

- (f) all structures which fall within the definition of "building" in:
- (i) the National Building Regulations and Building Standards (Act 103 of 1977) and any amendments thereto or substitutions thereof, as well as any Regulations promulgated thereunder;
 - (ii) any town planning scheme in operation in respect of the property;
 - (iii) all regulations and standards issued by the South African Bureau of Standards or related authority.

"disability" refer to persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;

"local authority" means:

- (a) the Nelson Mandela Bay Metropolitan Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998) and any amendments thereto or substitutions thereof, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the local authority and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;
- (b) any structure or person exercising a delegated power or carrying out an instruction, where any power in these By-laws has been delegated or sub-delegated, or an instruction given, as contemplated in Section 59 of the Municipal Systems Act, 2000 (Act no. 32 of 2000)) and any amendments thereto or substitutions thereof;

"National Building Regulations" means regulations issued in terms of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and any amendments thereto or substitutions thereof;

"nuisance" means any act or omission or condition on any premises or place, including any building or structure, or any growth on such premises place which is offensive or dangerous, or which materially interferes with the ordinary comfort, convenience, peace or quiet of other people or which adversely effects the safety of people;

"overcrowding" means

- (a) a residential occupancy in excess of 12 occupants per sanitary convenience; or
- (b) occupancy of habitable rooms (being all rooms in a dwelling excluding kitchens, bathrooms and sanitary conveniences) utilised for sleeping purposes where such occupation exceeds 1 adult person per 4 m² and 1 child under 10 years of age per 2 m², or in situations where double bunks are used for sleeping purposes, occupation exceeds 3m² per adult person (occupying a double bunk bed) or 2m² per child under 10 years occupying a double bunk, provided that children under the age on one year are excluded from this calculation; and

"owner" in relation to a building or land means: