

(4) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the local authority in terms of sub-section (2) and if any activity is commenced with before such undertaking has been submitted to the local authority, the exemption lapses.

(5) If any condition of an exemption is not complied with, the local authority may withdraw or cancel such exemption: Provided that the local authority must give reasonable notice of such intention and give the applicant reasonable time to make representations.

11. Offences and penalties

A person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a fine as approved by the Chief Magistrate of the District in a fine schedule or to imprisonment for a period not exceeding three years and in addition, the payment of a further amount which, in the opinion of the court, is equal to the expenditure incurred by the municipality as a result of such contravention.

12. Short title and commencement

This By-law may be cited as the Nelson Mandela Bay Metropolitan Municipality: Problem Building By-law and will commence upon publication in the Provincial Gazette.