

MALUTI A PHOFUNG LOCAL MUNICIPALITY



UNSIGHTLY AND NEGLECTED/DANGEROUS BUILDINGS BY-LAWS

SCHEDULE

Definitions

1. In this by-law, unless the context proves otherwise means-

"building" has the meaning assigned thereto in section 1 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and includes fencing;

"Council" Maluti A Phofung Local Municipality and includes the Mayor, Political Office Bearers, Political Structures, Municipal Manager and any other official who has delegated powers in terms of section 59 of the Local Government: Municipal Systems Act (Act 32 of 2000);

"municipal area" the area under the jurisdiction and control of the Council;

"premises" any land whatsoever, whether vacant, occupied or with buildings thereon, situated within the municipal area.

Unsightly buildings

2. Where any premises, in the opinion of the Council -

- (a) have a building thereon which is unsightly, neglected or offensive and which causes the value of surrounding properties to be detrimentally affected;
 - (b) are neglected and over-grown;
 - (c) have an unsightly accumulation of papers, cartons, garden refuse, rubble and/or other waste material thereon, and
 - (d) have an accumulation of motor wrecks or used motor parts thereon which -
 - (i) detracts from the appearance of surrounding properties, or
 - (ii) is offensive to the owners or occupiers of adjacent premises,
- the Council shall give notice in writing to the owner or occupier of such premises requiring him to improve such building or the condition of such premises within a period of thirty days (30) so that the appearance or condition of such building or premises will comply with the standards required by the Council.

Offences and penalties

- 3. (1) If the owner fails to comply with the requirements of the notice served in terms of section 2 within the period specified in such notice, such owner shall be guilty of an offence and, on conviction, be liable to a fine not exceeding R 3,000.00 or imprisonment for a period not exceeding 6 months or to both such fine and such imprisonment, and in the case of a continuing offence, to an additional fine not exceeding R 1,000 or an additional period of

imprisonment not exceeding 30 days or to both such additional fine and additional imprisonment for each day during which such failure or offence continues.

- (2) The Council may, instead of instituting a prosecution and unless written objection from such owner has been received before the expiry date of the period specified on the notice served on him, assume that such owner has no objection and tacitly agrees that the Council may, without further notice, enter upon such premises and through its officials or a contractor whose tender the Council has accepted, and at the cost of such owner execute the work necessary to comply with the requirements of the said notice.

Repeal

4. Any by-laws relating to Unsightly and Neglected Buildings adopted by the municipality or any municipality now comprising an administrative unit of the Municipality is repealed from the date of promulgation of these by-laws.

Short title

8. These by-laws are called the Unsightly and Neglected Buildings By -law, 200.