



**BEAUFORT-WES(T)
MUNISIPALITEIT // MUNICIPALITY**

Notice No. 54/2004



[As amended by Notice No. 74/2020: Provincial Gazette 8233 dated 30 April 2020]

The Council of the Municipality of Beaufort West published the sub-joined by-law relating to the tariff policy of the Municipality of Beaufort West for general notice

TARIFF POLICY BY-LAW

To give effect to the implementation and enforcement of the tariff policy of the municipality, as required in terms of Section 75 of the Local Government: Municipal Systems Act, No 32 of 2000.

PREAMBLE

Whereas the council of the municipality has the right to finance the business of the municipality by the levying of fees for services; and to impose surcharges on fees, rates on property and to the extent authorised by national legislation, to impose other taxes, levies and duties;

Whereas the council of the municipality is obliged to strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner;

Whereas the municipality must adopt and implement a tariff policy in regard to the imposition of fees for municipal services;

The council adopts this By-law and the tariff policy contained therein and be it therefore enacted by the Municipality as follows:-

1. Definitions

In this by-law, unless inconsistent with the context:-

“**Council**” means the municipal council of the municipality;

“**indigent households**” means a debtor is considered indigent if the total monthly household income is equal to the sum of two times the amount of state funded social pensions or less.

“**municipality**” means the Municipality of Beaufort West;

“**municipal services**” means services rendered, or which may be rendered, by the municipality in terms of its powers and functions, to or for the benefit of the local community;

“**policy**” means the council’s tariff policy from time to time approved by Council;

“**Systems Act**” means the Local Government: Municipal Systems Act, No 32 of 2000, and

“**tariff**” means moneys, fees or charges in respect of any function or service of the municipality;

“**this By-law**” also includes the Schedule; and

“**user**” means the person to whom the municipality renders a basic municipal service or other services;

2. Municipal Services

The council will-

- (a) strive to ensure that municipal services are rendered to the local community in a financially and environmentally sustainable manner;
- (b) consult the local community in respect of-
 - (i) the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider; and
 - (ii) the available options for service delivery;
- (c) give members of the local community equitable access to the municipal services to which they are entitled;

3. Tariffs

- (1) The council levies, in terms of the policy, tariffs to finance municipal services.
- (2) It is the purpose of the policy to ensure that-
 - (a) users of municipal services are treated equitably in the application of tariffs;
 - (b) the amount individual users pay for services is generally in proportion to their use of that service;
 - (c) poor households are given access to at least basic services, by-
 - (i) tariffs that cover only operating and maintenance costs;
 - (ii) special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - (iii) any other direct or indirect method of subsidisation of tariffs for poor households;
 - (d) tariffs reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement costs, and interest charges;
 - (e) tariffs are set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned;
 - (f) provision may be made in appropriate circumstances for a surcharge on the tariff for a service;
 - (g) provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
 - (h) the economical, efficient and effective use of resources, the recycling of waste, and other appropriate environmental objectives are encouraged;
 - (i) the extent of subsidisation of tariffs for poor households and other categories of users are fully disclosed.
- (3) The Council differentiates in the policy between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters in a manner that does not amount to unfair discrimination.
- (4) The Council will consult the local community on strategic decisions which relates to the planning and provision of municipal services and the influence thereof on tariffs.

(5) The Council has the right to impose, revise or to adjust tariffs in terms of the tariff policy.

4. Application

This by-law is also applicable to the levying of tariffs for municipal services which are rendered by means of service delivery agreements, and which complies with the provisions of the Systems Act and any other applicable legislation.

5. Revocation

The following by-law is hereby repealed in whole:-

1. By-law relating to the Levying of Availability Charges, PN 1209/1977 dated 15 December 1977.

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Municipal Manager

Ref. No.. 1/1/5/4
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