

LOCAL AUTHORITY NOTICE 97 OF 2018



Steve Tshwete
Local Municipality

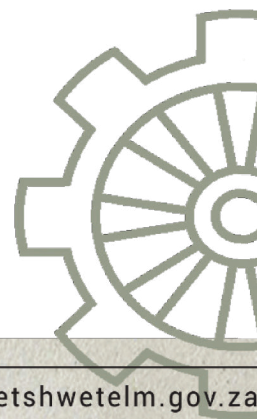
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PROPERTY RATES BY-LAWS

AMENDED

1 JULY 2018

MP313



www.stevetshwetelm.gov.za

Annual Budget – May 2018
C64/05/2018

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PREAMBLE

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

In terms of section 3 of the Municipal Property Rates Act, a municipal Council must adopt a policy consistent with the Municipal Property Rates Act on the levying of rates on rateable property in the municipality.

In terms of section 6(1) of the Municipal Property Rates Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.

In terms of section 6(2) of the Municipal Property Rates Act, by-laws adopted in terms of section 6(1) may differentiate between different categories of properties and different categories of owners of properties liable for the payment of rates.

1. DEFINITIONS

In this by-laws, unless the context otherwise indicates –

“*Council*” means Steve Tshwete Municipal Council establishment in terms of Section 12 of the Municipal Structures Act 117 of 1998 as amended;

“*Constitution*” means the Constitution of the Republic of South Africa Act 108 of 1996 as amended.

“*credit control and debt collection by-law and policy*” means the Council’s credit control and debt collection by-laws and policy as required by Section 96(b), 97 and 98 of the Municipal Systems Act 32 of 2000 as amended;

“*Property Rates Act*” means the Local Government Municipal Property Rates Act, 6 of 2004 and regulation as amended by the Property Rates Amendment Act, Act 29 of 2014;

“*property rates policy*” means a rates policy adopted by Council;

“*rate*” or “*rates*” means a municipal rate on property as envisaged in Section 229 of the Constitution.

2. ADOPTION & IMPLEMENTATION OF PROPERTY RATES POLICY

- 2.1 The Council shall adopt and implement property rates policy consistent with the Municipal Property Rates Act on the levying of rates on rateable property in the municipality.

2.2 The Council shall not be entitled to levy rates other than in terms of a valid property rates policy.

3. **CONTENTS OF THE PROPERTY RATES POLICY**

The Council's property rates policy shall, *inter alia*:

3.1 Apply to all rates levied by the Council pursuant to the adoption of the Council's annual budget.

3.2 Comply with the requirements for:

(a) the adoption and contents of a property rates policy specified in section 3 of the Municipal Property Rates Act.

(b) the process of community participation specified in section 4 of the Property Rates Act.

(c) the annual review of a rates policy specified in section 5 of the Property Rates Act.

3.3 Specify any further principles, criteria and implementation measures consistent with the Property Rates Act and property rates policy on the levying of rates which the Council may wish to adopt.

3.4 Include such further enforcement mechanisms, if any, as the Council may wish to impose in addition to those contained in the credit control and debt collection by-laws and policy.

4. **ENFORCEMENT OF PROPERTY RATES POLICY**

The property rates policy shall be enforced through the credit control and debt collection by-laws and policy and any further enforcement mechanisms stipulated in the property rates policy.

5. **SHORT TITLE AND COMMENCEMENT**

5.1 These by-shall take effect on 1 July 2018.