

PART FOUR

FINAL BUDGET RELATED POLICIES

2021 2022

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NEWCASTLE MUNICIPALITY



PROPERTY RATES BY-LAWS

The Newcastle Municipality, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, adopted the Municipality's Property Rates By-law set out hereunder.

NEWCASTLE MUNICIPALITY
MUNICIPALITY PROPERTY RATES BY-LAWS

PREAMBLE

WHEREAS section 229(1) of the Constitution requires a municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality.

AND WHEREAS section 13 of the Municipal systems Act read with section 162 of the constitution require a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province.

AND WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 requires a municipality to adopt by-laws to give effect to the implementation of its property rates policy; the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates;

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

1. DEFINITIONS

In this by-law, 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 unless the context indicates otherwise.

'Municipality' means the Newcastle Municipality.

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

'Rates Policy' means the Newcastle Municipality's property rates policy adopted by the Council in terms of section 3(1) of the Local Government: Municipal Property Rates Act, 2004.

2. OBJECTS

The object of this by-law is to give effect to the implementation of the Municipality Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

3. THE RATES POLICY

The municipality prepared and adopted a Rates Policy as contemplated in terms of the provisions of section 3(1) of the Municipal Property Rates Act. The Rates Policy outlines the municipality's rating practices; therefore, it is not necessary for this By-law to restate and repeat same.

The Rates Policy is hereby incorporated by reference in this By-law. All amendments to the Rates Policy as the Council may approve from time to time, shall be deemed to be likewise incorporated.

The Municipality does not levy rates other than in terms of its Rates Policy and the annually promulgated resolution levying rates which reflects the cent amount in the Rand rate for each category of rateable property.

The Rates Policy is available at the

Municipal Offices, 37 Murchison Street, Newcastle, the Madadeni, Osizweni, Ngagane and Charlestown offices and all libraries within the area of jurisdiction of the Newcastle Municipality, available also on the Municipality's website: www.newcastle.gov.za.

4. CATEGORIES OF RATEABLE PROPERTIES

The Rates Policy provides for categories of rateable properties determined in terms of section 8 of the Act.

5. CATEGORIES OF PROPERTIES AND CATEGORIES OF OWNERS OF PROPERTIES

The Rates Policy provides for categories of properties and categories of owners of properties for the purposes of granting relief measures (exemptions, reductions, and rebates) in terms of section 15 of the Act.

6. ENFORCEMENT OF THE RATES POLICY

The Municipality's Rates Policy is enforced through the municipality's Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

7. SHORT TITLE AND COMMENCEMENT

This By-law is called the Newcastle Municipal Property Rates By-law and takes effect on the date on which it is published in the *Provincial Gazette*.

NEWCASTLE MUNICIPALITY



TARIFF BY-LAW

NEWCASTLE MUNICIPALITY TARIFF BY-LAW

The Newcastle Municipality, hereby, in terms of section 75 of the Local Government: Municipal Systems Act, 32 of 2000 read with Section 62 (1) (f) (i) of the Municipal Finance Management Act, 56 of 2003, adopts the Municipality's Tariff By-law set out hereunder.

PREAMBLE

WHEREAS section 13 of the Municipal systems Act read with section 162 of the constitution require a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province.

AND WHEREAS section 74 of the Local Government: Municipal Systems Act, 32 of 2000 requires a municipality to adopt and implement a tariff policy together with the related by-laws to give effect to the policy.

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

1. DEFINITIONS

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

'Municipality' means the Newcastle Municipality;

'Municipal Systems Act' means the Local Government: Municipal Systems Act, 32 of 2000;

'Tariff Policy' means the policy on the levying of fees for municipal services provided by the Municipality itself or by way of service delivery agreements, as contemplated in part 1 of chapter 8 of the Municipal Systems Act.

2. OBJECTS

The object of this by-law is to give effect to the implementation of the Tariff Policy as contemplated in Section 74 of the Local Government: Municipal Systems Act.

3. ADOPTION AND IMPLEMENTATION OF TARIFF POLICY

- 3.1. The Municipality shall adopt and implement its Tariff Policy consistent with the Municipal Systems Act on the levying of fees for municipal services provided by the Municipality itself or by way of service delivery agreements, within the jurisdiction of the Municipality; and
- 3.2. The Municipality shall not be entitled to levy tariffs other than in terms of its Tariff Policy and related Tariff of Charges.

4 CONTENTS OF TARIFF POLICY

The Tariff Policy shall, *inter alia*:

- 4.1 Apply to all tariffs levied by the Municipality pursuant to the adoption of its Annual Budget;
- 4.2 Comply with the requirements for:
 - 4.2.1 The adoption and contents of a tariff policy specified in section 74 of the Municipal Systems Act;
 - 4.2.2 The process of community participation specified in section 13 of the Municipal Systems Act.
- 4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Systems Act for the levying of tariffs which the Council may adopt; and
- 4.4 Provide for implementation mechanisms that are consistent with the Municipal Systems Act.

5 ENFORCEMENT OF THE TARIFF POLICY

The Municipality's Tariff Policy shall be enforced through the Customer Care, Credit Control and Debt Collection Policy as approved by Council when adopting its Annual Budget

6 SHORT TITLE AND COMMENCEMENT

This By-law is called the Municipal Tariff By-law, and takes effect on 1 July 2016.