required.
- 9.4 Rates may not be levied by the municipality on properties prescribed in Section 17(1) of the Municipal Property Rates Act, 2004.
- 9.5 Public Benefit Organisation Property owned by public benefit organisations and used for any specified public benefit activity listed in item 1 (welfare and humanitarian), item 2 (health care), and item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act, may apply for exemption of property rates, on conditions as determined by the municipality's rates policy.
- 9.6 The municipality retains the right to refuse the exemption if the details supplied in the application form were incomplete, incorrect or false.
- 9.7 The extent of the exemptions implemented will annually be determined by the municipality and it must be included in the annual budget.

10. Reductions

- 10.1 Reductions as contemplated in section 15 of the Act will be considered on an ad-hoc basis in the event of the following:
- 10.1.1 Partial or total destruction of a property.
- 10.1.2 Disasters as defined in the Disaster Management Act, 2002 (Act 57 of 2002).
- 10.2 The following conditions shall be applicable in respect of 10.1:-
- 10.2.1 The owner referred to in 10.1.1 shall apply in writing for a reduction and the onus will rest on such applicant to prove to the satisfaction of the municipality that his property has been totally or partially destroyed. He/she will also have to indicate to what extent the property can still be used and the impact on the value of the property.
- 10.2.2 Property owners will only qualify for a rebate if affected by a disaster as referred to in the Disaster Management Act, 2002 (Act No. 57 of 2002).
- 10.2.3 A maximum reduction determined annually by the municipality will be allowed in respect of both 10.1.1 and 10.1.2.
- 10.2.4 An ad-hoc reduction will not be given for a period in excess of 6 months, unless the municipality gives further extension on application.
- 10.2.5 If rates were paid in advance prior to granting of a reduction the municipality will give credit to such an owner as from the date of reduction until the date of lapse of the reduction or the end of the period for which payment was made whichever occurs first.

11. Rebates

- 11.1. Categories of property
- 11.1.1 The municipality may grant rebates to categories of property as determined in the municipality's rates policy.
- 11.2 Categories of owners
- 11.2.1 The municipality may grant rebates to categories of owners as determined annually in the municipality's rates policy.
- 11.3 Conditions determined by the rates policy will be applied accordingly.
- 11.4 Applications for rebates must reach the municipality before the date determined by the property policy, preceding the start of the new municipal financial year for which relief is sought.
- 11.5 The municipality retains the right to refuse rebates if the details supplied in the application form were incomplete, incorrect or false.
- Properties with a market value below a prescribed valuation level of an amount determined annually by the Municipality may, instead of a rate being determined on the market value, be rated a uniform fixed amount per property.
- 11.7 The extent of the rebate in terms of 11.1, 11.2 and 11.6 will annually be determined by the municipality and it must be included in the annual budget.

12. Payment of rates

- 12.1 Council may levy assessment rates: -
- (a) On a monthly basis or less regular as determined by the Municipal Finance Management Act, (No.56 of 2003) or
- (b) Annually, as agreed with the owner of the property.
- 12.2 The municipality shall determine the due dates for payments in monthly installments and the single annual payment and this date shall appear on the accounts forwarded to the owner/ tenant/ occupants/ agent.
- 12.3 Rates payable on an annual basis, will be subject to a discount of 5% if paid in full on or before 30 September of each year.
- 12.4 Interest on arrears rates, whether payable on or before 30 September or in equal monthly instalments, shall be calculated in accordance with the provisions of the Credit Control and Debt Collection Policy of the Municipality.
- 12.5 If a property owner who is responsible for the payment of property rates in terms of the rates 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 and Debt Collection By-law of the Municipality.
- 12.6 Arrears rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act and the Municipality's credit control en debt collection by-law.
- 12.7 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.
- 12.8 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.
- 12.9 In the event of rates levied emanating from a supplementary valuation, payment thereof will be according to the date determined by the Municipality and payment thereof may not be withheld pending an objection or appeal as determined by section 78(2) of the Act.
- 12.10 In the event that a property has been transferred to a new owner and rates emanating from a supplementary valuation become due and payable, the owner on date of the levy will be held responsible for the settlement of the interim rates account.
- 12.11 Rates Clearance Certificates will be valid for up to 60 days. No extension on a certificate will be granted. If it expires a new application for clearance must be made

13. Accounts to be furnished

- 13.1 The municipality will furnish each person liable for the payment of rates with a written account, which will specify:
 - (i) the amount due for rates payable,
 - (ii) the date on or before which the amount is payable,
 - (iii) how the amount was calculated,
 - (iv) the market value of the property, and
 - (v) rebates, exemptions, reductions or phasing-in, if applicable.
- 13.2 A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, he/she must make the necessary enquiries with the municipality.
- 13.3 In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only provided that it takes place with the consent of the owners concerned.

14. Phasing in of rates

- 14.1 The rates to be levied on newly rateable property shall be phased in as explicitly provided for in section 21 of the Act.
- 14.2 The phasing–in discount on the properties referred to in section 21 shall be as follows:
 - First year : 75% of the relevant rate;
 - Second year : 50% of the relevant rate; and
 - Third year : 25% of the relevant rate.

14.3 No rates shall be levied on newly rateable properties that are owned and used by organisations conducting activities that are beneficial to the public and that are registered in terms of the Income Tax Act for those activities, during the first year. The phasing-in discount on these properties shall be as indicated below:-

First year
 Second year
 Third year
 Fourth year
 25% of the relevant rate;
 50% of the relevant rate; and
 25% of the relevant rate.

15. Frequency of valuation

- 15.1 The municipality shall prepare a new valuation roll every 4 (four) years.
- 15.2 The municipality, under exceptional circumstances, may request the MEC for Local Government and Housing in the province to extend the validity of the valuation roll to 5 (five) years.
- 15.3 Supplementary valuations will be done at least on an annual basis to ensure that the valuation roll is properly maintained.

16. Community participation

- 16.1 Before the municipality adopts the rates by-law, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:
- 16.1.1 Council must establish appropriate mechanisms, processes and procedures to enable the local community to participate and will provide for consultative sessions with locally recognised community organisations and where appropriate traditional authorities.
- 16.1.2 Conspicuously display the draft rates by-law for a period of at least 30 days (municipality to include period decided on) at the municipality's head and satellite offices and libraries (and on the website).
- 16.1.3 Advertise in the media a notice stating that the draft rates by-law has been prepared for submission to council and that such by-law is available at the various municipal offices and on the website for public inspection.
- 16.1.4 Property owners and interest persons may obtain a copy of the draft policy from the municipal offices during office hours at a fee as determined by Council as part of its annual tariffs. Property owners and interest persons are invited to submit written comments or representations to the municipality within the specified period in the notice.
- 16.1.5 The municipality will consider all comments and/or representations received when considering the finalisation of the rates policy and by-
- 16.1.6 The municipality will communicate the outcomes of the consultation process in accordance with section 17 of the Municipal Systems Act 32 of 2000.

17. Register of properties

- 17.1 The municipality will compile and maintain a register in respect of all properties situated within the jurisdiction of the municipality. The register will be divided into Part A and Part B.
- 17.2 Part A of the register will consist of the current valuation roll of the municipality and will include all supplementary valuations done from time to time.
- 17.3 Part B of the register will specify which properties on the valuation roll or any supplementary valuation roll are subject to:
- i. Exemption from rates in terms of section 15 of the Property Rates Act, 2004.
- ii. Rebate or reduction in terms of section 15 of the Act,
- iii. Phasing-in of rates in terms of section 21 of the Act, and
- iv. Exclusions as referred to in section 17 of the Act.
- 17.4 The register will be open for inspection by the public at the municipal main offices during office hours or on the website of the municipality.
- 17.5 The municipality will update Part A of the register during the supplementary valuation process.
- 17.6 Part B of the register will be updated on an annual basis as part of the implementation of the municipality's annual budget.

18. Regular review processes

- 18.1 The municipality's rates policy must be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives as contained in the Integrated Development Plan and with relevant legislation.
- 19. Short title
- 19.1 This by-law is the rates by-law of the Mafube Local Municipality.
- 20. Commencement
- 20.1 This by-law comes into force and effect on 1 July 2011.

MAFUBE MUNICIPALITY ESTIMATES AND RATES: 2011/2012 PERIOD: 1 JULY 2011-30 JUNE 2012

NOTICE is hereby given in terms of sections 11 (3) and 75A of the Local Government: Municipal Systems Act 32 of 2000, that, subject to the Premier's approval where applicable, the under-mentioned assessment rates have been levied on rateable properties for the period ending on 30 June 2012. (Also read with Section 24 of the Local Government: Municipal Finance Management Act 56 of 2003 and Section 14 of the Local Government: Municipal Property Rates Act 6 of 2004)

| | IMPROVED VALUE |
|--|----------------|
| Residential | 0.00898 c/R |
| Businesses | 0.017960 c/R |
| Government (offices, workshops, and all buildings not sorting under Government residences) | 0.052000 c/R |
| Industries | 0.017960 c/R |
| Farms | 0.000505 c/R |

The first R50 000 of the valuation of residential property is exempted from rates.

Rates become due and payable monthly in advance and interest as prescribed by the Municipal Finance Management Act (No. 56 of 2003) will be charged on amounts not paid within 30 days.

The determination will come into operation from 1 July 2011.

Notice is further given that a copy of the resolution and the Estimates and Revenue and Expenditure and Capital requirements for the period ending 30 June 2012 as approved by the council, will be available for public inspection during office hours at the municipal offices and libraries at Frankfort, Villiers Cornelia and Tweeling.

64 J J Hadebe Street P O Box 2 FRANKFORT, 9830

PI RADEBE MUNICIPAL MANAGER Phone: 058 813 1051 Fax: 058 813 3072 Mafube Municipality

PROVINCIAL GAZETTE (Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, Tel.: (051) 403 3139. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

SUBSCRIPTION: (POST)

PRICE PER COPY R 18.80
HALF-YEARLY R469.40
YEARLY R938.80

SUBSCRIPTION: (OVER THE COUNTER / E-MAIL)

PRICE PER COPY R 11.10 HALF-YEARLY R 277.90 YEARLY R 555.80

Stamps are not accepted

Closing time for acceptance of copy

All advertisements must reach the Officer in Charge of the Provincial Gazette **not later than 16:00**, **three workings days** prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge **not later than 08:00 on the Tuesday** preceding the publication of the Gazette and double rate will be charged for that advertisement.

A "Late Advertisement" will not be inserted as such without definite instructions from the advertiser.

Advertisement Rates

Notices required by Law to be inserted in the Provincial Gazette: R26.40 per centimeter or portion thereof, single column.

Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300, Tel.: (051) 403 3139.

NUMBERING OF PROVINCIAL GAZETTE

You are hereby informed that the numbering of the Provincial Gazette /Tender Bulletin and notice numbers will from 2010 coincide with the relevant financial year. In other words, the chronological numbering starting from one will commence on or after 1 April of every year.

Printed and published by the Free State Provincial Government

PROVINSIALE KOERANT (Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, Tel.: No. (051) 403 3139 geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie

Intekengeld (vooruitbetaalbaar)

Die intekengeld vir die Provinsiale Koerant (insluitend alle Buitengewone Provinsiale Koerante) is soos volg:

INTEKENGELD: (POS)

PRYS PER EKSEMPLAAR R 18.80 HALFJAARLIKS R469.40 JAARLIKS R938.80

INTEKENGELD: (OOR DIE TOONBANK / E-POS)

PRYS PER EKSEMPLAAR R 11.10 HALFJAARLIKS R 277.90 JAARLIKS R 555.80

Seëls word nie aanvaar nie.

Sluitingstyd vir die Aanname van Kopie

Alle advertensies moet die Beampte Belas met die Provinsiale Koerant bereik nie later nie as 16:00 drie werksdae voordat die Koerant uitgegee word. Advertensies wat na daardie tyd ontvang word, word oorgehou vir publikasie in die uitgawe van die volgende week, of as die adverteerder dit verlang, sal dit in die Koerant wat op die pers is as 'n "Laat Advertensie" geplaas word. In sulke gevalle moet die advertensie aan die Beampte oorhandig word nie later nie as 08:00 op die Dinsdag voordat die Koerant gepubliseer word en dubbeltarief sal vir dié advertensie gevra word.

'n "Laat Advertensie" sal nie sonder definitiewe instruksies van die Adverteerder as sodanige geplaas word nie.

Advertensietariewe

Kennisgewings wat volgens Wet in die Provinsiale Koerant geplaas moet word: R26.40 per sentimeter of deel daarvan, enkelkolom.

Advertensiegelde is vooruitbetaalbaar aan die Beampte belas met die Provinsiale Koerant, Posbus 517, Bloemfontein 9300, Tel.: (051) 403 3139.

NOMMERING VAN PROVINSIALE KOERANT

U word hiermee in kennis gestel dat die nommering van die Provinsiale Koerant / Tender Bulletin en kennisgewingnommers vanaf 2010 met die betrokke boekjaar sal ooreenstem. Met ander woorde, die kronologiese nommering beginnende met een, sal op of na 1 April van elke jaar begin.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Regering