

(3) A committee established by the municipality, consisting of at least two officials, provided that the authorised officer who made the declaration in terms of subsection (1) or who served the notice in terms of subsection (2) may not be a member of such committee, must:

- (a) Consider the written representations submitted by the owner; and
- (b) declare that the building is a problem building or that it is not a problem building; and
- (c) provide the responsible person with a written decision by way of service in terms of section 6 below.

(4) The declaration of a building as a problem building in terms of this section and the procedures prescribed by this will not preclude the authorised official from having the authority to issue spot fines in terms of this by-laws or any other relevant legislation or by-laws or to take any further action as provided for in this by-laws or any other relevant legislation or by-laws.

(5) The owner shall, in respect of a declaration made in terms of subsection (1), have a right of appeal in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)) and any amendments thereto or substitutions thereof.

6. Compliance notice

(1) When a building is declared a problem building, the authorised official must serve a written notice on the owner and take all reasonable steps to explain the impact of the fact that the property has been declared as such and the notice must require the owner to comply with the provisions of this by-law and any other relevant legislation or by-laws within a specified period.

(2) Despite the provisions of sub section (1), and subject to any applicable legislation, if the authorised official has reason to believe that the condition of any building or property is such that steps should immediately be taken to protect the safety and health of persons or property, he or she may take such steps as may be necessary in the circumstances to alleviate that condition, without serving or delivering such notice on or to the owner and the local authority may recover the cost of taking such steps from the owner.

(3) The authorised official may serve a written notice on the owner of any building or land which has been declared a problem building as referred to in section 4, requiring such owner within a specified period to –

- (a) clean, repair, renovate, repaint, alter, close, demolish or secure such problem building;
- (b) complete the problem building or any structure of such building;
- (c) enclose, fence or barricade such problem building or land;
- (d) instruct, at the cost of such owner, an architect or other registered person, to investigate such problem building and to report to the authorised official on the nature and extent of the steps to be taken to render such problem building safe or to rectify the deficiency which caused the building to be declared a problem building;