

TARIFF POLICY BYLAWS FOR INDIGENT PERSONS

Definitions

1. In these bylaws, unless the context indicates otherwise -

“Council” means the Msunduzi Municipality and its successors in law and includes the Council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these bylaws;

“consumption” means the ordinary use of municipal services, including water, sanitation, refuse removal, and electricity services for domestic or household purposes;

“due date” means, in the absence of any express agreement in relation thereto between the Council and the customer, the date stipulated on the account and determined from time to time as the last date on which the account shall be paid;

“free basic water” means the maximum amount, volume or consumption of water determined by resolution of the Council from time to time that will be provided free of charge as reflected in the Council’s Tariffs for Indigents;

“municipal value” means the total combined value of land and buildings on a property, as reflected in the municipal valuation roll;

“municipal services” means electricity, water, sanitation and refuse removal services provided by the municipality;

“refuse charge” means the monthly charge levied by the municipality for the removal of solid domestic waste;

“sewage charge” means the monthly charge levied by the municipality for the disposal of domestic sewage;

“income level” means the total, combined income, from any source whatsoever, of the owner and / or all occupiers of a property, as determined according to national policy and guidelines and reflected in the Council’s Tariffs for Indigents;

“occupier” includes any person in actual occupation of a property without regard to the title under which he occupies, if any;

“owner” means the person in whom from time to time is vested the legal title to the property.

Automatic qualification for concessions

- 2.(1) Owners and/or occupiers of residential property where the combined municipal value of the land and buildings on such property is equal to, or less than, the value determined by resolution of the Council for the purposes of qualifying for free services, as reflected in the Council’s Tariffs for Indigents, shall automatically qualify for such free services, subject to the conditions set out hereunder.

- (2) Owners and/or occupiers of residential property shall receive free basic water, refuse removal and sewage disposal if the combined value of the land and buildings on the property meet the criteria referred to in (1) above, unless the consumption of water on the property exceeds the maximum volume determined by the Council from time to time as free basic water.
- (3) In the event that the consumption of water on a property that qualifies for the concessions referred to in (2) above, exceeds the maximum volume determined by the Council as free basic water for whatever reason, the owner or occupier shall be billed for the total consumption of water and services to the property.
- (4) In order to ensure that his consumption does not exceed the maximum volume determined by Council as free basic water, an owner or occupier of property may request the Council to install a variable flow-restricting device to his water supply.
- (5) Notwithstanding that an owner or occupier may qualify for free basic water, the Council may restrict the supply of water to the property of such owner or occupier if he fails to pay any account by due date.
- (6) In the event that an owner or occupier fails to pay any account by due date, the Council may, in terms of its Credit Control Bylaws, disconnect the electricity supply to the property occupied by such owner or occupier.
- (7) In the event that there is any evidence of tampering with, or theft of, Council's services, to a property, the Council may invoke the provisions of section 8 of its Credit Control Bylaws.

Application for special or life line tariffs

- 3.(1) Owners and/or occupiers of residential property where the combined municipal value of the land and buildings on such property is greater than the value determined by the Council for the purposes of qualifying for free services, as reflected in the Council's Tariffs for Indigents, but whose level of income is less than the amount determined by Council as qualifying for special or life line tariffs, may apply in writing to the Council for such tariffs.
- (2) Owners or occupiers who apply for such special tariffs shall be required to apply annually, in writing, for such tariffs.
- (3) Where an owner or occupier of property qualifies for the payment of special or life line tariffs, such owner or occupier shall be liable for the payment of refuse removal and sewage disposal services to the property at the special or life line rates determined by resolution of the Council from time to time.
- (4) In the event that the consumption of water on a property that qualifies for the concessions referred to in (1) above, exceeds the maximum volume determined by the Council as free basic water, for whatever reason, the owner or occupier of the property shall be liable for payment of the total consumption of water and services to the property at the tariffs ordinarily applicable to residential properties within the municipality.
- (5) Where an owner or occupier of property qualifies for the concessions referred to in (1) above and such owner or occupier consumes electricity supplied by the Council, the miniature circuit breaker (MCB) on the property shall be reduced to a 15 ampere MCB.

- (6) In the event that there is any evidence of tampering with, or theft of, Council's services, to a property, the Council may invoke the provisions of section 8 of its Credit Control Bylaws.