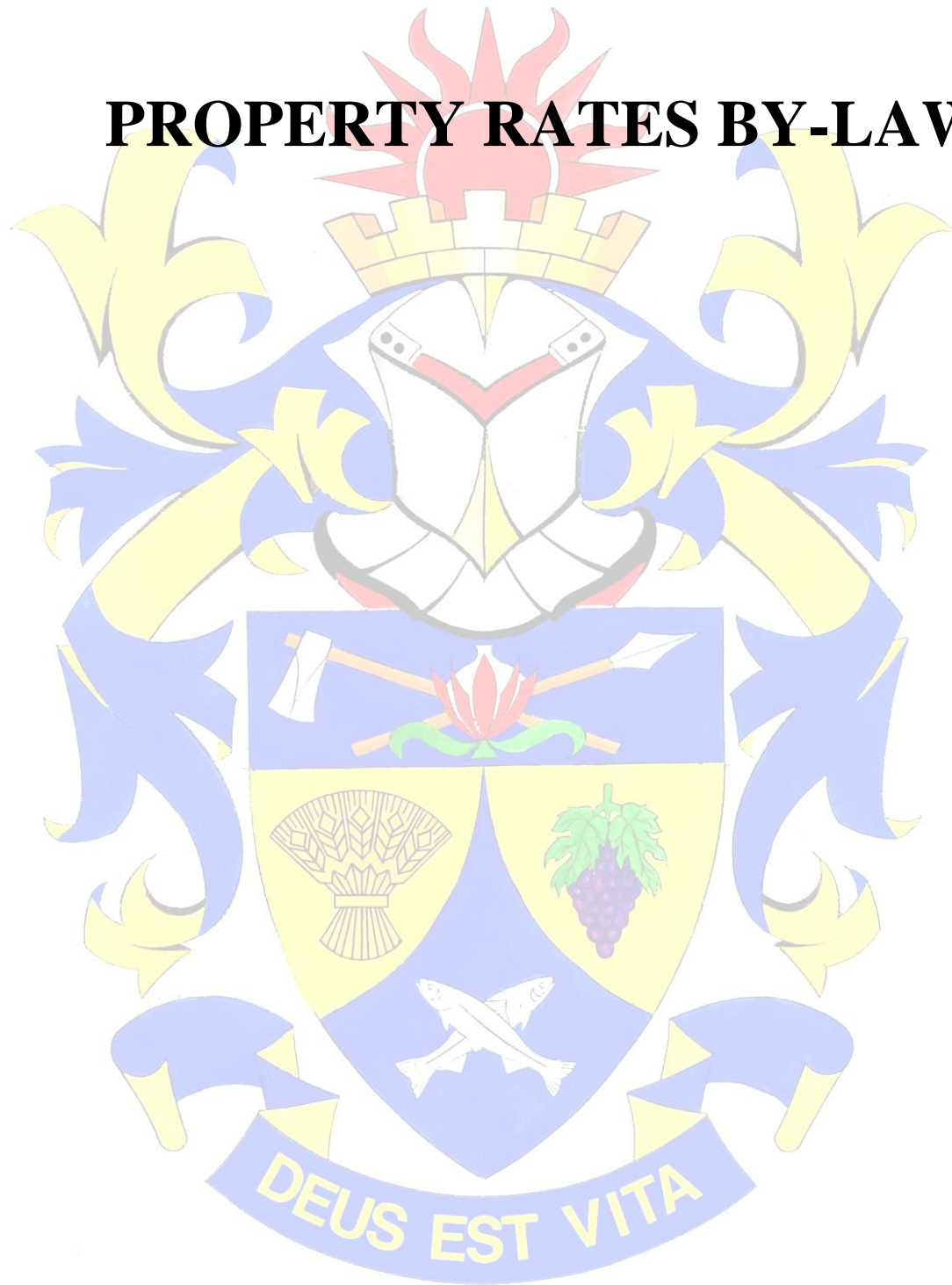


**BERGRIVIER MUNISIPALITEIT**

**PROPERTY RATES BY-LAW**



## 1. PREAMBLE

- (1) Section 229(1) of the Constitution authorises a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the Municipality.
- (2) In terms of section 3 of the Property Rates Act, a municipal council must adopt a policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipality.
- (3) In terms of section 6 (1) of the Property Rates Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.
- (4) In terms of section 6 (2) of the Property Rates Act, by-laws adopted in terms of section 6(2) may differentiate between different categories of properties; and different categories of owners of properties liable for the payment of rates.

## 2. INTERPRETATION

In this by-law, the English text prevails in the event of any conflict with the Afrikaans texts, and, unless the context otherwise indicates-

**“Municipality”** means Bergrivier Municipality;

**“Bergrivier Rates Policy”** means a rates policy adopted by the Bergrivier Municipality in terms of this by-law;

**“Constitution”** means the Constitution of the Republic of South Africa;

**“Credit Control and Debt Collection By-Law and Policy”** means Bergrivier Municipality’s Credit Control and Debt Collection By-Law and Policy as required by section 96(b), 97 and 98 of the Systems Act;

**“Property Rates Act”** means the Local Government: Municipal Property Rates Act, 6 of 2004;

**“rate”** or **“rates”** means a municipal rate on property as envisaged in section 229 of the Constitution.

## 3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

- (1) The Municipality shall adopt and implement a rates policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipality.
- (2) The municipality shall not be entitled to levy rates other than in terms of a valid rates policy.

## 4. CONTENTS OF RATES POLICY

The Municipality’s rates policy shall, *inter alia*:

- (1) Apply to all rates levied by the municipality pursuant to the adoption of the municipality’s annual budget;
- (2) Comply with the requirements for:

- (a) The adoption and contents of a rates policy specified in terms of section 3 of the Property Rates Act;
  - (b) The process of community participation specified in section 4 of the Property Rates Act;
  - (c) The annual review of a rates policy specified in terms of section 5 of the Property Rates Act;
- (3) Specify any further principles, criteria and implementation measures consistent with the Property Rates Act for the levying of rates which the Municipality may wish to adopt;
- (4) Include such further enforcement mechanisms, if any, as the municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Laws and Policy.

## **5. ENFORCEMENT OF RATES POLICY**

The Municipality's rates policy shall be enforced through the Credit Control and Debt Collection By-Law and Policy and any further enforcement mechanisms stipulated in the Municipality's rates policy.

## **6. OPERATIVE DATE**

This By-Law shall take effect on 1 July 2012