

Chapter XV General matters

51. Compliance monitoring

(1) For the purposes of compliance monitoring, the designated environmental management inspectors must exercise the powers as set out in sections 31G to 31L of the NEMA.

(2) The environmental management inspectors may request from any polluter that significantly contributes or is likely to contribute to poor air quality, ambient and isokinetic monitoring and any other air quality related study, programs or reports to be conducted by a recognised and competent third party, at the cost of the polluter.

52. Enforcement

(1) The authorised person must take all lawful, necessary and reasonable practicable measures to enforce the provisions of this By-law.

(2) The Municipality may develop enforcement procedures which should take into consideration any national or provincial enforcement procedures.

53. Recognition programmes

An air quality officer may establish a programme for the public recognition of significant achievements in the area of pollution prevention.

54. Appeals

Any person may appeal against a decision taken by an authorised person under this By-law by giving a written notice of the appeal in accordance with the provisions of section 62 of the Systems Act.

55. Exemptions

(1) Any person may, in writing, apply for exemption from the application of a provision of this By-law to the Municipality.

(2) An application in terms of subsection (1) must be accompanied by substantive reasons.

(3) The Municipality may require an applicant applying for exemption to take appropriate steps to bring the application to the attention of relevant interested and affected persons and the public.

(4) The steps contemplated in subsection (3) must include the publication of a notice in at least two newspapers, one circulating provincially and one circulating within the jurisdiction of the Municipality —

- (a) giving reasons for the application; and
- (b) containing such other particulars concerning the application as the air quality officer may require.

The Municipality may —

- (a) from time to time review any exemption granted in terms of this section, and may impose such conditions as it may determine; and
- (b) on good grounds withdraw any exemption.