

LOCAL AUTHORITY NOTICE 140 OF 2019

Great Kei Municipality- Rates By-Law

MUNICIPAL PROPERTY RATES BY-LAW

Great Kei Municipality, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of (No of the resolution) adopted the Municipality's Property Rates By-Law set out hereunder.

GREAT KEI MUNICIPALITY**MUNICIPAL PROPERTY RATES BY-LAW (S)****PREAMBLE:**

WHEREAS section 229(1) of the Constitution requires the municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality.

AND WHEREAS section 13 of the Municipal Systems Act read with section 162 of the Constitution requires a municipality to adopt laws to give effect to the implementation of its property rates by-law may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates;

NOW THEREFORE BE IT ENACTED by Council of the Great Kei Municipality, as follows:

1. DEFINITIONS

In this by-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), shall bear the same meaning unless the context indicates otherwise.

"Municipality" means (Great Kei Municipality);

"Property Rates Act" means the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004);

'Rates Policy' means the policy on the levying of rates on rateable properties of the Great Kei Municipality, contemplated in Chapter 2 of the Municipal Property Rates Act.

2. OBJECTS

The object of this by-law is to give effect to the implementation of the Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

Great Kei Municipality- Rates By-Law

3.1 The Municipality shall adopt and implement its Rates Policy consistent with the Municipal Property Rates Act on levying of rates on rateable property within the jurisdiction of municipality; and

3.2 The Municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

4. CONTENTS OF RATES POLICY

The Rates Policy shall, *inter alia*:

4.1 Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget;

4.2 Comply with the requirements for:

4.2.1 the adoption and contents of a rates policy specified in terms of section 3 of the Act;

4.2.2 the process of community participation specified in section 4 of the Act; and

4.2.3 Annual review of Rates Policy specified in section 5 of the Act.

4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the Council may adopt; and

4.4 Provide for enforcement mechanisms that are consistent with the Municipal Property Rates Act and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

5. ENFORCEMENT OF THE RATES POLICY

The Municipality's Rates Policy shall be enforced through the credit control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

6. SHOT TITLE AND COMMENCEMENT

This By-Law is called the Municipal Property Rates By-Law, and take effect on 01 July 2018.