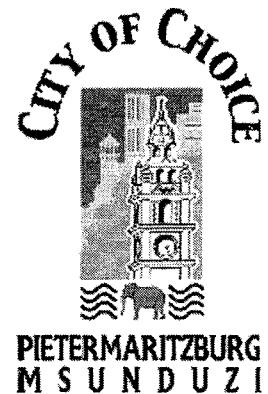


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24 June 2014



THE MSUNDUZI MUNICIPALITY

BY -LAWS RELATING TO FIRE PREVENTION AND FLAMMABLE LIQUIDS & SUBSTANCES

MSUNDUZI MUNICIPALITY**BY- LAWS RELATING TO FIRE PREVENTION AND FLAMMABLE LIQUIDS & SUBSTANCES****DRAFT ONE: SEPTEMBER 2013**

[MUNICIPAL NOTICE NO. - OF]

[DATE OF COMMENCEMENT:]

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MSUNDUZI LOCAL MUNICIPALITY**BY- LAWS RELATING TO FIRE PREVENTION AND FLAMMABLE LIQUIDS & SUBSTANCES**

The Msunduzi Municipality acting in terms of section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with section 13 of the said Act, hereby publishes the By-laws set forth hereafter, as made by the Municipality, which By-laws shall come into effect on the date of publication thereof.

**THE MSUNDUZI MUNICIPALITY
BY LAWS RELATING TO FIRE PREVENTION AND FLAMMABLE LIQUIDS & SUBSTANCES**

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**MSUNDUZI MUNICIPALITY or CITY OF CHOICE
BY LAWS RELATING TO FIRE PREVENTION AND FLAMMABLE LIQUIDS & SUBSTANCES**

CHAPTER 1

1. DEFINITIONS AND INTERPRETATION

In these by laws, unless the context indicates otherwise;

"above ground storage tank" means a tank situated above ground for the storage of flammable substances as contemplated in SANS 0131, SANS 089 Part 1 and SANS 087 Part 3.

"approved" means approved by the Chief Fire Officer

"area" means the area of jurisdiction of the Msunduzi Municipality.

"building" means:-

- (a) Any structure, whether of a temporary or permanent nature and irrespective of the materials used in the construction thereof, erected or used for in connection with:-
 - i) The accommodation or convenience of human beings or animals
 - ii) The manufacture, processing, storage or sale of any goods
 - iii) The rendering of any service
 - iv) The destruction or treatment of combustible refuse or combustible waste
 - v) The cultivation or growing of any plant or crop
- (b) Any wall, swimming pool, reservoir or bridge or any other structure connected therewith
- (c) Any fuel pump or any tank used in connection therewith
- (d) Any part of any building, including a building as defined in paragraph a. or b.
- (e) Any facilities or system, or part or portion thereof, within or outside but incidental to a building, for the provision of supplying water supply, drainage, sewerage, storm water disposal, electricity supply or other similar service in respect of the building;

"Building Control Officer" means the person appointed or deemed to be appointed as a building control officer by a local authority in terms of section 5 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977).

"bulk depot" means any premises defined as such in SANS Code of Practice 089: Code of Practice for the Petroleum Industry: Part 1 – 1983: The handling, storage and distribution of petroleum products, as published under General Notice 463 of 1982 dated 9 July 1982, that is, premises that normally receive supplies from a refinery or installation by road, rail, water, or pipeline or by a combination of these methods, and from which the products are delivered directly to consumers.

"bund wall" means a containment wall surrounding an above ground storage tank, constructed of an impervious material and designed to contain 100% of the contents of the tank and 10% including a flammable liquid store.

"certificate of competence" means a certificate issued by South African Qualifications Authority

"certificate of registration" means a certificate issued by the Chief Fire Officer in terms of Section 60 of these by-laws which authorises a person to occupy the registered premises, or to use the premises for spray-painting activities or for the storage or handling of dangerous goods, flammable liquid substance including L.P. gases by having complied with all fire related requirements.

"Chief Fire Officer" means the person appointed by the Council in terms of section 5(1) of the Fire Brigade Services Act, No.99 of 1987), and includes any member who exercises any power or performs any duty delegated by the Chief Fire Officer to that member under section 19 of the Act, and also includes an Acting Chief Fire Officer appointed in terms of section 5(3) of the Act, **"Manager: Fire Services"** has a corresponding meaning.

"Chief Inspector of Explosives" means the Chief Inspector of Explosives appointed in terms of section 2 of the Explosives Act, 1956.

"Civil Aviation Authority" means the South African Civil Aviation Authority established in terms of section 2 of the South African Civil Aviation Authority Act, 1998 (Act no 4 of 1998).

"classification of flammable liquids & substances"

Group I: Explosives

Fireworks

Group II: Gases

2.1 Flammable gases with total cylinder capacity not exceeding 100kg

2.2 Non-flammable gases with total cylinder capacity not exceeding 333 kg

2.3 Toxic gases

Group III: Flammable liquids

3.1 With flash points greater than 18 °c and with total quantity not exceeding 100 ℓ

3.2 With flash points greater than 18 ° c and with total quantity not exceeding 420 ℓ

3.3 With flash points greater than 23 °c and with total quantity not exceeding 1 100 ℓ

3.4 With flash points greater than 61 °c and with total quantity not exceeding 1 100 ℓ

Group IV: Flammable solids

4.1 Flammable solids with total quantity not exceeding 250 kg

4.2 Pyrophoric substances

4.3 Water-reactive substances

Group V: Oxidising agents and organic peroxides

5.1 Oxidising agents with total quantity not exceeding 200 kg

5.2 Group I organic: peroxides

5.3 Group II organic peroxides in packs not exceeding 200 kg

Group VI: Toxic/infective substances

6.1 Group I toxic substances with total quantity in packets not exceeding 5 kg

6.2 Group II toxic substances with total quantity in packets not exceeding 50 kg

6.3 Group III toxic substances with total quantity in packets not exceeding 500 kg

6.4 Infective substances

Group VII: Radioactive materials

Group VIII: Corrosive/caustic substances

8.1 Group I acids in packets with total quantity not exceeding 50 kg

8.2 Group II acids in packets with total quantity not exceeding 200 kg

8.3 Group III acids in packets with total quantity not exceeding 1 000 kg

8.4 Group I alkaline with total quantity not exceeding 50 kg

8.5 Group II alkaline with total quantity not exceeding 200 kg

8.6 Group III alkaline with total quantity not exceeding 1 000 kg

Group IX: Miscellaneous substances

9.1 Liquids Total quantity may not exceed 210 ℓ

9.2 Solids Total quantity may not exceed 210 kg

“competent person” means a person who is qualified by virtue of his or her experience and / or training.

“Constitution” means the Constitution of the Republic of South Africa.1996 (Act No. 108 of 1996)

“container” means any vessel used or intended to be used for the holding of flammable liquids, but shall not include the fuel tank of any motor vehicle or stationary internal combustion engine for normal use as such.

“Council” means the duly constituted Msunduzi Municipality and includes **Municipality**.

“dangerous goods” means any flammable gas, flammable liquid or flammable solid as contemplated in SANS 0228.

“designated area” means a place designated in relation to fireworks as such in terms of:

- i) The municipality may designate any public place or street or any part thereof within the municipal area as the only place at which fireworks may be discharged.
- ii) The municipality may, on application by the owner or lawful occupier of any private open space as defined in the applicable zoning scheme regulations in its area of jurisdiction, designate such private open space as a place where fireworks may be discharged.
- iii) The list of places designated in terms of subsections (i) and (ii) or any amendment thereof must be published by the municipality in terms of its communication protocol.
- iv) The municipality may impose conditions as to the dates, periods or time and hours when the discharge of fireworks may take place in any designated area and may impose further conditions as to the manner of discharge.

“designated premises” means any premises designated by the Chief Fire Officer to have an emergency evacuation plan as contemplated in Section 29 of these by-laws.

“dump” means to abandon or discard any hazardous substance by depositing, discharging, spilling or releasing it.

“emergency” means any incident or eventuality which seriously endangers or may endanger any life or property.

“emergency evacuation plan” means a written procedure and a set of detailed plans as contemplated in Section 28 of these by laws.

- i) The Chief Fire Officer may, by written notice, designate any premises as premises requiring an emergency evacuation plan.
- ii) The notice contemplated in subsection (i) must be served on the premises concerned and addressed to the owner or person in charge of the premises.

“explosive(s)” means explosive as defined in the Explosives Act No 15 of 2003 and any Regulations made under that Act.

“firebreak burning season” means a specific time bound period as determined by the Chief Fire Officer in conjunction with any other party which may include a registered Fire Protection Association or Department of Water Affairs and Forestry.

“Fire Brigade Services Act” means the Fire Brigade Services Act, No 99 of 1987 and any regulations made under that Act.

“Fire extinguisher” means a portable or mobile rechargeable container which has a fire extinguishing substance that is expelled by the action of internal pressure for the purposes of extinguishing a fire.

“fire fighting equipment” means any portable or mobile fire extinguisher, hose reel, fire hydrant, sprinkler system or related fire fighting equipment.

“fire hazard” means any situation, process, material or condition which may cause a fire or explosion or provide a ready fuel supply to increase the spread or intensity of the fire or explosion and which poses a threat to life or property.

“fire installation” means any water installation which conveys water solely for the purposes of fire fighting.

“fire official” means the Chief Fire Officer and any other official of the Fire Brigade Service who has been duly appointed by the municipality to undertake or perform any of the functions of a fire official under this by-law.

“fire point” means the temperature at which a substance evolves into flammable vapours at a rate fast enough to sustain combustion once an ignition source has been applied.

“fire protection plan” means an approved plan containing aspects of compliance and requirements for fire protection.

“fireworks” means any explosive device or substance which burns or explodes after ignition, including firecrackers, and which is regulated under the Explosives Act.

“fireworks display” means the use of fireworks for purposes of a public display

“fireworks inspector” means a person deputised to act as an inspector under the Act; and/ or is a Peace Officer of the municipality.

“flame and vapour proof” when applied to an apparatus denotes that the containing case or other enclosure is certified by its supplier or manufacturer, and can withstand without injury an application to it of a flame under practical conditions of operation and will prevent the transmission of flame, sparks and flashes such that would ignite flammable liquid or gas and the transmission of vapour.

“flammable gas” means a gas which, at 20°C and having a standard pressure of 101, 3 kilopascals:

- a) Is ignitable when in a mixture of 13% or less by volume with air, or
- b) Has a flammable range with air of at least 12%, regardless of the lower flammable limit.

“flammable liquid” means a liquid or combustible liquid which has a closed-cap flash point of 93°C or below.

“flammable solid” means a solid that is easily ignited by external sources, such as sparks and flames, solids that are readily combustible, solids that are liable to cause or contribute to, a fire through friction or solids that are desensitised (wetted) explosives that can explode if not diluted sufficiently.

“flammable liquid store” means a store that is used for the storage of flammable liquids.

“Flammable substance” means any flammable liquid, combustible liquid or flammable gas.

“flash point” means the lowest temperature at which a substance gives off sufficient flammable vapour to produce a momentary flash on the application of a small flame.

“hazardous substance” means any hazardous substance contemplated in the Hazardous Substances Act, No 15 of 1973.

“Hazardous Substances Act” means the Hazardous Substances Act, No 15 of 1973 and any regulations made under this Act.

“liquefied petroleum gas (LPG)” means a mixture of light hydrocarbons (predominantly propane, and butane) that is gaseous under conditions of ambient temperature and pressure and that is maintained in a liquid state by an increase of pressure or lowering of temperature.

“municipality” shall mean the Msunduzi Municipality.

“municipal manager” means the person appointed by the council in terms of Section 82 of the Municipal Structure’s Act, Act 117 of 1998.

“member” means a member of the service with fire-fighter experience.

“National Building Regulations” means the National Building Regulations made in terms of section 17 of the Act and to be read in conjunction with the Building Standard Act 103 of 1977.

“Non-combustible” in relation to building materials, means non-combustible when tested in accordance with the South African National Standards Code of Practice.

“Occupancy compliance certificate” means a certificate contemplated in section 31 Of these by-laws, which has been issued by the Chief Fire Officer in terms of fire related requirements to authorise a person to occupy the designated premises (being a public building), accordingly.

“Occupier” includes any person in actual occupation of premises, without regard to the title under which he occupies.

“owner” in relation to premises, means the registered owner of the premises and includes:

- a) Any person who receives rental or profit from the premises, whether on own account or as an agent
- b) A body corporate in respect of any sectional title scheme contemplated under the sectional titles act 1986. (Act No. 95 of 1986) and
- c) An executor or curator of any deceased or insolvent estate

“power isolating switch” bipolar switch fitted to dangerous goods vehicles to cut off engine and battery supply.

“peace officer” shall have the meaning assigned thereto in the Criminal Procedure Act, 1997 (act 51 of 1997), in respect of persons authorised by the Municipality to enforce the provisions of this by-law.

“premises” means any land, building, terrain road, construction or structure or part thereof and includes any train, boat, aircraft or other vehicle

“public building” means any building where people gather to view theatrical and operatic performances, orchestral and choral recitals, and cinematographic screenings, or to attend or participate in indoor sports activities, including any place where people dance or practise or perform any physical activity.

“public gathering” means a public gathering as defined in Disaster Management Act No.57 of 2002.

“public place” means any path, street, walk-way, side-walk, park, place of rest or other place in which the public has authorised unimpeded access

“pyro-technician” means any appropriately qualified person responsible for the setting and lighting of fireworks at a fireworks display

“registered premises” means premises in respect of which a certificate of registration has been issued.

“SANS” means the South African National Standards Code of Practice.

“source of ignition” is any means whereby sufficient energy is supplied to ignite a flammable source

“spontaneous ignition temperature” means the temperature at which a flammable liquid or substance will ignite of its own accord when heat, and not a naked light or flame, is applied to it

“spray booth” means any subdivision or compartment that is independent of a spraying room used for the purpose of spraying vehicles or articles

“spray room” means any room or structure used or intended to be used for the purpose of spraying vehicles or articles

“storage tank” means a tank of adequate strength used or intended to be used for the storage or conveyance of flammable liquids or substances

“store room” means any approved building or part thereof which is used or intended to be used for the storage of flammable liquids or substances

“tariff of charges” a list of services charged by the Local Municipality related to Fire and emergency services which are upgraded on a yearly basis.

“temporary settlement area” means the established residential site for a limited period as approved by the municipality.

“transfer under seal” means the transfer of flammable liquid from or to a road tank wagon in such a manner as to prevent the escape of flammable liquid or its vapour at any point during transit except in the case of vapour through a vent pipe designed for the purpose

“vent pipe” means a vertical pipe so constructed and so installed so as to allow the escape of vapour from flammable liquids into the atmosphere.

CHAPTER 2

ADMINISTRATIVE PROVISIONS

2. Administrative Functions

- (1) The Council has established a Fire Brigade Service as contemplated in Section 3 of the Fire Brigade Services Act, Act no. 103 of 1997, as amended.
- (2) The Council shall maintain the Service within its area, which includes:
 - (a) The appointment of a Chief Fire Officer and the necessary members of the Service
 - (b) Ensuring that the members and other personnel are properly trained and correctly attired
 - (c) Acquisition of vehicles, machinery, equipment, devices and accessories to ensure that the Service is effective and able to attain its objective being:
 - (i) Preventing the outbreak or spread of fire
 - (ii) Fighting or extinguishing a fire
 - (iii) The protection of life or property against a fire or other threatening danger
 - (iv) The rescue of life or property from a fire or other threatening danger.

3. Delegation

- (1) The municipal manager may delegate any power granted to him in terms of this By-law in accordance with the system of delegation of the Municipality developed in terms of section 59 of the Municipal Systems Act.
- (2) The Chief Fire Officer may delegate any power granted to him in terms of this By-law in accordance with section 19 of the Fire Brigade Services Act.
- (3) The Chief Fire Officer may make such orders as he deems necessary for the safeguarding of life and protection of property from fire.
- (4) (a) The Chief Fire Officer is responsible and accountable for the day to day running of the Service.
(b) If the Chief Fire officer is, for any reason, unable to perform his/her duties of office, the Municipal Manager will appoint a member as Acting Chief Fire Officer to perform the duties and functions of the Chief Fire Officer.
- (5) The Council may, in terms of an agreement as contemplated in Section 12 of the Fire Brigade Services Act, 1987, employ its Service within or outside its area of jurisdiction, against payment of the tariffs determined by Council.

4. Procedure & Duties During An Emergency Situation.

- (1) The Chief Fire Officer or a member who is in charge of an emergency situation must ensure that:-
 - (a) Adequate available manpower and the appropriate apparatus and equipment are used without delay;
 - (b) the emergency situation is assessed and that additional equipment and/or assistance where applicable, is acquired without delay.
 - (c) all pertinent information, including information about places and times and relevant particulars, is recorded during the emergency situation or as soon as possible thereafter, and that the recorded information is preserved in accordance with the provisions of the National Archives of South Africa Act, 1966 (Act 43 of 1996), and any regulations made under the Act.
 - (d) any building or premises are sealed off by temporarily closing a street, passage or place which he/she deems necessary for public safety or for effectively fighting a fire or dealing with any other emergency that may give rise to a fire, explosion or other

threat to life or limb, and a member may remove, using no more force that is reasonably necessary, any person who refuses to leave the street, passage or place after having been requested by the member to do so.

5. Designated Officers

- (1) Designated Officers shall be suitably trained and certified as peace officers and be appointed as such in terms of Government notice R 159 of 2 February 1979, as amended:
- (2) All designated officers have the power:-
 - (i) in terms of the provisions of section 56, read with section 57, of the Criminal Procedure Act, 1977 (Act 51 of 1977), to issue summons involving a spot fine;
 - (ii) in terms of the provisions of section 341 of the Criminal Procedure Act, 1977, to issue spot fines for certain minor offences;
 - (iii) in terms of the provisions of section 44 of the Criminal Procedure Act, 1977, to issue a warrant of arrest;
 - (v) in terms of the provisions of section 41 of the Criminal Procedure Act, 1977, to ask certain persons for their names and addresses and to arrest persons without a warrant if duly authorised to do so; and
 - (vi) in terms of the provisions of section 54 of the Criminal Procedure Act, 1977, to serve summons in order to secure the attendance of the accused in a magistrate's court.

6. Fire Official Powers

- (1) A **fire** official may as often as may be deemed necessary or desirable:
 - (a) Enter any premises for the purpose of identifying any hazardous condition, circumstance or practice which may result in a fire or to inspect hazardous manufacturing processes, and the storage facilities pertaining thereto and any installation, in which acetylene or other gases, chemicals, oils, explosives, flammable liquids or substances and other hazardous liquids or substances are used and any fire alarms, sprinkler systems and fire fighting equipment;
 - (b) Inspect any premises, except the interior of private dwellings, for the purpose of identifying any defective fire fighting equipment and any condition liable to cause or to facilitate the spread of fire and;
 - (c) Take such steps as he may consider necessary in the circumstances to prevent any injury to persons or damage to property through fire which may arise from a condition, circumstance or practice referred to an (a) or (b) above;

7. Impersonating A Member Of The Service

- (1) No person, except a member, may wear any official clothing, uniform, badge or insignia of the Service;
- (2) No person may pretend to be a member of the Service
- (3) Any person who represents himself/herself as a member must identify himself/herself by producing the relevant certificate of appointment, or by furnishing proof of identity within a reasonable period of time.

8. Authority to Investigate.

- (1) Notwithstanding anything to the contrary contained in any other by-law, the Chief Fire Officer has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger and should include:
 - (a) Death
 - (b) Arson
 - (c) Unknown cause
 - (d) Major incident

9. Failure To Comply With Provisions

- (1) When Chief Fire Officer finds that there is a non-compliance with the provisions of this By-law, a written notice, including the following, must be issued:
 - (a) Confirmation of the findings
 - (b) Outlining the contravention of any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, certificate, permit or authority in terms of these by-laws, the remedial action required, and;
 - (c) The time within which the notice must be complied with.
- (2) An order or notice issued under this by-law must be served either by personal delivery or registered mail upon a person who, in the opinion of the Chief Fire Officer, is deemed to be the appropriate person.
- (3) For unattended or abandoned premises, a copy of such order or notice must be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice must be mailed, by registered mail, to the last known address of the owner, the person in charge of the premises, or both.
- (4) Notwithstanding the provisions contained in subsection (1), a spot fine may be issued when a Chief Fire Officer finds that there is non-compliance with the provisions of this by-law.

10. Denial, Suspension Or Revocation Of An Approval Or A Certificate

- (1) The Chief Fire Officer may refuse, suspend or revoke an approval or a certificate required by these By-laws for:
 - (a) Failure to meet the provisions of this By-law for the issuance of the approval or certificate; or
 - (b) Non-compliance with the provisions of the approval or certificate.

11. Charges

- (1) The Municipality may determine the fees payable by a person on whose behalf, the controlling authority rendered a service, as contemplated in section 10 of the Fire Brigade Services Act.
- (2) The Municipality may charge a fee for the provision of an inspection, re-inspection or any other service, as well as the issuing of permits, approvals, or certificates in accordance with the applicable local government legislation regulating the charging of fees.

12. Indemnity

The municipality shall not be liable for damage or loss as a result of bodily injury, loss of life, or loss of or damage to property, or financial loss, which is caused by, or arises out of, or in connection with anything done or performed in good faith in the exercise or performance of a power, function, or duty performed, or imposed in terms of By-laws.

13. Reporting A Fire Hazard And Other Threatening Danger

An owner, occupier, or the person who in the opinion of the Chief Fire Officer is in charge or any other person of any premises, upon discovering any evidence of a fire hazard or other threatening danger pertaining to this By-law, must immediately notify the Fire Department of such hazard.

CHAPTER 3

FIRE PROTECTION

14. General Provisions

- (1) The Chief Fire Officer must take steps to prosecute a contravention of the National building Regulations relating to Fire Safety of buildings and premises.
- (2) Every owner of any building must submit a fire plan to the municipality save for a dwelling house unless deemed necessary.

15. Design and construction of other structures and sites

- (1) Every person who designs, constructs or erects any of the following structures, must ensure that they comply with a design as contemplated by the National Building Regulations in relation to—
 - (a) any grain silo;
 - (b) any atrium;
 - (c) any air traffic control tower;
 - (d) any tower for telecommunications or other use;
 - (e) any thatched structure which is larger than 20 square metres and situated within 4, 5 metres of any boundary line of the property concerned;
 - (f) any tent or other temporary structure for holding a public gathering;
 - (g) any open-plan commercial or industrial premises with a distance that exceeds 45 metres measured from any point in the premises to any escape or exit door.
- (2) Every person who designs or constructs any aircraft hanger or helicopter pad, must ensure that it—
 - (a) complies with a design as contemplated in the National Building Regulations;
 - (b) provides for the effective drainage of any liquid from the floor of the hanger or helicopter pad or any approach to the aircraft hanger or helicopter pad;
 - (c) provides for the effective channeling of any liquid from the floor of the hanger or helicopter pad to a drainage area connected to a separator well;
 - (d) prevents the spread of any liquid from the floor of the hanger or helicopter pad;
 - (e) is equipped with effective earthing devices for the discharge of static electricity.

16. Requirements For Sprinkler Systems

- (1) If a sprinkler system is required in any building or if the Chief Fire Officer so requires, the owner or person in charge of the premises must ensure that the building is equipped with such sprinkler system.
- (2) Every person who designs, constructs or installs a sprinkler system must ensure that it is designed, constructed and installed with the requirements of applicable legislation insofar as it relates to fire protection.

17. Requirements for Extractor Fan Systems

- (1) Every person who designs, constructs or installs an extractor fan system, any related ducts or any similar chimney system and every owner or person in charge of the building in which such a system is installed must ensure that—
 - (a) it is designed, constructed and installed in a manner that provides for clearly demarcated, adequate and easy access for inspection, maintenance and repairs; and
- (2) The conduit and outlet of any such system is installed in a manner that does not result in a fire hazard to any person or property.
 - (a) Every owner, occupier, or the person who in the opinion of the Chief Fire Officer is in charge of a building in which an extractor fan system, any related ducts or any similar chimney system has been installed, must ensure that every filter, damper, screen or conduit forming an integral part of the system is regularly inspected, cleaned and maintained to ensure that fat residue or any other combustible residues do not accumulate.

18. Requirements For Emergency Exits

- (1) Every owner of a building must ensure that any escape door in that building—
 - (a) is fitted with hinges that open in the direction of escape; and
 - (b) is equipped with a fail-safe locking device or devices that do not require a key in order to exit.
- (2) Every owner of a building must ensure that any door in a feeder route—
 - (a) is a double swing-type door;
 - (b) is not equipped with any locking mechanism,
- (3) Notwithstanding the provisions of subsection (2), if it is necessary that a door in a feeder route be locked for security reasons, the owner or person in charge of the building must provide an alternative means of escape approved by the Chief Fire Officer
- (4) No person may obstruct or allow the obstruction of any escape route from any premises that may prevent or hinder the escape of any person or animal from the premises in an emergency.
- (5) Where required by the Chief Fire Officer, an escape route must be clearly indicated with signage, which complies with SANS 1186 as amended, indicating the direction of travel in the event of fire or any other emergency.

19. Requirements Regarding Fire Doors and Assemblies

- (1) Subject to the provisions of SANS 1253 as amended, a fire door and assembly must be maintained in such a manner that, in the event of a fire, it retains its integrity, insulation and stability for the time period required for that particular class of door.
- (2) A fire door may be kept open, only when it is equipped with an automatic releasing hold-open device approved by the chief fire officer.
- (3) A fire door and assembly may not be rendered less effective through the following actions—
 - (a) altering the integrity, insulation or stability of a particular class of door;
 - (b) disconnecting the self-closing mechanism;
 - (c) wedging, blocking or obstructing the door so that it cannot close;
 - (d) painting the fusible link actuating mechanism of a door;
 - (e) disconnecting or rendering less effective an electric or electronic release mechanism, or
 - (f) any other action that renders a fire door or assembly less effective.

20. Design, Identification and Access For Fire-Fighting And Rescue Purposes

- (1) Subject to the requirements of any applicable zoning scheme regulations or the conditions of establishment of any township, every person who plans, designs or constructs a building, excluding a dwelling house, must ensure that the premises on which the building is situated, are planned, designed and constructed so that—
 - (a) at least one elevation of the building fronts onto a street;
 - (b) if the premises do not front onto a street, an access road is provided with dimensions and carrying capacity approved in writing by the chief fire officer;
 - (c) a motorised or electronically operated gate is equipped in such a manner that access to the premises can be gained without the use of a motor or any other electronic device or any other assistance;
 - (d) there is a climate-proof and weather-proof parking surface for parking and operating fire brigade machines and equipment in an emergency—
 - (i) of dimensions at least 10 meters wide;
 - (ii) that runs the full length of the side elevation of the building that borders the surface;
 - (iii) with a carrying capacity of at least 70 metric tons; and
 - (iv) any entrance arch to the premises provides an opening with dimensions at least 4.5 metres wide and high respectively, unless there is an alternative and easy access route to the premises of at least the same dimensions.
- (2) For purposes of easy identification by any member in an emergency, every owner or person in charge of the premises must ensure that the correct street number of the premises—
 - (a) is displayed clearly on the street boundary of the premises in numbers at least 75 millimeters high;
 - (b) is visible from the street; and
 - (c) is maintained in a legible condition at all times.

21. Accessibility of fire-fighting equipment and fire installations

- (1) Any fire-fighting equipment or fire protection installations installed on any premises must be accessible to the fire service at all times. Any person, who causes or permits any fire-fighting

equipment or fire protection installations to be obstructed or impedes such accessibility or operation, commits an offence.

22. Barricading of vacant buildings

- (1) Every owner, occupier, or the person who in the opinion of the Chief Fire Officer is in charge of a building or portion of a building that is vacant must, to the satisfaction of the Chief Fire Officer—
- (a) remove all combustible waste and refuse from the building; and
 - (b) block, barricade or otherwise secure all windows, doors and other openings in the building in a manner that will prevent the creation of any fire hazard caused by the entering of the building by any unauthorised person.

CHAPTER 4 CONTROL OF FIREFIGHTING EQUIPMENT

23. Repairing, servicing and installation of fire fighting equipment.

No person shall cause or permit fire fighting equipment on any premises to be dismantled, recharged, disconnected, serviced or repaired or sold or any new, repaired equipment to be installed housed or placed premises except by or under the control and supervision of a holder of a Certificate of Competence issued or recognised in terms of these by-laws.

24. Examination of fire fighting equipment.

The owner, occupier or person in charge of any premises in which any portable fire extinguisher, sprinkler system or other fire fighting equipment or any fire alarm system has been installed in terms of these by-laws, shall cause such extinguisher, equipment or system to be examined at least once every calendar year by the holder of a certificate of competence.

25. Report on condition of fire fighting equipment.

The person carrying out the examination of the equipment referred to in the preceding section shall cause a label to be accurately affixed thereto in a prominent position on which shall be written in ink:-

- (1) The name of the person conducting the examination.
- (2) The number of his/her Certificate of Competence
- (3) The date of the examination
- (4) The condition of equipment
- (5) Date of next service.

If any defect is discovered during the examination, he shall inform the owner or occupier of the premises thereof in writing and deliver a copy of such report to the Chief Fire Officer.

26. Restriction on removal, alteration and installation of fire fighting equipment.

- (1) No portable fire extinguisher shall temporarily be removed from any premises for servicing or repair unless such appliances are temporarily replaced by similar serviceable equipment.
- (2) No fire fighting equipment shall permanently be removed from any premises or rendered unserviceable without due notice, in writing, being given to the Chief Fire Officer.
- (3) No fire fighting equipment shall be installed, changed or added to without the authority of the Chief Fire Officer.

- (4) Whenever sprinkler / detection / auto extinguisher alarm systems are repaired, serviced or removed the local fire authority must be notified timeously.

27. Portable fire extinguishers to be periodically tested.

Every portable fire extinguisher shall be subject to servicing and pressure testing in accordance with applicable classification.

**CHAPTER 5
EMERGENCY EVACUATION PLANS**

28. Chief Fire Officer may designate premises for emergency evacuation plans

- (1) The Chief Fire Officer may, by written notice, designate any premises as premises requiring an emergency evacuation plan.
- (2) The notice contemplated in subsection (1), must be served on the premises concerned and addressed to the owner or person who in the opinion of the Chief Fire Officer is in charge of the premises.

29. Duties of owner or occupier of designated premises

- (1) The owner, or with the approval of the Chief Fire Officer, the occupier, of any premises designated in terms of section 28 must—
 - (a) Prepare a comprehensive emergency evacuation plan for the premises and submit it to the chief fire officer within 30 days of receipt of the notice;
 - (b) Ensure that the emergency evacuation plan is reviewed—
 - (i) At least every 12 months;
 - (ii) Whenever the floor layout of the premises is altered; and
 - (iii) Whenever the Chief Fire Officer requires revision of the plan;
 - (c) Display the emergency evacuation plan at conspicuous positions inside the premises; and
 - (d) Identify an assembly point where persons who reside or work on the designated premises may gather during an emergency for the purpose of calling the roll.

PART D: PUBLIC GATHERINGS

30. Prohibition of public gatherings in certain circumstances

- (1) No person may hold a public gathering or allow a public gathering to be held in any building or temporary structure unless a Occupancy Compliance Certificate has been issued by the Chief Fire Officer in respect of that building or temporary structure, such public gathering may be held if the existing Certificate is still valid.
- (2) Subsection (1) does not apply in respect of a building or temporary structure which existed at the commencement of these By-laws, unless
 - (a) the building or temporary structure is rebuilt, altered, extended or its floor layout is altered; or
 - (b) ownership or control of the building or structure changes hands.

31. Application for Occupancy Compliance Certificate

An application must be submitted at least 30 days before any intended public gathering.

32. Requirements for Occupancy Compliance certificate

- (1) The chief fire officer may not issue an Occupancy Compliance Certificate in respect of a building or temporary structure—
 - (a) Unless the Municipality is in possession of an up-to-date set of building plans for the premises;
 - (b) Unless the building or temporary structure complies with the requirements of these by-laws; and also in accordance with the requirements of the National building Regulations.
 - (c) For a period of validity not exceeding 12 months for a temporary structure.

33. Particulars of Occupancy Compliance Certificate

- (1) A Occupancy Compliance Certificate must be in the form as prescribed and must at least record the following information, where applicable—
 - (a) the trade name and street address of the building or temporary structure;
 - (b) a description of the type of activity carried out in the building or structure;
 - (c) the full names and addresses of the persons who are in occupation or who are owners of the building.
 - (d) the maximum permissible number of people who may be admitted to the useable floor area of the building or structure;
 - (e) the number of emergency exits and their dimensions; and
 - (f) the dates of issue and expiry of the certificate.
- (2) Notwithstanding subsection (1), the Chief Fire Officer may request additional information from the applicant.

34. Duties of holder of Occupancy Compliance Certificate

The holder of an Occupancy Compliance Certificate must comply with the provisions of the certificate.

CHAPTER 6
WATER SUPPLY FOR FIRE FIGHTING PURPOSES

35. Township development water supply requirements

- (1) Any person who develops or redevelops a township must design and develop that township with sufficient supply of water, minimum flow and hydrant requirements as contemplated in section 11 of SANS 10090 of 2003 and must furnish written proof of such compliance to the Chief Fire Officer.
- (2) The fire official must inspect the fire hydrants and conduct flow and pressure tests as contemplated in SANS 10090 of 2003.

36. Township development fire-extinguishing stream requirements

Any person who develops or redevelops a township must ensure that the water supply provides a fire-extinguishing stream that is immediately available to the service in an emergency, of the following volume and duration:

Fire risk category	Minimum volume of extinguishing stream (litres per minute)	Minimum duration of extinguishing stream (hours)
High risk	11 500	6
Moderate risk	5 750	4
Low risk	37. 300	2

37. Township development fire hydrant requirements

- (1) Every person who develops or redevelops a township must ensure that fire hydrants are plotted on a plan and installed in accordance with the following minimum delivery volumes and distance frequencies:

Fire risk category	Minimum fire hydrant delivery volume measured at peak consumption (litres per minute)	Minimum distance between fire hydrants (metres)
High risk	1980	120
Moderate risk	1 150	180
Low risk	900	240

- (2) Every person who develops or redevelops a township must ensure that the position of fire hydrants is plotted accurately on a plan that is furnished to the Chief Fire Officer for operational fire-fighting purposes.

38. Fire risk categories

- (1) For purposes of Chapter 6, the following areas of a township must be regarded—
- (a) as high risk—
- (i) any factory area, high density shopping area, warehouse or commercial building;
 - (ii) any plantation, timber yard or wooden building;
 - (iii) any building higher than 3 storeys;
 - (iv) any building in which hazardous substances are used, handled or stored or in which hazardous processes are conducted; and
 - (v) any other area that has a high fire risk or high fire spread risk;
- (b) as moderate risk—
- (i) any area in which—
 - (aa) factories, commercial buildings or residential buildings are generally detached from each other and do not exceed 3 storeys; and
 - (ba) The Chief Fire Officer has not declared the materials processed or stored in these buildings as highly dangerous;

- (ii) any area where the fire risk and fire spread risk is moderate; and
- (iii) any other area that is not a high or low risk area; and
- (c) as low risk—
 - (i) any area that is mainly residential or semi-rural;
 - (ii) any area that has predominantly detached, duet, cluster or town house developments; and
 - (iii) any area where the fire risk or spread risk is slight or insignificant.

39. Connections to water reticulation system

- (1) No person may obtain a water connection to the water reticulation system of the municipality unless the fire protection plans for the premises to be connected have been approved by the Chief Fire Officer.
- (2) Every person or owner of premises who requires a water connection to the water reticulation system of the municipality must—
 - (a) if the premises to be connected are protected by a sprinkler installation, ensure that—
 - (i) the connection is calculated and designed for each sprinkler installation in accordance with a rational design as contemplated in the National Building Regulations, and
 - (ii) the size, delivery pressure and flow of the water connection is calculated in advance by the responsible engineer;
 - (b) ensure that the size, work pressure and delivery flow, except in the case of a water connection to a sprinkler installation, is calculated and designed in accordance with SANS 10400; and
 - (c) ensure that the water installation upon completion complies with the provisions of SANS-10400.

CHAPTER 7 FIRE PERMITS AND RESTRICTIONS

40. Prevention of fire hazards

- (1) No person shall burn or set alight any rubbish, tree, weeds, grass or any other substance or matter outside the confines of a building except with the prior written consent of the Chief Fire Officer.
- (2) The Chief Fire Officer in granting consent in terms of subsection(1) may impose such conditions as he deems fit; provided that no authority granted shall be in conflict with any of the provisions of the Atmosphere Pollution Prevention Act, 1965 (act 45 of 1965).

41. Storage and accumulation of combustible material

- (1) No person may store any combustible material or allow it to be stored, at any place or in any manner that may pose a fire hazard to any person, animal or property.
- (2) No person may allow the accumulation of dust at any place in quantities sufficient to pose a fire hazard to any person, animal or property.
- (3) No person may use or allow to be used any sawdust or similar combustible material to soak up any flammable liquid.
- (4) No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such quantities or in any manner that may pose a fire hazard to any person or property.
- (5) No person may allow any vegetation to become overgrown at any place under that person's control that may pose a fire hazard to any person, animal or property.
- (6) If a fire hazard contemplated in subsection (5) arises, the owner or person in charge of the premises must without delay eliminate the hazard or cause the hazard to be eliminated by—
 - (a) cutting any grass, leaves or weeds associated with the fire hazard to a maximum height of 150 millimetres;
 - (b) pruning, chopping down or sawing any shrub or tree; and
 - (c) removing any resulting combustible residue from the property.

42. Electrical fittings, equipment and appliances

- (1) No person may cause or allow—
 - (a) any electrical supply outlet to be overloaded; or
 - (b) any electrical appliance or extension lead to be used in any manner that may pose a fire hazard to any person, animal or property.

43. Flame-emitting devices

No person may use or cause or allow the use of any flame-emitting device, including but not limited to any candle, lantern or torch, in any manner that may pose a fire hazard to any person, animal or property.

44. Discarding of flammable liquid or substance in sewers or drains

- (1) No person may discard into, or cause, permit or allow any flammable liquid or flammable substance to enter any waste or foul water or storm water sewer or drain whether underground or on the surface.
- (2) A person who becomes aware of any escape, whether accidental or otherwise, of any quantity of flammable liquid or flammable substance which is likely to constitute a fire hazard, from any premises or vehicle into any sewer or drain or any inlet or drain linking with such sewer or drain, must immediately report such escape to the Chief Fire Officer.

45. Flammable gas

No person may fill any balloon or other device with flammable gas without the written authority of the Chief Fire Officer, and subject to such conditions as he may require after having regard to the circumstances of the specific case.

46. Smoking restrictions and discarding of combustibles

- (a) If conditions in the opinion of the Chief Fire Officer exist where smoking may create a fire hazard on any premises, smoking must be prohibited and "No Smoking" signs must be prominently displayed in positions as directed by the controlling authority.
- (b) A person may not remove or damage a "No Smoking" sign.
- (c) No person may light or smoke a cigarette or any other smoking materials or ignite or otherwise set fire to other material, nor hold or discard any lit or smoldering substance in any place where expressly prohibited.
- (d) The owner or person in charge of any premises may not allow or permit any person to light or smoke a cigarette or any other smoking materials or ignite or otherwise set fire to any other material, nor hold or discard any lit or smoldering substance in any place where expressly prohibited.
- (e) Where smoking is permitted, adequate provision must be made for the safe disposal of any smoking materials and matches.
- (f) No person may discard or otherwise dispose of a burning cigarette or any other burning materials or objects including materials capable of self-ignition or capable of spontaneous combustion, on any road, in any road reserve or in any other public place.
- (7) Where any cigarette, smoking materials or other burning materials, including materials capable of self-ignition or spontaneous combustion are discarded from a vehicle onto a road, or in any road reserve or any other place, it shall be presumed, in the absence of evidence to the contrary, that such action was performed by the driver of such vehicle.

47. Safety requirements for temporary settlement areas

- (1) In the event of the establishment of any temporary settlement area, the following minimum requirements shall apply:
 - (a) a safety distance of 3 metres between structures shall be maintained;
 - (b) the settlement must be divided into blocks of not more 20 structures per block, with a minimum distance of 6 metres between blocks.
 - (c) sufficient access routes for the purposes of firefighting which shall not be less than 4,5 meters in width.
 - (d) sufficient access to water for firefighting purposes.

CHAPTER 8 REGULATION OF FIREWORKS

48. License to deal in fireworks

No person shall sell or supply fireworks without being in possession of a valid license.

49. Requirements for the handling and storage of fireworks

- (1) Premises in which fireworks are handled should have at least two exits. Where any premises have only one exit the fireworks shall be restricted to 150Kg and be kept at the rear (relative to the exit) of the premises.
- (2) The doors to the exits shall be kept clear and accessible at all times.
- (3) A dealer shall have a 9Kg dry chemical fire extinguisher which shall be serviced annually on the premises, in a readily accessible position or as determined by a designated Fire Officer.
- (4) A dealer may keep, on his premises, no more than 1000 kilograms gross mass of fireworks or the amount stipulated at the discretion of the Chief Fire Officer, provided that the fireworks, contained in their inner or outer packages, are kept on shelves or other fittings separated from goods of a flammable or combustible nature.
- (5) Fireworks in excess of 1000 kilograms gross mass shall be stored in a fireworks magazine built according to legislative specifications.
- (6) Notices with 100mm red lettering on a white background must be provided as follows:
 - (a) To the outside of the premises in a prominent position adjacent to every entrance, reading "Dealer in Fireworks".
 - (b) In prominent positions inside the premises, "No Smoking" and "No Naked lights" in appropriate official languages.
 - (c) Goods of a dangerous nature such as flammable liquids, acids, alkalis and the like shall not be kept on the same premises together with fireworks and safety matches.

50. Public Fireworks displays

- (1) Application for permission to operate a public display of fireworks shall be made in writing to the Chief Fire Officer and shall provide:-
 - (a) The name of the person or the organization sponsoring the display, together with the names and qualifications of the persons in actual charge of the firing of the display who shall be at least 18 years of age and competent for the work.

CHAPTER 9**CERTIFICATE OF REGISTRATION FOR USE, HANDLING AND STORAGE OF FLAMMABLE SUBSTANCES****51. Use, Handling & Storage of flammable substances prohibited in certain circumstances.**

- (1) No person shall manufacture, store, convey, sell, use or handle flammable liquids or substances except in accordance with the provisions of these by-laws.

52. Certificate of Registration Requirements

- (1) No person shall:-
- (b) Use any premises as a spraying room or booth
 - (c) Transport or convey any flammable liquid, substance or liquefied petroleum gas or vapours by means of any vehicle within the City without a certificate of registration in respect of such premises or of such vehicle as contemplated in section 54 and 55.
 - (d) Without a certificate of registration in respect of any premises as contemplated in section 54 and 55 store, manufacture, sell, use or handle any flammable gas/liquids/substances on any premises in excess of the following quantities:

Group III: Flammable liquids

3.1 with flashpoints <18°C but but not < 23°C	Total quantity may not exceed 100 ℓ.
3.2 with flashpoints > 18°C	Total quantity may not exceed 420 ℓ.
3.3 with flashpoints >23°C but <61°C	Total quantity may not exceed 1 100 ℓ.
3.4 with flashpoints > 61°C but < 100°C	Total quantity may not exceed exceed 1 100 ℓ.

- (2) For the purpose of sub-section 1, any container for liquefied petroleum gas found on any premises shall be deemed to be full until the contrary is proven.

53. Application for Certificate of Registration

- (1) An application for a Certificate of Registration in respect of premises shall be submitted to the Chief Fire Officer on the form prescribed in the Third Schedule to these by-laws and shall be accompanied by:-
- (a) A plan of the premises in respect of which the certificate is required, drawn to a scale of not less than one in a hundred (1 : 100) which shall indicate the proposed installation or room in which the flammable liquid or substance is to be stored, used or handled, describe the material with which such installation or room is to be constructed and indicate the position of any pump, storage tank, store, pipeline, dry cleaning machinery, spraying room, spraying booth or ventilating equipment;
 - (b) A block plan of such premises drawn to a scale of not less than one in five hundred (1 : 500) which shall specify:-

- (i) The buildings in relation to adjoining subdivisions and the materials of which such buildings are constructed or to be constructed;
 - (ii) The subdivisions and lots immediately adjoining the premises giving their street, block and postal numbers;
 - (iii) The names of any streets on which the premises abut; and
 - (iv) The north point.
- (2) Where the plan relates to existing premises in respect of which a Certificate of Registration has been issued and wherein it is proposed to make alterations or additions to any building or equipment or apparatus lawfully used or intended to be used thereon for the storage or handling of flammable liquid or the existing Certificate of Registration to be adjusted if required;
- (a) All plans shall be signed by the applicant or his agent;
 - (b) Every application for a certificate of registration for purposes of the conveyance of flammable liquids or substances shall be submitted to the Chief Fire Officer.

54. Issue of Certificates of Registration.

- (1) No Certificate of Registration shall be issued until the premises or the vehicle in respect of which it is issued, as the case may be, complies with the requirements of these by-laws.
- (2) A Certificate of Registration, once issued, shall be valid for 12 months or until cancelled or revoked. All certificates issued in terms of these by-laws shall be on the standard form as prescribed in the fifth schedule.
- (3) The local authority may recognise a certificate issued by another authority with similar by-laws.
- (4) Every person to whom a Certificate of Registration has been issued shall cause such certificate to be affixed and displayed in a conspicuous position on the registered premises/vehicle, and he shall ensure that the said certificate is at all times legible.

55. Supply of flammable liquids or substances

- (1) No person shall supply or deliver or cause or permit any flammable liquid or substances to be supplied or delivered at any time to any premises or vehicle in excess of the quantities specified in section 54, unless the occupier or person having control of such premises/ vehicle is in possession of a Certificate of Registration issued in terms of section 55 in respect of the said premises/vehicle.
- (2) No person shall receive or accept delivery or cause or permit any flammable liquids or substances to be received at any one time:-
 - (a) In excess of the quantities specified in section 54, at any premises or vehicle the occupier or person having control of which, as the case may be, is not in possession of a certificate of registration issued in terms of section 55 in respect of the said premises/vehicle.

- (b) At any premises or in any vehicle in excess of the amount specified on the certificate of registration relating to such premises or vehicle.

56. Register for Certificates of Registration

The Chief Fire Officer shall maintain a register in which he enters full particulars of the premises/vehicles in respect of which he has issued a certificate and the names and addresses of the person to whom it has been issued and the date of the issue, as well as the date of any transfer, cancellation, suspension or inspections.

57. Exemptions

Notwithstanding anything contained in these by-laws flammable liquids shall be deemed not to be stored or conveyed or transported when contained in the fuel tank of a motor vehicle or stationary engine in normal use.

58. Transfer of Certificate of Registration

- (1) A Certificate of Registration may be transferred from one person to another but no certificate of registration shall be transferred from one premise to another or from one vehicle to another.
- (2) The person desiring such transfer shall make application in writing to the Chief Fire Officer on the form prescribed in the Seventh Schedule to these by-laws. Such application shall be accompanied by the Certificate of Registration relating to the premises or vehicle in respect of which such transfer is desired.

CHAPTER 10

GENERAL PROVISIONS REGARDING THE USE, HANDLING AND STORAGE OF FLAMMABLE SUBSTANCES.

59. General provisions regarding the use, handling and storage of flammable substances.

Except as otherwise provided by these by-laws, no person shall store, use or handle or permit or cause to be stored, used or handled any flammable liquid or substance on any registered premises:

- (1) In circumstance that such flammable liquid or substance, or its vapour comes or is likely to come into contact with any fire, flame, naked light or other agency likely to ignite such flammable liquid or substance or its vapour;
- (2) Unless such premises are situated or constructed or so protected by surrounding walls or bunds so as to adequately protect adjoining premises or part thereof from the risk of danger from fire;
- (3) That prevents, or impede the escape of any person or animal;
- (4) Unless all equipment used in such premises for the storage, use and handling of flammable liquid or substance is maintained in good and proper order and free from leakage of flammable liquid or substance;

- (5) Unless such person has taken all due precautions for the prevention of accidents by fire or explosion on such premises and for the prevention of unauthorised persons obtaining access to the flammable liquid or substance kept thereon;
- (6) That makes or allows any fire device capable of producing an open fire flame or allow any other person to do so, within 5 metres of any place where flammable substance is stored;
- (7) That delivers or supplies or allows to be delivering or supplying, any flammable liquid substance to any premises unless the owner or person in charge of the premises is in possession of a valid certificate of registration.

60. Use, handling and storage of Liquefied petroleum gas

- (1) No person may use, handle or store liquefied petroleum gas in any quantity exceeding that stipulated in the Fourth Schedule unless:
- (2) Liquid petroleum gas may only be used, handled or stored within property boundaries and in compliance with safety distances.
- (3) No liquid petroleum gas cylinder may be used, handled or stored at any public exhibition or demonstration without the prior written permission of the Chief Fire Officer.
- (4) The Chief Fire Office may impose any reasonable condition on the use, handling and storage of liquid petroleum gas cylinders at a public exhibition or demonstration, including but not limited to, the number of cylinders, the manner of storage, safety distances and other safety requirements.
- (5) Any person using, handling or storing any liquid petroleum gas cylinder at any public exhibition or demonstration must comply with any condition imposed by the Chief Fire Officer.
- (6) No person shall cause or allow more than 19kg of liquefied petroleum gas to be kept or stored in any building and for the purpose of this provision any container for liquefied petroleum gas found in any building shall be deemed to be full until the contrary is proved.

61. Construction of storage tanks

- (1) Every storage tank containing flammable substances shall be constructed of iron, steel or other suitable metal plates of adequate strength and properly welded, brazed or otherwise secured by some equally satisfactory process.
- (2) The top and sides of a storage tank shall be supported and strengthened by such uprights, girders, angle-irons and ties as, having regard to the capacity, shape and situation of the tank may be necessary to render it sufficiently strong for the purpose to which it is to be used.
- (3) Every opening in an underground storage tank other than a vent pipe shall be securely closed by an effective and properly secured cap, cover, tap or valve.
- (4) All pipes and other pipes connected to an underground storage tank shall be carried to within 100mm of the bottom of the tank.

- (5) Every surface storage tank shall have an adequate system of ventilation so as to prevent excessive internal pressure.
- (6) The whole of the exterior of all tanks shall receive an approval coating to prevent corrosion.
- (7) The holder of a certificate of registration in respect of premises in which are situated bulk liquid petroleum gas storage vessels, vaporisers, pipe works and fittings shall ensure that they conform with SANS 10131.

62. Installation of storage tanks

- (1) Every person who installs or uses a storage tank shall ensure that it complies with the requirements of these by-laws.
- (2) Any underground tank shall be installed that no part of it shall be within 2m of any part of a building, or 3.6m from the boundary of any premises or 6m from any basement, cellar or pit.
- (3) No part of any underground tank shall be covered until all piping has been subjected to an air test to a pressure of 25,6cm on a monometer of 40 kpa or a pressure gauge for a period of 30 minutes.
- (4) No underground storage tank shall have more than one filler point, one vent and one dipping hole pipe.

No portion of a building, other than a canopy or similar projection to which the occupants of such building have no direct access, shall be erected over an underground storage tank or any pump connected to it unless:

- (a) the underside of such portion is at least 3,6m above ground level;
- (b) the floor forming the underside of such portion has a fire-resistance of at least 4hours and extends at least 2m in every direction beyond the sides of the pump and tank concerned.
- (c) the floor below such pump, where such pump is erected over a basement storey, has a fire resistance of at least 4 hours and extends at least 2m in every direction beyond the sides of the pump and tank concerned.

63. Ventilation of Underground storage

The holder shall ensure that every underground storage tank installed on the premises in respect of which a certificate of registration has been issued has a ventilation pipe of not less than 30mm internal diameter.

64. Storage Tanks in Basement

- (1) No person shall erect an above-ground tank or install storage tank in a basement of a building unless he has obtained the prior written authority from the Chief Fire Officer and complies with all the requirements of SANS 10131.
- (2) A basement storage tank authorised in terms of subsection 1 shall have a capacity not exceeding 1500 litres and the person to whom authority has been given under that sub-section shall comply with all conditions subject to which such authority has been given.

65. Storage in Open air

No person shall store flammable liquid outside a building or elsewhere in the open air except in accordance with the following requirements:-

- (1) the flammable liquid may only be stored in sealed containers which shall be stacked to a height not exceeding three containers;
- (2) No flammable liquid or drum shall be nearer than –
 - (a) 3m from any boundary of the premises or any drain
 - (b) 6m from any building on the premises
 - (c) 15m from any building on adjacent premises
- (3) The area demarcated for storage shall be to the satisfaction of the Chief Fire Officer.
- (4) Signs prohibiting smoking and naked flames shall at all times be displayed so as to be visible to all persons approaching the storage area.

66. Provision of stores

- (1) When deemed necessary by the Chief Fire Officer, having regard to the nature and quantity of flammable liquids and substances to be stored, the nature and proximity of adjacent buildings and other attendant risks, the occupier of the premises shall provide thereon a store in accordance with the requirements of these by-laws for the storage of such liquids or substances.
- (2) No person who is the holder of a certificate of registration shall store in any store provided in terms of these by laws any greater quantity of flammable liquids or substances than is permitted by the certificate of registration issued in respect of that store.

67. Use of store

No person shall, without the prior written authority of the Chief Fire Officer:

- (1) Use any store or cause or permit such store to be used for any purpose other than the storage of flammable liquids or substances and their containers.
- (2) Be present in or cause or permit any other person to be present in any store unless all doors of the store are fully open and kept entirely unobstructed.

68. Unauthorised persons entering store

No person shall enter any store or cause or permit any store to be entered without the express permission of the occupier of the premises or other responsible person in charge of such store.

69. Signage

- (1) No person shall use or permit the use of a store for the purpose of storing flammable liquid or substance, unless it complies with the requirements of these by-laws and until warning notices SANS 1186 as amended are legibly painted or otherwise displayed on the outer face of the door of such store and such notices shall at all times be maintained in such position and in a legible condition.

70. Electrical equipment in storeroom

- (1) The owner, occupier, or the person who in the opinion of the Chief Fire Officer is in charge of any storeroom must ensure that all electrical apparatus, fittings or switch gear used or installed in the storeroom are used or installed in accordance with relevant legislation.
- (2) Any electrical installation in a storeroom must be installed and certified only by an electrician who is qualified and competent by virtue of his or her training and experience.
- (3) The owner, occupier, or the person who in the opinion of the Chief Fire Officer is in charge of a storeroom must submit the certificate contemplated in subsection 2 to the Chief Fire Officer for record purposes immediately after installation contemplated in such subsection.

71. Abandoned tanks

- (1) The following steps shall be carried out before any storage tank is removed:
 - (a) all flammable liquid shall be removed from the tank and from connecting pipes;
 - (b) the suction, filler, vent and dipping hole pipes shall be disconnected;
 - (c) the tank shall be rendered thoroughly airtight after disconnecting all pipes by blanking off all flanges and screwing in metal gas plugs onto any sockets in the tank.
 - (d) All leakage holes shall be plugged with lead or hardwood plugs.
- (2) An underground storage tank which is no longer in use must be filled with sand or liquid concrete or polyurethane foam if such tank is not removed.
- (3) Where a tank is to be disposed of as scrap, it shall, before disposal be re-tested for explosive vapours and, if necessary, be rendered gas-free and a sufficient number of holes or openings shall be made in such tank so as to render it unfit for future use.
- (4) Unhitched trailer tanks shall not to be left unattended in public areas.

72. Construction of portable tanks

No person shall store or convey or cause or permit to be stored or conveyed Group III flammable liquid in a quantity exceeding 5 Litres except in a container constructed of metal having a thickness of at least 1,25mm, or liquefied petroleum gas except in a container constructed in accordance with the requirements of Portable metal containers for compressed gases. SANS 10019 of

73. Filling of Containers

- (1) No person shall fill a container with Group II and Group III flammable liquid other than in a room or building constructed of non-combustible materials and used solely for such purpose, which room or building shall be adequately ventilated or in the open air at a distance of not less than 15m from any fire, flame, naked light or any other agency likely to ignite flammable liquid or its vapour.

- (2) No person shall fill a container with liquefied petroleum gas (Group II) or cause or permit it to be filled except in accordance with the requirements of SANS 10087 (Part I): retail outlets and similar LP gas filling sites for small containers.
- (3) A person who fills a container with Group II liquefied petroleum gas or Group III flammable liquid shall ensure that both it and the container which it is filled is properly earthed.

74. Quantity in Containers

- (1) No container shall be filled with flammable liquid to more than ninety five percent of its capacity; provided that in the case of liquefied petroleum gas, containers shall not be filled to more than eighty percent of their capacity.

75. Storage of empty containers

- (1) No person shall place or keep any used container or cause or permit any used empty container to be placed or kept in any part of any premises other than a store; provided, however, that –
 - (a) Such a container may be stored in the open air at a distance of not less than 6m from any fire, flame, naked light, or other agency likely to ignite flammable liquid or its vapour.
 - (b) No person shall cause or allow any used empty container to remain in or on any public street or public place.
- (2) The person who stores used empty containers in terms of subsection (1) shall at all times ensure that they are securely closed with a bung or other suitable stopper.
- (3) The holder of a certificate of registration in respect of any premises shall ensure that the storage of filled liquefied petroleum gas containers and empty cylinders shall be in accordance with the requirements of legislation.

76. Marking of containers

- (1) No person shall supply or deliver to any person any Group II and Group III flammable liquids or gas as contemplated in group ii or group iii in any container unless such container bears in conspicuous symbols or letter the words "FLAMMABLE" and the marking of liquefied petroleum gas containers.

CHAPTER 11

DANGEROUS GOODS

77. Transport of dangerous goods prohibited without permits issued by the relevant authority.

- (1) The owner of any vehicle used for transporting dangerous goods must-
 - (a) be in possession of a valid transport permit issued in accordance with the relevant authority and
 - (b) ensure that the transport permit is available in the vehicle for inspection at all times.

78. Application for Transport permits

- (1) An application for a transport permit must be completed and submitted to the Chief Fire Officer.
- (2) The application must be accompanied by proof of payment as prescribed in the Municipal Tariff Policy.
- (3) A transport permit is only valid for a period of 12 months.

79. Permit Validity

- (1) The Chief Fire Officer reserves the right to cancel any permit issued by Msunduzi Municipality and/or
- (2) Not to adopt the validity of a transport permit issued by any other authority.
- (3) In the event of a disputed permit, the relevant authority is to be notified.

**CHAPTER 12
GENERAL****80. Offences**

- (1) Any person who –
 - (a) Contravenes any provision of these bylaws; or
 - (b) Contravenes any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, certificate, permit or authority in terms of these bylaws; or
 - (c) Fails to comply with the terms of any order given to or notice served upon such person in terms of these bylaws,
 - (d) shall be guilty of an offence and liable, upon conviction, to the maximum penalty of the court having jurisdiction may impose in any criminal proceedings herein.
 - (e) Failure to comply with the terms of any condition or notice referred to subsection (1) (b) or (c) above shall constitute a continuing offence and any person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which such person fails to comply with such terms.

81. Repeal

The City of Pietermaritzburg: Bylaws Relating to Fire Prevention and Flammable Liquids and Substances approved and published by the Administrator in terms of section 268 of the Local Authorities Ordinance No 25 of 1974, read with section 17 of the Fire Brigade Services Ordinance No 31 of 1978, as amended, are hereby repealed.

1st SCHEDULEMSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICESBY-LAWS RELATING TO FIRE SAFETY
APPLICATION FOR OCCUPANCY COMPLIANCE CERTIFICATE

APPLICATION FOR APPROVAL OF FIXED OR TEMPORARY PREMISES FOR USE AS A PLACE OF ASSEMBLY OR CONGREGATION FOR PURPOSES OF RECREATION OR ENTERTAINMENT

FIXED ☐TEMP ☐

NAME OF OWNER:

NAME OF TENANT/OCCUPIER:

NAME OF PREMISES:

USED FOR/AS:

STREET ADDRESS:

SIGNATURE OF OWNER:

SIGNATURE OF OCCUPIER/TENANT:

DATE:

FOR OFFICE USE ONLY

NAME OF EXAMINING OFFICER:

OCCUPANCY CLASSIFICATION:

TOTAL FLOOR AREA (m²):

NUMBER TEMP/FIXED SEATS:

REQUIRED NO. OF EXITS:

WIDTH OF EXITS: (mm)

AISLE SPACING: ((mm)

FIRE EQUIPMENT:

APPROVED EVACUATION PLAN:

Yes

N/A

CERTIFICATION – STRUCTURAL/ELECTRICAL:

MAXIMUM NO. OF PERSONS PERMITTED:

COMMENT:

.....

2ND SCHEDULE**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES****BY-LAWS RELATING TO FIRE SAFETY****CERTIFICATE OF OCCUPANCY COMPLIANCE**

.....
Name of Premises

The maximum number of persons permitted within such premises is

This Certificate is issued subject to the following conditions:-

- A) The maximum number of persons must not be exceeded unless approved by the Chief Fire Officer.
- B) For a fixed structure, a sign depicting the maximum number of persons allowed must be displayed at the entrance/reception area.
- C) Standard Sign Description
 - 1. Size: 300mm x 300mm.
 - 2. White background with red writing.
 - 3. Font – Roman Bold.
 - 4. Sign should read:- maximum number of persons permitted is
- D) For a temporary structure, the certificate shall expire on DATE:

.....
CHIEF FIRE OFFICER

.....
DATE

3RD SCHEDULE**MSUNDUZI MUNICIPALITY
FIRE AND RESCUE SERVICES****BY-LAWS RELATING TO FIRE SAFETY****APPLICATION FOR PERMIT TO STORE DANGEROUS GOODS**

Date:.....

This form must, in terms of the Msunduzi Municipal Fire By-laws be completed and forwarded to the Chief Fire Officer together with a plan of the premises

Name of Applicant:.....

Trading as:.....

Name of Manager:.....

Name of Owner:.....

Name of Premises:.....

Street no. & Name:.....

Suburb:.....

State type of Business:

.....
Give a full description of existing and proposed buildings:

.....
How many spraying rooms are there on the premises?.....

If this application is for additional storage,

State the number of extra litres.

Litres:.....

How many flammable liquid tanks are there on the premises? No.....

Capacity of each:

How many flammable liquid stores are there on the premises? Number of stores

State capacity of store in litres: Capacity..... Litres.....

State total quantity in litres or kgs. Proposed to be kept on premises

Class 0 kgs Liquid Petroleum Gas (LPG)

Class I Litres Flashpoint below 18°C.

Class II Litres Flashpoint between $\geq 18^{\circ}\text{C}$ & $\leq 23^{\circ}\text{C}$.

Class III Litres Flashpoint between $\geq 23^{\circ}\text{C}$ & $\leq 61^{\circ}\text{C}$

Class IV Litres Flashpoint between $\geq 61^{\circ}$ & $\leq 100^{\circ}\text{C}$.

Other

Does the premises comply with the relevant Fire Regulations:?

YES

NO

Signature of Applicant:.....

Capacity of Signatory:

Address:

Postal Address.....Phone:

Issuing Officer:.....



4th SCHEDULE

MSUNDUZI MUNICIPALITY FIRE & RESCUE SERVICES BY-LAWS RELATING TO FIRE SAFETY

PERMIT TO STORE DANGEROUS GOODS

This is to certify that the premises situated at.....

.....

Occupied by.....

And used as a

Have been duly registered by the Chief Fire Officer under the said fire by-laws.

The maximum quantity of dangerous goods kept or handled at this address shall not exceed:-

Dangerous goods

Class 0..... kgs

Class I Litres

Class II Litres

Class III Litres

Class IV Litres

Other

(Specify types)Kgs/Litres

This certificate is issued subject to the following conditions:-

.....
.....
.....
.....

.....
CHIEF FIRE OFFICER

.....
Date Stamp

This Permit must be displayed in a
conspicuous position on the registered premises.

5TH SCHEDULE

**MSUNDUZI MUNICIPALITY
FIRE AND RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

APPLICATION FOR OCCUPANCY COMPLIANCE CERTIFICATE



DATE.....

This form must, in terms of the Msunduzi Municipal Fire By-laws, be completed and forwarded to the Chief Fire Officer.

Name of applicant:

Trading as:

Street Number and Name:

Suburb:

- | | |
|---------------------------|-----------------------------------|
| 1. Type of Vehicle: | 5. Make & Model of vehicle: |
| 2. Registration No: | 6. Year of manufacture: |
| 3. Tare : | 7. Engine No.: |
| 4. Load: | 8. Chassis no.: |

Make & Model of vehicle:

Quantity of liquid or of flammable liquid to be conveyed:

Class Okgs

Class I Litres

Class II Litres

Liquid Petroleum Gas (LPG)

Flashpoint below 18°C.

Flashpoint ≥ 18°C & ≤ 23°C.

6TH SCHEDULE**MSUNDUZI MUNICIPALITY
FIRE AND RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY****TRANSPORTATION OF DANGEROUS GOODS PERMIT**

This is to certify that the vehicle particulars of which are given below, has been examined and found to comply with the prescribed structural requirements as contained in the Fire Safety Bylaws relating to dangerous goods for the conveyance of:

Class	Description / quantity
Class O	210 kg LPG
Class II	600 L Paraffin
Multi Load	Yes/No

Name of Company _____

Owners Name: _____

Address: _____

Registration: _____

Type of Vehicle: _____

Make of vehicle: _____

This permit is not a warranty of fitness of the vehicle herein described and any owner, driver or other person interested should satisfy himself as to the construction and condition of the said vehicle.

CHIEF FIRE OFFICER

DATE

7th SCHEDULE

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

APPLICATION FOR TRANSFER OF CERTIFICATE OF REGISTRATION

I hereby apply for the transfer Certificate of Registration

Issued on Date

In respect of the premises situated at

Used as

Or in respect of the vehicle with registration no. Make

Type to be transferred to: -

NAME:

ADDRESS:

The reason for this application to transfer the Certificate of Registration from one person or firm to another person or firm is because

.....

.....

.....

Date: SIGNATURE OF APPLICANT:.....

Address:

Phone: P O BOX

8TH SCHEDULE**MSUNDUZI MUNICIPALITY
FIRE AND RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY****HOT WORKS PERMIT**

Date:.....

Permission is granted to:

To use: In the
(exact location)

Dates:

Times:

The onus remains with the Permit Holder to ensure strict adherence to the following:-

- a) First Aid fire equipment is available for use at any time. This includes the use of fire extinguishers and fire hose reels.
- b) The emergency contact number of the local fire department is on hand.
- c) The area of operations is kept free of flammable solids, liquids, vapours and gases.

SIGNATURE OF PERMIT HOLDER_____
SIGNATURE OF ISSUING OFFICER_____
NAME OF ISSUING OFFICER

9TH SCHEDULEMSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY

APPLICATION FOR APPROVAL OF PREMISES FOR THE SALE OF FIREWORKS.

NAME OF APPLICANT.....

NAME OF OWNER (PREMISES)

CONSENT OF OWNER (PREMISES) I AGREE.

☐ Yes☐ No

SIGNATURE:

NAME OF PREMISES:.....

STREET ADDRESS:

SIGNATURE OF APPLICANT

DATE:.....

NB. This approval by no means serves as a license to sell fireworks. An application for such permit must be made to the S.A.P. Explosives Unit.

THE FOLLOWING MUST BE COMPLIED WITH BEFORE ANY APPROVAL IS GRANTED

1. Premises must comply with any relevant section of the Explosives Act and Regulations.
2. Stocks must not exceed 1000Kg at any one time.
3. Fireworks must be displayed out of reach of customers in glass cases which are locked at all times.
4. Storage elsewhere in the shop is not permitted.
5. Fire escapes must be properly demarcated and not obstructed.
6. Install 1 x 4,5Kg DCP fire extinguisher.
7. At every entrance to such premises, a notice reading "Dealer in Fireworks" be prominently placed.
8. Post SABS approved "No Smoking" and "No Naked Lights" signs, dimensions 190mm x 190mm in prominent positions.

NAME OF EXAMINING OFFICER:

APPROVED:



SIGNATURE OF EXAMINING OFFICER:.....

10th SCHEDULE**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY****APPLICATION FOR BURN PERMIT**

1. DATE:
2. NAME OF APPLICANT:
3. ADDRESS OF APPLICANT:
4. ADDRESS OR PREMISES FOR CONTROLLED BURNING:
5. PREFERRED DATES:
6. SIGNATURE OF APPLICANT:

N.B. A signed permit from the Environment Health Section is to be accompanied with this application.

FOR OFFICE USE ONLY

1. WAS THE PREMISES / AREA INSPECTED?
2. IS THE BURNING WITHIN THE CAPABILITIES OF EXTINGUISHMENT BY A RESPONSIBLE PERSON OR PERSONS?
(Refer to National Veld & Forest Fire Act No.101 1998.)
3. DOES THE APPLICANT HAVE THE EMERGENCY SERVICES CONTACT DETAILS?.....
4. HAVE THE NECESSARY PERSONS, (viz: NEIGHBOURS, FIRE PROTECTION ASSOCIATION, ETC. BEEN INFORMED OF THE INTENDED BURNING?

.....
CHIEF FIRE OFFICER

11TH SCHEDULE

**MSUNDUZI MUNICIPALITY
FIRE AND RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

APPLICATION FOR FIREWORKS DISPLAY SITE APPROVAL

1. DATE:
2. NAME OF APPLICANT / PYROTECHNICIAN:.....
3. ADDRESS OF APPLICANT / PYROTECHNICIAN
.....
4. ADDRESS OR PREMISES FOR FIREWORKS DISPLAY
.....
5. DATE OF DISPLAY:TIME OF DISPLAY.....
6. SIGNATURE OF APPLICANT / PYROTECHNICIAN

FOR OFFICE USE ONLY

1. WAS THE AREA/SITE INSPECTED?:
2. IS ADEQUATE/CORRECT FIRE EQUIPMENT IN POSITION?.....
3. IS THE BURNING OF FIREWORKS WITHIN THE CAPABILITIES OF EXTINGUISHMENT BY A RESPONSIBLE PERSON OR PERSONS ?.....
4. IS THE DISPLAY AREA SUFFICIENTLY CORDONED OFF TO A DISTANCE OF 50 METRES TO DISALLOW UNAUTHORISED PERSONS FROM GAINING ACCESS TO THE SITE?.....
5. DOES THE APPLICANT HAVE THE EMERGENCY SERVICES CONTACT DETAILS: ?.....
6. APPLICATION:APPROVED/NOT APPROVED

CHIEF FIRE OFFICER

12th SCHEDULE

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

**PERMIT TO STORE AND SELL FIREWORKS.**

This is to certify that the premises situated at

Occupied by.....

And used as a Retailer of Fireworks

Have been duly registered by the Chief Fire Officer under the said fire by-laws.

The maximum quantity of fire works kept or handled at this address shall not exceed:-

1000KG

It be duly note that the permit serves only to inform/advise the S.A.P. Explosives Unit that the Chief Fire Officer is satisfied that the conditions in the By-laws have been complied with. Licence to sell fireworks must be obtained from the S.A.P. Explosives Unit.

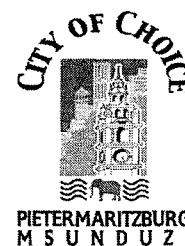
.....
Chief Fire Officer

.....
Date Stamp

**This permit must be displayed in a
conspicuous position on the registered premises.**

ANNEXURE I

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

**SPRAY BOOTH / ROOM CONSTRUCTION**

ITEM	REQUIREMENT
WALLS	225mm thick / concrete / non combustible material
ROOF	Reinforced concrete
FLOOR	Concrete or other impervious material
WATER FLOORS	Sunken water-filled floor covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free grill.
DOORS	<p>A) Constructed of 50mm hardwood, completely covered, insulating the edges with metal not less than 100mm in thickness secured to the door with bolts at 30mm centres along the edges. The doors to open outwards and to be and be hung on Tee hinges bolted to the door.</p> <p>B) Close fitting metal doors not less than 3mm in thickness, carried on an angle iron frame and having an all round overlap of not less than 50mm.</p> <p>C) A second means of escape must be provided at the furthest point from the main door.</p>
WINDOWS	The window frames must be of steel and have window panels that cannot be opened, which panels must be a maximum size of 450mm x 450mm and fitted with wire glass with a minimum thickness of 8mm.
POSITIONING OF VENTILATION INLETS	<p>A) All ventilation inlets and outlets shall be so placed as to effect a continuous and complete change of air within any such spraying room or spraying booth. The ventilation inlets shall be substantially equivalent to the exhaust capacity required in terms of this section. The ventilation system shall be so installed that all flammable liquid vapours shall pass as near as reasonably possible from the area where spraying takes place directly into the ventilation outlet.</p> <p>B) There will be installed a mechanical system of exhaust and inlet ventilation such as will remove vapour from and be capable of changing the air in the spraying room at least thirty (30) times in every hour.</p> <p>C) The blades of any fan used in the spraying room shall be of non-ferrous metal.</p>

POSITIONING OF VENTILATION OUTLETS		All outlet openings must be designed and positioned so as to release all fumes into the open air at a place at least 1m above a roof and 4m above the ground level and at least 5m from any opening of a building.
ELECTRICAL INSTALLATION	<p>A)</p> <p>B)</p> <p>C)</p> <p>D)</p>	<p>Only incandescent electric lights enclosed in outer flame and vapour proof may be installed.</p> <p>All electric wires must be protected throughout by seamless metal tubes.</p> <p>All electrical motors to be of flame and waterproof construction.</p> <p>All electrical work must be certified by a qualified electrician.</p>
FIRE EQUIPMENT		Minimum requirement 2 x 9Kg DCP fire extinguishers and any additional at the discretion of the Chief Fire Officer.
PROHIBITIVE NOTICES	<p>A)</p> <p>B)</p> <p>C)</p> <p>D)</p>	<p>In accordance with provisions of SANS 1186.</p> <p>No unauthorised entry</p> <p>No Naked flame</p> <p>No Smoking</p> <p>No cell phones</p>

ANNEXURE II

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

CONSTRUCTION REQUIREMENTS OF DANGEROUS GOODS STORES**Construction of store**

Every store shall be constructed in accordance with the following requirements:

1.	Walls	The walls shall be constructed of brick and concrete
2.	Floor	the floor or concrete or other impervious material
3.	Roof	the roof shall be constructed of reinforced concrete, provided however, that the roof may be constructed of other non-combustible material where such store is not likely to endanger any room, building or adjoining premises in case of fire.
4.	Doors	<p>a) The store shall be fitted only with a hardwood door or doors, suitably covered with metal of not less than 1mm thickness and carried on a metal door frame, or a well fitted metal door of not less than 4mm thickness, carried on an angle frame and having an all-round overlap of not less than 50mm. such doors shall open outwards and be fitted with a substantial lock.</p> <p>b) A store with a floor area in excess of 10m² shall be provided with at least two doors, complying with paragraph B? hereof and situated at such a distance from each other as to allow the free and unimpeded escape of persons within the store from either door in case of fire or other danger.</p>
5.	Window Frames	shall be constructed of metal and glazed with wire-woven glass and all windows shall be so constructed and secured as to be incapable of being opened and as to prevent the escape of vapours
6.	Catch-pit	a store shall be constructed in such manner that the flammable liquid therein cannot escape there from with sills at every doorway so as to form a well of sufficient capacity to contain the maximum liquid capacity of the store, plus ten percent (10%) thereof.
7.	Ventilation	<p>a) The store shall be ventilated by an approved ventilation system of such design, construction and capacity as will prevent the accumulation of flammable liquid vapour within the store and will discharge such vapour into the open air at a point or points where such vapour is not likely to come into contact with any fire, flame, open light or other agency likely to ignite such vapour; provided however, that where for any reason such ventilation can only be secured by means of a mechanical system of ventilation, such systems shall conform to the provision of section 107.???</p> <p>b) All ventilating openings which are fitted into walls shall be set in iron</p>

		<p>frames and fitted tightly to the interior faces of the walls. The low ventilating openings shall be installed as near to the level of the well, referred to in 4. Above, as possible, but shall be above such level.</p> <p>c) The openings shall be protected by non-corrodible wire gauze of not less than eleven (11) meshes to the linear centimetre.</p>
8.	Lighting	All lights installed shall be of the incandescent electric type, which shall be enclosed in an outer flame and vapour proof fitting, and all wiring shall be armoured cable or enclosed in seamless metal tubes, the junctions of which are screwed together. All switches, junction boxes, fuses and other electrical equipment shall be outside the store
9.	Maintenance	Every store shall be maintained at all times so as to comply with this section.

ANNEXURE III

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**

**CONSTRUCTION & DESIGN REQUIREMENTS FOR VEHICLES OTHER THAN ROAD TANKERS.**

ITEM	REQUIREMENT
Vehicles	<ul style="list-style-type: none"> i) To be designed and constructed to safely transport the quantity and type of dangerous goods for which the vehicle is intended. ii) To have at least two independent axle systems, excluding any trailer forming part of an articulated vehicle.
Safety edge / Safety Rail	<ul style="list-style-type: none"> i) To be at least one metre high when measured from the surface of the body of the vehicle. ii) capable of securing dangerous goods containers
Strapping	<ul style="list-style-type: none"> i) Must be durable and strong ii) capable of fastening dangerous goods containers securely to the body of the vehicle; iii) that are anchored firmly to the bodywork of the vehicle; and iv) fitted with the reversible cog winch mechanism that can be locked
Electrical	<ul style="list-style-type: none"> i) All electrical wiring to comply SANS 10 018 ii) Fitted with a double pole isolating switch capable of cutting off the engine in an emergency and all electrical current closest to the battery. iii) Battery must be enclosed with a cover.
Wheel blocks	At least two (2), and to be static free.
Fuel tank	Must be spark-proof and static-free tank that is designed, constructed and equipped to protect any dangerous goods consignment from shock or ignition while in transit.
Fire Equipment	2 x 9Kg DCP fire extinguishers
Signage To comply with SANS 1186, mounted on either side including the rear of the vehicle	<ul style="list-style-type: none"> i) Hazchem ii) No Naked Flame iii) No Smoking iv) No Cell phones v) Orange diamond
Exhaust	Must be one meter away from delivery point

ANNEXURE IV

**MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY**



FIRE INVESTIGATION REPORT.

1. DETAILS OF INCIDENT

Date of incident:
 Incident No:
 Day:
 Time:
 Street no. and Name:
 Officer i/c: Time i/a
 Name of Investigation Officer: Time i/a:

2. DETAILS OF PREMISES

Occupancy & Description:
 Insurance: Contents: Building:

3. WEATHER CONDITIONS

Type: Wind: Direction:

4. OBSERVATIONS

Flame Colour: Smoke colour:
 Detail unusual smells:
 Detail areas of unusual intense burning

5. ENTRY TO PREMISES

Found open on arrival: Forced: Unlocked: Doors:
 Windows: Other:
 Give detail:
 Detail Brigade forced entry:

6. DETAIL ACTION DURING OPERATIONS

Disturbance of layout, content or debris

7. PREMISES SECURED:

For firefighting: For Safety: For investigation: Guard placed:

DETAIL:

8. VICTIMS:

Deaths: Number:

Injuries: Number:

DETAIL:

9. PHOTOGRAPHS & SAMPLES

Photographs taken: Samples taken: Analysed by:

Results:

10. NON-COMPLIANCE WITH LAWS OR CONDITIONS

Detail:

11. PERSONS QUESTIONED:

	NAME	FIRE RELATIONSHIP	ADDRESS
a)
b)
c)
d)
e)

Remarks:

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12. GENERAL NOTES

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13. CAUSE:

Fire Pattern:

Smoke Pattern:

Point of origin located:

Detail suspected cause and motivate:

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14. BRIGADE INVESTIGATING OFFICER:

Signature:

Date:

ANNEXURE V

MSUNDUZI MUNICIPALITY
FIRE & RESCUE SERVICES
BY-LAWS RELATING TO FIRE SAFETY



FIRE INVESTIGATION REPORT REQUEST FORM

Name:

Address:

Contact details: Cell:Office:

Date of Incident:

Time:

Street No. & Name of Incident:

Description: BuildingTransport:

Reason(s) for request:

.....

 Signature of Applicant

 Date

Please note that the Msunduzi Municipality Tariff of Charges will apply for the Investigation Report.