



## CORPORATE SERVICES BUSINESS UNIT

EXTRACT FROM THE DRAFT MINUTES OF THE FULL COUNCIL MEETING HELD ON 25 JUNE 2014

**APPROVAL OF TARIFF FOR WAYLEAVES IN ACCORDANCE WITH SECTION 75A OF THE MUNICIPAL SYSTEMS ACT NO. 32 OF 2000 (3.3.1)**

Report dated 23 June 2014 incorporating the recommendations of the Executive Committee.

(Page 18 of the Full Council Circular FCC No 32 of 2014)

Council noted that the Tariff for Wayleaves was included in the Municipal Tariff Register. The Municipal Manager briefed Council on the reason for the matter being brought before Council since the tariff had been adopted at an earlier Full Council meeting. He pointed out that the purpose of the matter was a form of protection to bring order to the below ground level workings within the City rather than an attempt to gain revenue. Responding to a concern raised by Councillor Ryder, the Mayor advised him to address the Financial Services Portfolio Committee with the view of the Rates Tariffs and Charges Sub-Committee being disbanded as it had not meet for months, and the concerned that it may no longer be serving any purpose.

It was

**RESOLVED**

- (a) That the Tariff for Wayleaves, as contained in Annexure 2.2 of the report dated 14 May 2014 by the Deputy Municipal Manager: Economic Development, be approved in accordance with Section 75A of the Municipal Systems Act, and authority be granted for the advertisement and displaying of the Tariffs in terms of that section.
- (b) That authority be granted for the revised Tariff for Wayleaves to thereafter be incorporated into the Municipal Tariff Register for 2014/2015.
- (c) That approval be granted for further charges and penalties in each instance for inclusion, as applicable in the conditions of approval of each wayleave application, as follows:
- |       |   |                      |
|-------|---|----------------------|
| (i)   | Monthly charge/fee for the use of Council Public Road Reserve after installation: per metre per service per month.  | R5.00                |
| (ii)  | PENALTIES (without prejudice to Council's other rights or remedies in terms of the applicable by-laws or Wayleave Permit: Upon inspection, any deviation from Wayleave conditions (per occasion, payable immediately)) -  | R5 000.00            |
| (iii) | SECURITY DEPOSIT (At end of guarantee period of 12 months the security deposit shall be refunded, or the balance remaining if it has been drawn on to repair poor quality workmanship or damages to other services, shall be refunded): Proof of project value to be submitted. | 10% of project value |

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**For DEPUTY MUNICIPAL MANAGER: CORPORATE SERVICES**

7 July 2014

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# TARIFFS FOR WAYLEAVES

## (FOR WORK IN THE PUBLIC ROAD RESERVES)

		2014/2015
1.	<b>PROCESSING FEES:</b> a. Processing of a Wayleave application: - Basic fee: (up to 1km service installation) - Additional fee (per extra km or part thereof) b. Processing of application to temporarily close a road for construction purposes	 R400.00 R400.00 R450.00
2.	<b>CHARGES/FEES FOR THE USE OF PUBLIC ROAD RESERVES</b> Basic Charge/Fee during construction: - Per day :	 R1 000.00
3.	<b>TARIFFS FOR EXTENSION OF TIME BEYOND THAT APPROVED IN THE WAYLEAVE WORK PERMIT: (without prejudice to Council's other rights or remedies in terms of the applicable bylaws or Wayleave Permit):</b> - Charge payable additional to Basic Charge/Fee, per day :	 R500.00
4.	<b>PARKING METER BAYS:</b> dis-established	As determined by Municipal Traffic Department
<b>NOTE:</b> 1. All Msunduzi Municipal Departments are exempt from the payment of any of these tariffs. 2. All days are calendar days inclusive of weekends and Public Holidays and shall include all days during the period between the commencement of a Project and the issuing of a Certificate of Acceptance by the Municipality, both days inclusive, and irrespective whether construction was interrupted during the aforesaid period.		