

LOCAL AUTHORITY NOTICE 55 OF 2019**CITY OF MATLOSANA****AMENDMENT OF MUNICIPAL PROPERTY RATES BY-LAW**

Notice is hereby given that the City of Matlosana passed the amendment of the Municipal Property Rates By-Law after followed the procedure in terms of the provisions of sections 12 (2) and (3) of the Local Government Municipal Systems Act, 2000, as amended, and that the City of Matlosana in terms of section 13 (a) of the Local Government Municipal Systems Act, 2000, as amended, herewith publishes the Municipal Property Rates By-Law for the attention of the local community.

The By-law will become effective in terms of Section 13 (b) of the Local Government: Municipal Systems Act, 2000, as amended, on the date of promulgation in the Provincial Gazette and is available on the Council's website www.matlosana.gov.za

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Notice: 34/2019

THE CITY OF **MATLOSANA**



MUNICIPAL PROPERTY RATES BY-LAW

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The City of Matlosana Local Municipality, hereby, in terms of Section 6 of the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014), has by way of Council resolution, resolution CC 19/2019 dated 28/2/2019 adopted the Municipality's Property Rates By-Law set out hereunder.

PREAMBLE

WHEREAS section 229(1) of the Constitution of the Republic of South Africa 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 Local Government: Municipal Systems Act No 32 of 2000, as amended, read with section 162 of the Constitution of the Republic of South Africa 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 No 6, of 2004, as amended (2014), (1) for adoption and 6(2) for differentiation, hereinafter referred to as the "MPRA" 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 rateable properties and different categories of owners of properties liable for the payment of property rates.

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

NOW THEREFORE BE IT ENACTED by the Council of the City of Matlosana Local Municipality, as follows:

1. DEFINITIONS

In this by-law, any word or expression to which a meaning has been assign in the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014), shall bear the same meaning unless the context indicates otherwise.

'Constitution' means the Constitution of the Republic of South Africa.

'Municipality' means City of Matlosana Local Municipality

'Property Rates Act' means the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014).

‘Property Rates Policy’ means the policy on the levying of rates on rateable properties of the City of Matlosana Local Municipality, contemplated in chapter 2 of the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014).

‘Rate’ or ‘rates’ means a municipal rate on property as envisaged in section 229 of the Constitution.’

2. OBJECT OF BY-LAW(S)

The objective of this policy is to give effect to the implementation of the Property Rates Policy as contemplated in section 6 of the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014).

3. ADOPTION AND IMPLEMENTATION OF THE PROPERTY RATES POLICY

3.1 The Municipality shall adopt and implement its Property Rates Policy consistent with the Local Government: Municipal Property Rates Act No 6 of 2004, as amended (2014), on the levying of rates on rateable property within the jurisdiction of the municipality; and

3.2 The Municipality shall not be entitled to levy rates other than in terms of its Property Rates Policy.

4. CONTENTS OF THE PROPERTY RATES POLICY

The Property Rates Policy shall, inter alia:

4.1 Apply to all property rates levied by the Municipality pursuant to the adoption of its Annual Budget.

4.2. Comply with the requirements for MPRA, mechanisms that are consistent with the Local Government: Municipal Systems Act, No. 32 of 2000, as amended (2014:

4.2.1 the adoption and contents of a municipal rates policy specified in section 3;

4.2.2 the process of community participation specified in section 4;

4.2.3 the annual review of a Municipal Property Rates Policy specified in section 5.

4.3 Provide for principles, criteria and implementation measures that are consistent with the Local Government: Municipal Property Rates Act No 6 of

2004, as amended (2014); and

- 4.4 Provide for enforcement mechanisms that are consistent with the Local Government: Municipal Systems Act, No. 32 of 2000, as amended (2014).

5. ENFORCEMENT OF THE PROPERTY RATES POLICY

The municipality's Property Rates Policy shall be enforced through the Customer Care, Credit Control and Debt Collection Policy and By-Law and any further enforcement mechanisms stipulated in the the Municipality's Property Rates Policy.

6. SHORT TITLE AND COMMENCEMENT

This by-law is called the Municipal Property Rates By-law and shall come into full force and effect upon publication hereof in accordance with the provisions of section 13 of the Systems Act.