

MOSSEL BAY MUNICIPALITY



TARIFF POLICY

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TARIFF POLICY

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1. INTRODUCTION

In terms of section 74 of the Local Government: Municipal Systems Act, of 2000, the Mossel Bay Council must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying of fees for municipal services provided by or on its behalf. The Tariff Policy may differentiate between different categories of users, debtors, service providers, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination. Section 75 of the Systems Act requires that the Council adopt by-laws to give effect to the implementation and enforcement of its Tariff Policy.

2. DEFINITIONS

In this Policy, unless inconsistent with the context -

“Accounting Officer” means the municipal manager appointed in terms of section 82 of the Local Government: Municipal Structures Act, (Act no, 177 of 1998) and being the head of administration and accounting officer in terms of section 60 of the Local Government: Municipal Systems Act (Act No. 32 of 2000);

“Accommodation Establishments” in relation to a property means the supply of overnight facilities to guests and tourists;

“Additional residential units” additional units erected on an erf zoned as single or general residential, it can form part of the main structure or be separated. The size of the additional units must vary between 30 and 120 square meters and does not have to have separate service connections. Loose standing units may only have a ground level structure. Each unit must have direct access from ground level;

“Agricultural Property” Means a property that is used primarily for agricultural purposes but, without derogating from section 9, of the Municipal Property Rates Act (Act 6 of 2004) excludes any portion thereof that is used commercially for the hospitality of guests, and excludes the use of the property for the purpose of eco-tourism or for the trading in or hunting of game;

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“Availability charges” An availability charge for electricity, water and sewerage as determined from time to time by the Council shall be levied and will be payable on all properties on a monthly basis, except in cases where the site has been declared inhabitable by the municipality, with or without improvements, whether or not the property is connected to the electricity reticulation / water network / sewerage network systems of the Council. Such fee shall be levied only if;

1. a monthly Basic fee is not levied;
2. the property is adjacent to such a service; and
3. in the opinion of the Council, the services can reasonably be connected.

“Average consumption” means the average consumption by a customer of a municipal service during a specific period, which consumption is calculated by dividing the total measured consumption of that service over that period, by the number of periods;

“Back yard dwellers” a standalone building structure smaller than 30m² on an existing property where the main building / house is less than 60m², where the occupant is a permanent resident ;

“Customer/user” means any person to whom a service is rendered or made available by the council;

“Dwelling” a separate structure on a property, where a household lives as a permanent resident, with an authorized separate municipal service connection for water and / or electricity;

“Households” all persons older than 18 years that resides within a dwelling on a property within the jurisdiction of the Council regardless whether the person rents or owns the property;

“Indigent level 1 household” means a household with a total monthly income of not more than two times the monthly Government old age pension;

“Indigent level 2 households” means a household with a total monthly income of more than two times, but less than four times the monthly Government old age pension;

“Interest” means a charge levied, on all arrear accounts calculated at an interest rate which is one percent higher than the prime interest rate;

“Mining Property” means a property used for mining operations as defined in the Mineral and Petroleum Resources Development Act, 2002 (Act. No. 28 of 2002);

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"Multiple purposes" in relation to a property, means the use of a property for more than one purpose, subject to section 9 of the Municipal Property Rates Act (Act 6 of 2004);

"Municipal area" means the area in respect of which the Municipality has executive and legislative authority as determined by the Constitution and national legislation and the area as demarcated by the Demarcation 1998 (Act no. 27 of 1998);

"Municipal council" means the council of Mossel Bay Municipality;

"Municipality" means

- (a) an organ of state within the local sphere of government exercising legislative and executive authority in an area determined under the Local Government: Municipal Demarcation Act (Act no, 27 of 1998);
- (b) a Municipality consists of:
 - (i) the political structures and administration of the Municipality; and
 - (ii) the community of the Municipality.
- (c) functions in the area in keeping with the political, statutory and other relationships between its political structures, political office bearers and administration and its community; and
- (d) as a separately legal personality that excludes liability on the part of its community for the actions of the Municipality.

"Occupier" means the person who controls and resides on, or who controls and otherwise uses immovable property or a portion thereof; provided that-

- (a) the husband or wife of the owner of immovable property which is at any time used by such owner and husband or wife as a dwelling, shall be deemed to be the occupier thereof;
- (b) where husband and wife both reside on immovable property and one of them is an occupier thereof, the other shall also be deemed to be an occupier thereof; and

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- (c) a person who-
- (i) resides in or occupies a room or rooms in a boarding house, lodging house, home for elderly people (other than a person, and the husband or wife of such person, who, by paying a capital amount, has acquired and exercises a lifelong right to so reside in or occupy a room or rooms in a home for elderly people), hostel, hotel, motel, hotel, club mess, barracks, nurses home or other place of a like nature;
 - (ii) resides in or occupies a separate room or rooms on immovable property occupied by any relative of such person;
 - (iii) as a boarder or lodger, resides in or occupies a room or rooms on immovable property owned or occupied by any other person; or
 - (iv) occupies an area of land or building or portion of a building solely for the purpose of parking, leaving or storing any vehicle or craft thereon or therein;

shall be deemed not to be an occupier of the immovable property concerned.

"Office Bearer" in relation to places of worship, means the primary person who officiates at services at that place of worship;

"Official residence" in relation to places of public worship, means

- (a) a portion of the property used for residential purposes; or
- (b) one residential property, if the residential property is not located on the same property as the place of worship;

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“Owner”-

- (a) in relation to a property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
 - (bA) in relation to a time-sharing interest contemplated in the Property Time-Sharing Control Act, 1983 (Act 75 of 1983), means the management association contemplated in the regulations made in terms of section 12 of the Property Time-Sharing Control Act, 1983, and published in Government Notice R327 of 24 February 1984;
 - (bB) in relation to a share in a share block company, the share block company as defined in the Share Blocks Control Act, 1980 (Act 59 of 1980)
 - (bC) in relation to buildings, other immovable structures and infrastructure referred to in section 17(1)(f) of the Municipal Property Rates Act, means the holder of the mining right or the mining permit;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”,

provided that a person mentioned below may for the purposes of the Municipal Property Rates Act be regarded by a municipality as the owner of a property in the following cases;

- (i) A trustee, in the case of a property in a trust excluding state trust land;
- (ii) An executor or administrator, in the case of a property in a deceased estate;
- (iii) A trustee or liquidator, in the case of a property in an insolvent estate or in liquidation;
- (iv) A judicial manager, in the case of a property in the estate of a person under judicial management;

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- (v) A curator, in the case of a property in the estate of a person under curatorship;
- (vi) A person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject of a usufruct or other personal servitude;
- (vii) A lessee, in the case of a property that is registered in the name of a municipality and is leased by it;
- (viii) A lessee, in the case of property to which a land tenure right applies and which is leased by the holder of such right; or
- (ix) A buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

“Person with a disability” means someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. This excludes caring facilities or old age homes.

“Place of public worship” means property used primarily for the purposes of congregation, excluding a structure that is primarily used for educational instruction in which secular or religious education is the primary instructive medium; provided that the property is-

- (a) registered in the name of the religious community;
- (b) registered in the name of a trust established for the sole benefit of a religious community; or
- (c) subject to a land tenure right

“Private Open Space (POS)” means vacant land belonging to private owners;

“Property” means-

- (a) Immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) A right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) A land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) Public service infrastructure;

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“Protected Area” Those parts of a special nature reserve, national park or nature reserve within the meaning of the national Environmental Management Protected Areas Act, (Act no.57 of 2003), or of a national botanical garden within the meaning of the National Environmental Management Biodiversity Act (Act no. 10 of 2004), which are not developed or used for commercial, business, agricultural or residential purposes.

"Public benefit organisation (PBO)" means properties owned by public benefit organisations and used for any specific public benefit activities listed in Part 1 of the 'Ninth Schedule to the Income Tax Act;

"Public Service Infrastructure (PSI)" means publicly controlled infrastructure.

“Public Service Infrastructure – Impermissible (PSII)” means the national, provincial and local government properties that are phasing out for rates payment according to Sec 83 of the MPRA (full definition included under MPRA above);

"Public Service Properties (PSP) (previously (GOV))" in relation to the use of a property means property owned and used by an organ of state as-

- (a) hospitals or clinics;
- (b) schools, pre-schools, early childhood development centres or further education and training colleges;
- (c) national and provincial libraries and archives;
- (d) police stations;
- (e) correctional facilities; or
- (f) courts of law;

but excludes property contemplated in the definition of "public service infrastructure (PSI);

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"Ratio" in relation to section 19 of the Municipal Property Rates Act (Act No.6 of 2006), means the relationship between the cent in the Rand applicable to residential properties and different categories of non-residential properties: Provided that the two relevant cent amounts in the Rand are inclusive of any relief measures that amount to rebates of a general application to all properties within a property category;

"Residential Property" means a property included in a valuation roll in terms of section 48(2)(b) of the Local Government Municipal Property Rates Act in respect of which the primary use or permitted use is for residential purposes without derogating from section 9 of the Municipal Property Rates Act (Act 6 of 2004); and which includes the following:

- used predominantly (60% or more) for residential purposes;
- a unit registered in terms of the Sectional Titles Act (Act No. 95 of 1986, used predominantly (60% or more) for residential purposes, and includes any unit in the same Sectional Title scheme registered in the name of the same owner which is used together with the residential unit as if it were one property, for example a garage or domestic worker's quarters. (Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes and for clearance application purposes); or
- owned by a share block company and used predominantly (60% or more) for residential purposes but will be considered as one residential property as set out in 5.1 of the Rates Policy;
- a retirement scheme or life right scheme used predominantly (60% or more) for residential purposes; or
- an old age home used predominantly (60% or more) for residential purposes; or
- a block of flats used predominantly (60% or more) for residential purposes, but will be considered as one Residential property as set out in 5.1 of the Rates Policy;

"Tariff Policy" means a Tariff Policy on the levying of fees, rates or taxes for municipal services provided by the Municipality itself and that complies with the Municipal Systems Act, (Act no. 32 of 2000); and

"The Act" means the Municipal Systems Act, (Act no, 32 of 2000);

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3. GENERAL PRINCIPLES

3.1 Objective

The objective of this Tariff Policy is to ensure the following:

- (a) Tariffs must conform to acceptable policy principles;
- (b) Municipal services must be sustainable;
- (c) Tariffs must comply with the applicable legislation; and
- (d) Tariffs should take indigent people and limited consumption into consideration

3.2 Responsibility / Accountability

The Mossel Bay Council has the overall responsibility of laying down the Tariff Policy.

3.3 Tariff Policy Principles

In terms of section 74(2) of the Systems Act of 2000, the Municipality's Tariff Policy reflects the following principles:

- (a) Users of municipal services are treated equitably in the application of tariffs;
- (b) The amount individual users pay for services are generally in proportion to their use of that service;
- (c) Indigent households have access to at least basic services through:
 - (i) Special or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - (ii) Any other direct or indirect method of subsidisation of tariffs for indigent households;
 - (iii) Tariffs reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration, replacement costs and interest charges;

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- (d) Tariffs are set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned. A service is financially sustainable when it is provided in a manner that would ensure its financing from internal and external sources is sufficient to cover the costs of the initial capital expenditure required, operating the service, maintaining, repairing and replacing the physical assets used in its provision;
- (e) Provision is made in appropriate circumstances for a surcharge or a rebate on the tariff for a service;
- (f) Provision is made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
- (g) The economical, efficient and effective use of resources, the recycling of waste and other appropriate environmental objectives is encouraged; and
- (h) The extent of subsidisation of tariffs for indigent households and other categories of users are fully disclosed;
- (i) It can be further stated that tariffs, rates and the employment of resources, in general, take into account the Council's IDP principles and goals;

4. NEED FOR A TARIFF POLICY

4.1 Revenue Adequacy and Certainty

The Municipality must have access to adequate sources of revenue to enable it to carry out its functions. The Municipality must:

- (a) Fully exploit the available sources of revenue to meet its development objectives; and
- (b) Be reasonably certain of its revenue to allow for realistic planning.

4.2 Sustainability

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Financial sustainability requires a budget that balances. This means that the Municipality must ensure that:

- (a) Services are provided at affordable levels; and
- (b) It is able to recover the costs of service delivery.

It must be realised that no bailout will be provided if the budget is exceeded or if proper financial management controls are not established. Indigent members of the community have the right to have access to at least a minimum level of basic services. Therefore, there is a need to subsidise indigent households, who are unable to pay for full service costs.

4.3 Effective and Efficient Resource Use

Resources are scarce and must be used in the best possible way to reap the maximum benefit for the community. However, there are no mechanisms available to ensure the effective allocation of resources. It is therefore important that the community provide the necessary checks and balances. They can do this by participating in the budget process. Efficiencies in spending and resource allocation will ultimately increase the access of the indigent households to basic services.

4.4 Accountability, Transparency and Good Governance

The Municipality must be accountable to the community for the use of its resources. Councillors must be able to:

- (a) justify their expenditure decisions; and
- (b) explain why and how, the revenue necessary to sustain expenditure is raised.

Budgeting and the financial affairs must be open to public scrutiny. The community must have greater voice making decisions about how revenue is raised and spent. Community participation in budgeting must include those groups in the community who face particular constraints in participating. It must also include a capacity-building component to ensure that people understand the prioritisation process (why resources are allocated to one area rather than another).

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4.5 Equity and Redistribution

Members of the community must be treated equitably with regard to the provision of services.

4.6 Development and Investment

Meeting basic needs in the context of existing services backlogs will require increased investment in municipal infrastructure.

5. SOURCES OF REVENUE

- (a) In terms of section 229 of the Constitution of the Republic of South Africa, (Act no, 108 of 1996), the Municipality may impose:
 - (i) Rates on property and surcharges on fees for services provided by or on behalf of the Municipality; and
 - (ii) If authorised by national legislation, other taxes, levies and duties appropriate to local government, but it may not impose income tax, value-added tax, general sales tax or customs duty.
- (b) The power of the Municipality to impose rates on property, surcharges on fees for services provided by or on behalf of the Municipality, or other taxes, levies or duties:
 - (i) May not be exercised in a way that materially and unreasonably prejudices national economic policies, economic activities across municipal boundaries, or the national mobility of goods, services, capital or labour; and
 - (ii) May be regulated by national legislation.
- (c) In terms of section 4(1) (a) of the Systems Act, the Council has the right, amongst other things, to finance the affairs of the Municipality by:
 - (i) Charging fees for services; and
 - (ii) Imposing surcharges on fees, rates on property and to the extent authorised by national legislation, other taxes, levies and duties.

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Section 16 of the Systems Act requires the Municipality to establish appropriate mechanisms, procedures and processes to ensure community participation in, amongst other things, the preparation of its budget.

6. PRICING STRATEGY

The strategy must be to recover the full financial cost of rendering the services required by and delivered to the community from the community, including the cost of capital. The points of departure pertaining to a pricing strategy are:

- (a) The starting point to recover cost is the determination of service levels. These shall be based on basic human needs;
- (b) The second point will be to ensure a sustainable service delivery based on the set service level; and
- (c) The third point will be the upgrading of services to higher levels in accordance with the level of affordability by the community and the ability to render the upgraded services in a sustainable manner.

The following must be considered in the pricing strategy in order to accurately determine and recover the cost pertaining to a service:

6.1 Management Cost

Resource management expenditure is those activities that are required to deliver, regulate, manage and maintain the service.

6.2 Capital Cost

Capital cost expenditure is the obligation to meet the repayments on loans negotiated to finance the provision of the service.

6.3 Maintenance Cost

These are normal running costs to maintain the service at the established level of service provision.

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6.4 Consumption / Usage

In the case of a measurable service, the actual cost of usage of the service is easily determined. Where measurable services are provided (usually to informal areas) without measuring devices being installed, the cost will be calculated by using the appropriate charge multiplied by the bulk registered consumption or estimated volume of consumption divided by the number of households / properties.

6.5 Cost of Immeasurable Services

These services are normally community based and subsidised services and the cost will be recoverable through a rating policy as determined from time to time. Recovery of costs will therefore be equalised over the total area of jurisdiction and the principle of collective payment will apply.

7. METERING

- (a) The Municipality will, endeavour, within practical and financial limits, to provide meters to every paying consumer for all services;
- (b) Where the consumption of services has to be measured, take reasonable steps to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems;
- (c) All meters will be read monthly, if at all possible. If the meter is not read monthly the Council will estimate the consumption in terms of Council's operational procedures;
- (d) Consumers are entitled to request verification of meter readings and accuracy within reason, but may be held liable for the cost thereof;
- (e) Consumers will be informed of meter replacement;
- (f) If a service is metered but it cannot be read due to financial and human resource constraints or circumstances out of the control of the Municipality or its authorised agent, and the consumer is charged for an estimated consumption, the account following the reading of the metered consumption must articulate the difference between the actual consumption and the average consumption, and the resulting credit or debit adjustments;

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- (g) If an electricity meter cannot be read due to “no access” for six consecutive months, the meter may be replaced with a pre-paid meter at the cost of the owner;
- (h) The occupier can give the readings through telephonically but at least every six months a true reading must be obtained by the meter reader;
- (i) In the case of holiday houses, a true reading must be obtained by the meter reader at least once a year if possible;
- (j) If no reading on a water meter can be obtained for more than six consecutive months, the meter may be moved at the cost of the owner/tenant.

8. CATEGORIES OF TARIFF CHARGES

8.1 Service Charges

An important source of local own revenue is charges that are directly related to the provision of municipal services.

The majority of these are utility charges, such as electricity and water, which have contributed significantly to the growth of revenue of municipalities. Cost recovery is an essential part of sustainable service delivery. The system of revenue sharing within a service is aimed at subsidising the operating costs of basic services to indigent and low-income households.

8.2 Collection of Levies

The Municipality may in future be required to impose and collect levies for other authorities, such as a District Municipality, or community based organisations. Such levies are imposed as the result of provisions contained in Acts or By-laws and individual service delivery agreements. The Municipality acts as an agent for such an organisation and may recover its cost by means of commissions or administration fees.

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9. LEGISLATION

Section 160 of the Constitution determines that the Municipality may not delegate the power to impose taxes, tariffs and other charges. Such tariffs must be approved by means of a decision of the majority of the Councillors in a Council, after taking all the required factors into consideration.

9.1 Water & Sanitation

In respect of the provision of water and sanitation services, the Water Services Act of 1997 determines that a Municipality or another water services provider must supply water and sanitation services in terms of conditions set by the Municipality. The condition that must be set, amongst other things, is to provide for the determination and structure of tariffs. These powers must be read with section 21 of the Act in terms of which the Municipality must pass By-laws that provide, amongst other things, for the determination and structure of tariffs and the payment and collection of money due for water and sanitation.

9.2 Electricity

In terms of section 9 of the Electricity Act 1987 the holder of an electricity license may not charge any consumer with other tariffs than those specified in the schedule of approved tariffs in its license. Further, a Municipality that holds an electricity license is obliged to supply electricity within the area of supply mentioned in its license, to every applicant who is in a position to make satisfactory arrangements for payment thereof.

9.3 Other Services

In terms of section 74 of the Systems Act, the Council must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying for municipal services provided by or on its behalf. The Tariff Policy may differ between different categories of users, debtors, service providers, service standards geographical areas and other matters as long as the differentiation does not promote discrimination. Section 75 of the Systems Act requires that the Council adopt a By-law effecting to the implementation and enforcement of its Tariff Policy. Such By-law may differentiate between categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount in discrimination.

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10. CLASSIFICATION OF SERVICES

Traditionally, municipal services have been classified into five groups:

10.1 Trading Services

Water and electricity provisions are trading services. Typically, the consumption of a trading service is measurable and can be apportioned to an individual consumer. These services are managed like businesses. The tariffs for these services are determined in such a way that a nett trading surplus is realised. The trading surplus is used to subsidise the tariffs of non-trading services, in other words, to relieve property rates.

10.2 Economical Services

Sewerage and refuse removal are economic services. Whilst they are also managed like businesses, the tariffs for services are determined in such a way that user charges cover the cost of providing the service. It is, however, common practice to set tariffs at a profit margin if possible subsidise tariffs on non-trading services.

10.3 Subsidised Services

Subsidised services include firefighting, approving building plans and the construction of buildings, leasing of municipal facilities, selling of burial sites and certain town planning functions. The consumption of subsidised services can be determined reasonably accurately and apportioned to individuals and consumers. However, if the tariffs for using this service were based on its real cost, nobody would be able to afford it. In most cases not only would the consumer benefit from using the service, but also other people.

A user charge is payable for using the service, but the tariff is much lower than the real cost of providing the service.

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10.4 Community Services

Community services are those services where the consumption cannot be determined nor apportioned to individual consumers. These services are typically financed through rates. Examples are the establishment, operation and maintenance of parks and recreation facilities, provision and maintenance of roads and storm water drainage systems, the establishment management and maintenance of cemeteries and traffic regulation.

10.5 Support Services

The Municipality also provides services in support of the above-mentioned services. These are staff functions and include secretarial and committee services, records and archives, financial-, technical- and corporate management, accounting and stores, Information Technology, occupational health and safety and human resources management. These services are financed through property rates.

11. POLICY PROPOSAL

11.1 Minimum Amount of Basic Services Subsidised

Minimum amount of basic services must be subsidised to the indigent households

- (a) The Municipality subscribes to a policy that entitles indigent households to a minimum amount of subsidised basic services. A basic service is a service that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety of the environment. This goal is achieved by providing a minimum amount of subsidised basic services to such consumers through its policy on indigence.

The specific services are:

- (i) Potable water;
 - (ii) Domestic sewerage removal;
 - (iii) Domestic refuse removal; and
 - (iv) Electricity.
- (b) The determination of minimum levels of these services is influenced by national guidelines as well as local social and economic conditions.

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- (c) The subsidies are financed from the Equitable Share allocations by National Treasury in terms of which the Division of Revenue Act must be determined in such a way that the sustainability of the special fund, created for this purpose, be guaranteed. Council will strive to minimise the burden of shortfalls in subsidies for indigent households. Any shortfalls can be subsidised by Rates and Service charges.

11.2 Keeping Tariffs Affordable

The Council is keenly aware of the financial situation of most residents within the municipal area. Therefore, the Council undertakes to keep tariffs at affordable levels as far as possible. In order to ensure that tariffs remain affordable, the Council will ensure that:

- (a) Services are delivered at an appropriate level;
- (b) Efficiency improvements are actively pursued across all its operations;
- (c) A performance management system is introduced to ensure that plans that are devised are actually implemented, that resources are obtained as economically as possible, used efficiently and effectively and the appropriate service delivery mechanisms are used;
- (d) Any service that is provided for which there is little demand, that is priced under the actual cost of providing it, and which requires the maintenance of significant infrastructure and other facilities, will be phased out, except where the Council is by law required to provide such a service.

11.3 Fully Exploiting Sources of Revenue

- (a) Property rates are an important source of discretionary revenue for the Municipality. It is used to finance services that cannot be apportioned to individual consumers and to balance the budget after service charges have been determined. It is therefore imperative that property rates must be imposed on, and is payable in respect of, all rateable properties within the municipal area. All rateable properties will be subject to and liable for paying rates.
- (b) Consequently, it is the policy of the Council:

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- (i) That tariffs for service and property rates will be reviewed annually;
- (ii) That tariff increases must be in line with increases in the price of goods, material and other resources acquired and used by the Municipality to perform its function, as well as any specific costs relating to the supply of a service during a financial year; and
- (iii) The tariff for a particular service must be calculated in such a way that all relevant costs are covered. This means that a tariff for a service must include at least the capital expenditure required and interest thereon, the cost of managing and operating the service and the cost of maintaining, repairing and replacing the physical assets used in its provision – this is only applicable for Economic and Trading Services.

11.4 Introducing the “Consumer Must Pay Principle”

Having regard for the above-mentioned policy on a minimum amount of subsidised basic services for the indigent, the Council believes that consumers of services must pay for the amount of services that they use. Where it is possible to measure the consumption of services, the Council will develop a program to install meters in appropriate cases. Also it is the Council's policy that the tariffs for such services must include all relevant cost factors.

11.5 Redistribution / Cross-Subsidisation

Those that pay higher property rates based on the value of their properties, in fact subsidise those who pay less tax. The Council will ensure that the cross-subsidisation occurs between and within services to further contribute to its redistribution objectives.

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11.6 Promoting Local Economic Competitiveness and Development

The size of the property rates and service charges accounts presented to local business is a significant business overhead for any business enterprise in the municipal area.

The overhead of a business is one of the factors that influence the price of goods and services sold by it, and therefore its profitability and chances of survival. The Council will take care that the municipal account presented to local business is fair. To ensure fairness toward local business the Council will, when it determines tariffs, take into account the desire:

- (a) To promote local economic competitiveness; and
- (b) To promote local economic development and growth.

11.7 Ensuring Financial Sustainability of Service Delivery

(a) The Constitution, Systems Act and Water Services Act require that the Municipality must ensure that the services that it provides must be sustainable. Financial sustainability of an enterprise will be achieved when it is financed in a manner that ensures that its financing is sufficient. The tariff for a service must therefore be sufficient to cover the cost of the initial capital expenditure required and interest thereon, managing and operating the service and maintaining, repairing and replacing the physical assets used in its provision. However, sustainability does not only mean that the price of the service must include all the relevant cost elements, it also means that the charges to be levied must be collected.

(b) The Council therefore adopted and applies a Credit Control policy to ensure that property rates and service charges are recovered. Where a trading and economic service is available to a property, an availability levy is imposed if the occupier of the property does not use the service concerned or if the property is vacant. The availability levy must be adequate to cover the pro rata cost of the initial capital expenditure and the maintenance of the infrastructure associated with service delivery.

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11.8 Tariff Determination Process

- (a) Except in special circumstances, such as significant increases in the wholesale price of goods and services that the Council purchases during a year to provide services, the Council will review its tariffs during the preparation of the annual budget in accordance with the policy stated above. Proposed tariffs will be presented to the community during the Council's consultations on the budget.
- (b) Immediately after the Council has determined or amended a tariff, the Accounting Officer must cause a notice in this regard to be displayed at a place installed for this purpose at all the offices of the Municipality as well as at such other places within the municipal area as she/he may determine. The notice must state:
 - (i) The general purpose of the resolution;
 - (ii) The date on which the notice is displayed;
 - (iii) That any person who desires to object to such determination or amendment must do so in writing within 14 days after the date on which the notice was displayed; and
 - (iv) That any person who cannot write may come, during office hours, to a place where a staff member of the Municipality named in the notice, will assist that person to transcribe her/his objection.
- (c) If no objection is lodged within the period stated in the notice, the determination or amendment will come into operation on the date determined by the Council. Where an objection is lodged, every objection must be considered. The Council or its delegated official may, after it has considered all objections, confirm, amend, or withdraw the determination or amendment and may determine another tariff and the date on which the determination or amendment will come into operation.
- (d) After the Council has determined another tariff, it will again give notice of the determination, amendment or date as determined above and will also publish it as prescribed.
- (e) All tariff adjustments shall be effective from the first account levied in July of each year.

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11.9 Limiting of the Financial Risk of Service Delivery

- (a) Due to the fact that accounts for most services are payable between three and six weeks after the services were rendered, it is necessary to hold guarantees, in the form of deposits, for such consumers:
 - (i) to cover the cost of services not yet billed; and
 - (ii) as a guarantee against non-payment of accounts, as stipulated in the policy on credit control.
- (b) As a part of the assessment of risks involved in the supply of services to consumers, the Council must decide whether the risks are sufficiently covered or whether deposits should be held in respect of a service by a consumer as well as the amount of such a deposit.
- (c) The risk of the provision of a service to each consumer must be assessed and a deposit should be calculated, taking into account, the consumption patterns of a specific consumer or property. Although this effectively reduces risk, the administration of such individual assessments in a high customer turnover environment may not be a practical and economically viable option. It must be further noted that, although the risk of service delivery is minimised if deposits are held, it soon becomes insufficient as the cost of service delivery increases and the deposit remains at the same level. It is very unpopular to increase deposits regularly and deposits of current consumers are only adjusted on default.
- (d) As an alternative, deposits may be standardised for different services, consumers or locations. Although this method simplifies the administration of deposits, it does not cater for individual needs and may not necessarily provide sufficient coverage of the risks involved.

In practice it is found that a combination of the two methods provides a suitable solution to the problem.

- (i) Standardised deposits are applied in respect of services for which the risks can be calculated, especially if such risks are not influenced by personal consumption variances.

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- (ii) Minimum levels of deposit are calculated in respect of the average exposure per group of consumers within a service, i.e. domestic. Should it be necessary to adjust such a deposit to a higher level due to higher consumption patterns or other risks, it is done at the discretion of the official, following clear guidelines in this respect.
- (iii) Adjustment of deposits resulting from non-payment of account is described in the policy on credit control.

Due to the tendency of liquidators to immediately seize any bank guarantees issued by insolvent estates or business entities, the Council decided not to accept bank guarantees as a guarantee for service delivery.

- (e) When a tenant defaults on payment of a deposit or for services, the owner stays liable.
- (f) Where changes are made on existing installations or services the deposit must be adjusted to the required deposit at the time of change
- (g) No deposit will be refunded except where the account has been finalised and the final debits were raised, and if the owner of the deposit does not have any other arrear accounts with the Municipality.
- (h) No interest shall be payable by the Municipality on the amount of a deposit held by it in terms of this Section.
- (i) Council reserves the right to refuse services where no deposit has been paid.
- (j) A special Service deposit for subsidised households, as annually determined by Council during the budget process, is applicable.

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11.10 Limiting of Financial Risk Pertaining to New Tariff Options

- (a) In the course of the budgetary process tariffs are calculated at levels that will produce the income required to cover costs for a financial year or to reach the required surplus. Any changes in tariff structures and the level of tariffs during the course of a financial year, will impact on income. The amendment of tariff structures during a financial year should therefore take into account the effect thereof on the budget.
- (b) In order to regulate such amendments and to prevent a drastic impact on the budget, the following rules must be applied:
 - (i) the Council must consider and approve/not approve all requests for amendments.
 - (ii) Request for amendments must be accompanied by detailed calculations and estimates of the impact thereof on the budget. Such calculations should furthermore take into account all the relevant factors and be backed by data and projections over reasonable period. Such impacts must be verified by the department of the Manager: Financial Services
 - (iii) The Council may approve only amendments that can be accommodated in such a way that it will not have a detrimental effect on the operating budget.
 - (iv) Any amendment to tariff structures, in respect of trading and economic services, that may impose a drastic impact on the present budget may only be considered for the next financial year and should form part of a new budgetary process.

11.11 Discontinuation of Services and the Final Account

- (a) Discontinuation of services and rendering of a final account will always be between two debit raisings. Thus, any request for discontinuation of services after the 18th of a month (or if on a weekend or public holiday the first working day thereafter) will only be finalised with the next debit raising of the following month and the basic for that period will be payable.

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- (b) The basic fee for water or electricity will only be levied on accounts with active meters or active tariffs. This is to ensure that the basic fee is not duplicated where one consumer vacates a property and a new consumer moves in. For example, if a final account is requested during a period as mentioned in (d) above, the meter will stay active until the following debit raising when the account will be finalized and transferred to the new consumer. Although the new consumer will be liable for the water usage from date of the final reading the basic fee will only be levied from the following debit raising when the meter or tariff becomes active on the new account.

12. PROPERTY RATES

For the principles used to set the tariffs of the property rates refer to the latest approved property rates policy as approved by Council.

13. TARIFFS FOR TRADING ECONOMICAL AND OTHER SERVICES

Electricity and water supply are treated as trading services, operated as separate accounts with the aim of producing a profit to be utilised as a subsidy for other services.

- (a) The supply of and tariff structures for these services are influenced by local conditions as well as national guidelines and prescriptions by the National Electricity Regulator (NER) and the Water Services Act.
- (b) Sewerage and refuse removal are treated as economical services. Tariffs structures are only influenced by local conditions, but the cost of these services is influenced by regional and national regulations as well as minimum standards that must be conformed to.
- (c) Cost related to the provision of services can be grouped into two basic elements, i.e.
 - (i) Fixed costs can be regarded as basic cost and is used as a basis to calculate availability fees in respect of such a service, if applicable. These cost elements are not directly influenced by variances in demand for a service.

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- (ii) Variable production costs, which consists of the direct production cost elements. Increases or decreases in production costs can directly be attributed to variances in demand for a service. These costs are treated as consumption costs of such services.

14. DEPOSITS

14.1 Electricity Deposits

- (a) Credit meters for domestic use, and all other users including churches, schools, crèches, general lighting, swimming pools, lifts: Domestic Single Phase;
- (b) Accommodation (1 to 4 rental units): Domestic Single-Phase Credit or Pre-paid;
- (c) Business: Single Phase credit meters on the two-part tariff;
- (d) Business: Single Phase Pre-paid meters on the two-part tariff;
- (e) Accommodation (5 or more rental units): Business Single Phase Credit or Pre-paid;
- (f) Domestic Three-Phase tariff for credit meters including churches, schools, crèches, general lighting, swimming pools, lifts;
- (g) Domestic Three-Phase tariff for pre-paid credit as well as pre-paid meters including churches, schools, crèches, general lighting, swimming pools, lifts;
- (h) Accommodation (1 to 4 rental units): Domestic Three Phase Credit or Pre-paid;
- (i) Business: Three Phase credit meter two-part tariff;
- (j) Business: Three Phase Pre-paid meter two-part tariff;
- (k) Accommodation (5 or more rental units): Business Three Phase Credit or Pre-paid;
- (l) Light Industrial meters;
- (m) Bulk meters;

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- (n) Time-of-use meters.
- (o) Commercial, Business and Industrial;
 - New connections or service applications for consumers with connections up to 3-phase will be as specified in the tariff list for the current financial year.
 - Deposits for businesses with connections bigger than 3-phase will be levied according to twice the highest bill during the previous 12 months for similar businesses or the deposit as specified in the tariff list, whichever is the highest (Council Res. F190-7/2004).
 - These deposits may be adjusted upwards at any stage to twice the highest bill during the previous 12 months or the deposit as specified in the tariff list, whichever is the highest (Council Res. F190-7/2004).
 - These deposits may be adjusted downwards on request by the consumer after his first 12 months' consumption are available, to twice the highest bill during the previous 12 months or the deposit as specified in the tariff list, whichever is the highest (Council Res. F190-7/2004). This change may only be requested once per financial year.

14.2 Water and Other Service Deposits

- (i) Subsidised
- (ii) Economic
- (iii) Additional household or business units
- (vi) Medium consumers (connections > 25 mm and < 80 mm)
- (v) Bulk consumers > 80 mm connection or using more than 1000kl water 4 x per annum

14.3 Builders Deposits

14.4 Refundable Deposit for Use at Harry Giddy Park

14.5 Posters / Placards (Maximum 100)

14.6 Breakage Deposits – Sport facilities, Halls and Club Houses

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14.7 Unclaimed Deposits

Any inactive deposit that is correctly recognised in the financial statements as payable and has not been claimed back within a period of three years, after the service has been delivered, completed or finalised, will be forfeited.

14.8 General

- (i) Tariffs as well as the minimum levels of deposits will be revised annually during the budgetary process.
- (ii) The minimum levels for deposits may be increased for individual consumers at the discretion of Chief Financial Officer, should consumption levels or other risks necessitate it.
- (iii) No new account will be opened or deposits accepted if there is an arrear amount outstanding on any account of a specific property except where the only arrear services are on the consolidated account of the owner and the owner is deceased or untraceable (as per the Credit Control Policy of the Municipality)
- (iv) No new account will be opened or deposits accepted if a tenant or his or her family member, living in or on the same property, have an arrear amount on any municipal account.
- (v) Every consumer must, on application for the provision of Municipal services pay a deposit to the Municipality, prior to the provision of any Municipal services. A minimum deposit will be payable equal to the amount determined by Council from time to time.
- (vi) The Council may require a consumer to whom services are provided and who was not previously required to pay a deposit, for whatever reason, to pay a deposit on request, within a specified period.
- (vii) Only on the termination of the agreement the amount of the deposit, less any outstanding amount due to the Municipality, will be refunded to the consumer or transferred to any other outstanding account of the client.
- (viii) For any changes to a connection type, the deposit will be adjusted in accordance with the approved tariff list.

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15. ELECTRICITY TARIFFS

15.1 General

- (a) In addition to general cost factors, the following will be considered in the determination of a tariff structure for electricity:
 - (i) Bulk electricity is supplied by a sole supplier, Eskom, and distributed by the Municipality via an electricity reticulation system consisting of substations, mini substations, underground and overhead distribution lines and metered connections to consumers.
 - (ii) Minimum standards for distribution are determined nationally and must be adhered to in order to conform to both safety and continuity of supply norms.
 - (iii) Due to the fact that a large part of the operating expenditure consists of bulk electricity purchases, tariff structures and levels are very sensitive to any change in the cost of supply by Eskom.
- (b) Electricity is supplied under a distribution license, granted by the National Electricity Regulator (NER) for a specific area of jurisdiction, which also regulates the following aspects:
 - (i) classification of consumer categories;
 - (ii) permissible tariff structure options are determined at a national level and distributors are obliged to apply these structures to obtain uniformity;
 - (iii) all tariff structures and tariffs must be approved by the NER prior to application thereof by a distributor;
- (c) The following tariff structure options are available:
 - (i) **one-part tariff**
This tariff consists of a tariff expressed as a cent per kWh charge only and does not contain a fixed monthly charge (basic or minimum charge)

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- (ii) **two-part tariff**
This tariff is also applicable to residential and business application and contains a fixed or basic fee, combined with an energy fee.
 - (iii) **Two-part demand tariff**
a demand meter is installed to determine the demand factor. It is applicable for larger commercial, industrial and agricultural customers.
 - (iv) **three-part tariff**
a demand meter is installed to determine the demand factor It is applicable for larger commercial, industrial and agricultural customers.
 - (v) **three-part time-of-use tariff (TOU tariff)**
This tariff is applicable for larger commercial, industrial and agricultural customers who are able to shift load into off-peak periods, thus effecting savings both to themselves and the distributor.
 - (vi) **SSEG feed - Domestic single and three phase**
Subjected to approval by technical department.
 - (vii) **SSEG feed - Commercial single and three phase**
Subjected to approval by technical department.
- (d) The three-part TOU tariff structure closely resembles the tariff structure utilised by Eskom to supply bulk electricity to the Municipality and is therefore the most cost reflective structure. Due to the capital outlay required it can, however, only be utilised in the case of large power users. To gain maximum benefits from this relatively complex tariff structure the end-user must have a certain level of expertise and it requires a substantial capital investment.
- (e) Any block tariff structure is sensitive to consumption over a specified period. It is therefore essential that meters be read regularly at intervals as near as possible to 30 days as longer or shorter consumption periods may affect the monthly consumption volumes in specific tariff blocks.

Pre-paid electricity tokens must be inserted into the meter within three months after the purchase date as the tokens can expire after three months and no refund or replacement of the tokens are allowed.

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15.2 Domestic Supply

- (a) A two-part tariff structure for single phase meters with up to 60 amperes is applied in respect of credit meters as well as prepaid meters. This tariff is also applicable to schools, churches, crèches, registered welfare organisations, state subsidised museums, airport hangers used as storage, general lighting, swimming pool pumps and lifts.
- (b) All Households with a prepaid meter using less than 400 kWh (based on the average purchases of the previous four months) will automatically be placed on the domestic two-part tariff except in the following cases:
 - (i) Indigent or poverty-stricken consumers
 - (ii) Consumers identified as permanent inhabitants for at least nine month of a year. To be identified as such, a consumer has to hand in a sworn affidavit signed by a Commissioner of Oath. The nine months will be from date of application for services in the case of a tenant with a lease agreement – this lease agreement must be for nine months going forward. If it is found that a sworn affidavit is false, a consumer will be put on the 2-part tariff and may not apply to be put on the 1-part tariff for the next year
 - (iii) Schools, Churches, crèches, registered welfare organisations, state subsidised museums, airport hangers used as storage, general lighting, swimming pool pumps and lifts, on prepaid.
- (c) A one-part tariff – all household consumers with single phase pre-paid meters who use more than 400kWh electricity per month and who permanently occupies the property for at least nine months of a year. This is subjected to an affidavit and rental contract (active for at least 9 months after date of application). This tariff is also applicable to schools, churches, crèches, registered welfare organisations, state subsidised museums, airport hangers used as storage, general lighting, swimming pool pumps and lifts.
- (d) A one-part Indigent inclining block Tariff - for permanent residents who qualify for an indigent subsidy.

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- (e) A two-part domestic tariff structure for three phase meters, are applied in respect of credit meters as well as prepaid meters and is also applicable to churches, crèches, general lighting, swimming pool pumps and lifts.
- (f) Domestic SSEG feed Tariff - Single phase. This is only applicable to credit meters.
- (g) Domestic SSEG feed Tariff – Three phase. This is only applicable to credit meters.
- (h) Domestic prepaid for life-line machine. Approved medical certificate to this effect is to be provided.
- (i) Accommodation (1 to 4 rental units): Domestic Single-Phase Credit or Pre-paid. This can only be a two-part tariff.
- (j) Accommodation (1 to 4 rental units): Domestic Three Phase Credit or Pre-paid. This can only be a two-part tariff.

Domestic Consumers can be transferred between the one-part and two-part tariff once per financial year, if the request is made in writing. Where a Domestic Consumer was previously on the two-part tariff where a deposit was paid, the deposit will not be refunded in case of this transfer. Where a Domestic Consumer was previously on the one-part tariff, a deposit will be payable / adjusted as per tariff list.

15.3 Commercial Supply

- (a) A two-part tariff structure is applied in respect of single phase credit meters and prepaid meters. This tariff includes airport hangers used as a business premises.
- (b) A one-part tariff structure is applied in respect of single phase prepaid meters. This tariff includes airport hangers used as a business premises.
- (c) A two-part tariff structure is applied in respect of three phase credit and prepaid meters. This tariff includes airport hangers used as a business premises.
- (d) A one-part tariff structure is applied in respect of three phase prepaid meters. This tariff includes airport hangers used as a business premises.

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- (e) Commercial SSEG feed Tariff - Single Phase. This is only applicable to credit meters.
- (f) Commercial SSEG feed Tariff – Three Phase. This is only applicable to credit meters.
- (g) Accommodation (5 or more rental units): Business Single Phase Credit or Pre-paid.
- (h) Accommodation (5 or more rental units): Business Three Phase Credit or Pre-paid.

All new consumer agreements, new commercial installations and increased capacity applications will automatically be placed on the two-part tariff as in (a) and (c) above.

Existing Commercial Consumers will be allowed to be transferred between the two-part and one-part tariffs once per financial year, provided that the consumption is not less than 500 units for 10 months in a year. Where a Commercial Consumer was previously on the two-part tariff where a deposit was paid, the deposit will not be refunded in case of this transfer. Where a Commercial Consumer was previously on the one-part tariff, a deposit will be payable / adjusted as per tariff list.

A circuit breaker with Ampere of 5A will be allowed, provided consumption does not exceed 15 units per month for single & three phase.

15.4 Light Industrial / Bulk Supply

- (a) A three-part tariff structure is applied in respect of light industrial meters
- (b) A three-part tariff structure is applied in respect of bulk supply meters
- (c) A three-part time-of-use tariff structure is applied in respect of special bulk supply meters

15.5 Other Supply

- (a) A three-part tariff structure is applied in respect of Mossgas (Klipheuwel)
- (b) A two-part demand tariff structure is applied for agricultural supply

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- (c) A one-part tariff is charged for agricultural water pumping
- (d) A one-part tariff is charged for street lighting where electricity supply is metered
- (e) A one-part fixed tariff is charged for private street lighting
- (f) A one-part tariff is charged for sport fields but varying in the following instances:
 - (i) Below 2000 units;
 - (ii) Above 2000 units;
 - (iii) Off-peak tariff - water pumping only;
- (g) Sport field lighting

15.6 Miscellaneous

- (a) An availability fee, except in cases where the site has been declared inhabitable by the municipality, will be charged on properties not connected to the electricity network, should it be available to that property. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property, the debit will be adjusted pro-rata from the date of the connection.
- (b) A fixed tariff as determined by council is charged for:
 - (i) temporary disconnections and re-connections on request of the consumer;
 - (ii) temporary disconnections and re-connections for non-payment;
 - (iii) new connections;
 - (iv) other connections;
 - (v) special meter readings;
 - (vi) testing of meters;
 - (vii) service calls;
 - (viii) replacing of breakers;
 - (ix) installing of pre-paid meters;
 - (x) replacing of meters;
 - (xi) conversion from three phase to single phase and vice versa;
 - (xii) erecting of street lights;
 - (xiii) damage to, or tampering with meters;

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- (xiv) shifting of a meter;
 - (xv) shifting of a meter at indigent households will be free of charge;
 - (xvi) damaging of medium or low voltage cables by contractors;
 - (xvii) Replacement of traffic- or streetlight pole;
 - (xviii) Hiring of power points;
 - (xix) Hiring of equipment;
 - (xx) Old age homes.
- (c) The developer or registered owner is at all times responsible for payment of services on a property;
- (d) At NO stage may an electricity meter be moved from one premises to another by anyone;
- (e) The owner/occupier is at all times responsible for the maintenance and safekeeping of the meter;
- (f) If a meter cannot be read by the meter reader due to no access or other obstructions, the Municipality has the right to install a pre-paid meter at the expense of the owner;
- (g) Installation of a pre-paid meter is free of charge for indigent and subsidised households.
- (h) Cancellation of prepaid electricity tokens with a value of R500 or more, must first be inspected before cancellation of the token.

Where prepaid tokens were purchased on an incorrect meter number, no refunds of transfers will be allowed, except in cases where management decided otherwise. In these cases, the token can only be replaced after an inspection has been done to ensure the token has not already been used. The inspection can only be done after a written request has been received and the prescribed call-out fee has been paid. If during the inspection it is found that it cannot without a doubt be determined whether the token has already been used, the token cannot be replaced and the call-out fee will be forfeited.

16. WATER TARIFFS

16.1 General

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Water is supplied to end-users by means of the following specialised infrastructure:

- (a) retaining and storage dams;
- (b) supply lines;
- (c) water purification plants;
- (d) water reticulation networks; and
- (e) metered connections to the properties of consumers.

The variable cost of supply is, however, sensitive to prices of essential materials such as chlorine, which is used in the purification processes. Apart from normal price increases, the price is also influenced by exchange rates.

The supply of water is regulated by the Water Services Act (Act no.108 of 1997), but without a centralised regulatory body such as the NER. Certain minimum standards as well as guidelines for tariffs are contained in the Act.

Many aspects pertaining to water supply is influenced by the same factors as that of electricity supply. Due to this, only those factors unique to water supply and the accompanying tariff structure are discussed.

Water is a scarce commodity with little alternatives available (contrary to electricity). Tariff structures should therefore be aimed at the reduction of consumption. For this reason, a declining block tariff structure is not an option.

Water is bought at a one-part tariff expressed in Rand per kilolitre. For this reason, it is found that water tariff structures for end-users follow the same trend. In order to cut consumption, an inclining block rate tariff structure with a basic fee is applied in Mossel Bay. To minimize the effect of inconsistent reading periods from month to month, day-to-day billing is used for metered consumption.

The first block rate represents the lifeline volume of 6 kl per month (calculated on day-to-day billing), which is supplied at no cost to households and accommodation (1 to 4 rental units). Losses incurred in this tariff category are recouped by contributions from the higher tariff categories, conforming to the principle of cross-subsidisation. Council however reserves the right to decrease or discontinue the free 6kl per month in the case of a drought.

It is the consumer's responsibility to ensure that the meter is readable and accessible for meter readers. If not, the meter may be moved at the expense of the owner/occupier

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16.2 Categories of Consumers and Charges

Provisions are made for the following categories of users:

(a) Consumers with connections up to 25mm

(i) Consumers with connections up to 25mm, as well as Indigent consumers will pay:

- The basic per meter according to domestic tariff;
- Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption;
- Only indigent consumers and domestic users on this tariff will receive the number of free kl (as determined by council) on a monthly basis where metered consumption is registered. If no consumption is registered the number of free kl does not apply.

(b) Consumers with connections bigger than 25mm

(i) Consumers with connections bigger than 25mm up to 50mm will pay:

- A fixed basic fee per meter;
- Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption.

(ii) Consumers with connections bigger than 50mm up to 75mm will pay:

- A fixed basic fee per meter;
- Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption;

(iii) Consumers with connections bigger than 75mm up to 100mm will pay:

- A fixed basic fee per meter;

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- Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption.
- (iv) Consumers with connections bigger than 100mm will pay:
- A fixed basic fee per meter;
 - Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption.
- (v) Alternative option for connections bigger than 25 mm that are used by more than 1 consumer will pay:
- A fixed basic fee per consumer;
 - Metered consumption according to the consumer's tariff, linked with the size of the connection and/or consumption.
- (c) **Special Water Tariffs**
- (i) Agricultural use (Raw and potable);
 - (ii) Sporting Bodies;
 - (iii) Government schools, government hospitals, creches, clinics, old age homes, churches and public benefit;
 - (iv) Departmental Use;

Water delivery in rural areas:

- (i) A fixed predetermined amount will be charged to cover the transport cost;
- (ii) In the case of registered indigent consumers, the cost will be recovered from the applicable grant;
- (iii) Only 6kl water per household will be delivered per month;
- (iv) Delivery per area will only be made according to a fixed schedule.

16.3 Miscellaneous

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- (a) An availability fee, except in cases where the site has been declared inhabitable by the municipality, will be charged on users and/or properties not connected to the water network, should it be available. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property, the debit will be adjusted pro-rata from the date of the connection;
- (b) A certain quantity of water may be distributed free of charge every month. This is decided on by council during the budgetary process.

16.4 Sundry Tariffs

A fixed tariff is charged for

- (a) water restrictions;
- (b) Water restriction fine;
- (c) water connections;
- (d) upgrading of water meters to a larger connection;
- (e) test of water meter;
- (f) water meter inspection - service fee;
- (g) Consumer tap to meter;
- (h) shift of water meter;
- (i) replacement of bulk water meter inserts;
- (j) uncovering of meters that cannot be read;
- (k) Restricting or unrestricting of water meter;
- (l) Special reading of water meter;
- (m) fine for tampering with installation;
- (n) water drawn by contractor at the fire station;
- (o) filling of pool;
- (p) water flow restrictions - programmable flow restrictor;
- (q) moving of meters;
- (r) replacement of a meter when damaged or stolen.

16.5 Water Tariff During a Drought

When the dam water supply drops to below a certain percentage, as determined by council during the annual budget, the water tariffs will increase. These tariffs will be included in the annual tariff list as an annexure and will be advertised with the annual budget documents.

16.6.1 Leakages – Normal consumers

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If the leakage is on the consumer's side of the meter, the consumer will be responsible for the payment of all water supplied to the property. The consumer has the responsibility to control and monitor his/her water consumption.

- (a) A consumer may qualify for a reduction in levy as determined by Council on his/her account in the event of a water leakage, if:
- (i) the leakage was underground or under the foundation of the building and not easily detectable; and
 - (ii) the leakage was repaired within 48 hours after detection / notification by the municipality; and
 - (iii) the consumer has not applied for discount on water leakages within the previous 12 months; and
 - (iv) an authentic certificate issued by a registered plumber must reach the Municipality within 10 days after completion of repairs done with respect to a water leakage and must contain the following:
 - the date of the invoice and repair work as well as the receipt; and
 - confirmation that surface leakage was not visible; or
 - (v) If repairs were done by the consumer themselves, his / her sworn affidavit must reach the Municipality within 10 days after completion of repairs done with respect to a water leak and must contain the following:
 - the date of the invoice and repair work as well as the receipt and/or date stamped photos proving that the leak was underground and repaired by themselves; and
 - that the reading has normalised; and
 - confirmation that surface leakage was not visible.
- (b) Once the Accounting Officer declares that the dam volume has dropped to below 30%, no water charges in respect of water losses because of leakages will be reduced;
- (c) Water lost due to the meter being stolen, defective irrigation, broken geyser, leaking toilet or leaking tap cannot be considered for reduction;
- (d) Council will only allow a reduction up to the difference between the levied amount of the leakage and the recalculated amount calculated as follows:
- (i) The consumer's most recent fair 6 months' average consumption calculated on the normal tariff tiers; plus

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- (ii) The usage above the average consumption calculated on the highest tariff tier of his/her average consumption.
- (e) Any applications that do not comply with points in 15.6.1(a)(iv) or 15.6.1(a)(v) above, may be referred to a special water leakage committee for further consideration of possible reductions.

16.6.2 Leakages – Indigent households or households housing a person with a disability

If the leakage is on the consumer's side of the meter, the consumer will be responsible for the payment of all water supplied to the property. The consumer has the responsibility to control and monitor his/her water consumption.

- (a) An consumer may qualify for a reduction as determined by Council on his/her account in the event of a water leakage, if:
 - (i) The consumer submits a sworn affidavit by him/herself confirming the leakage was reported and repaired and that the reading has normalised;
 - (ii) The consumer has not applied for discount on water leakages within the previous 12 months.
- (b) Council will only allow a reduction up to the difference between the levied amount of the leakage and the recalculated amount calculated as follows:
 - (i) The consumer's most recent fair 6 months' average consumption calculated on the normal tariff tiers; plus
 - (ii) The usage above the average consumption calculated on the highest tariff tier of his/her average consumption.

16.7 Water Restrictions in The Case of a Drought

Refer to the Water Demand Management Policy.

17. REFUSE REMOVAL TARIFF STRUCTURES

17.1 General

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- (a) **The factors and principles that impact on tariff structures are:**
- (i) Operating cost of vehicles;
 - (ii) The cost of labour, fuel and maintenance of vehicles. This is a labour intensive service and changes in any of these cost elements may have a drastic influence on the total cost;
 - (iii) National and regional standards in respect of dump sites and transfer stations must be adhered to and may necessitate additional expenditure.
- (b) **In general refuse volumes are influenced by the following factors:**
- (i) the number of occupants on a property;
 - (ii) garden refuse that is produced;
 - (iii) the nature and volumes of business and industrial refuse; and
 - (iv) habits of consumers and facilities available to them.
- (c) Each consumer pays for the privilege to have a certain volume of refuse removed from his/her premises. Should certain consumers have a need for increased volumes, they must bear the additional cost themselves. This principle has the result that a more affordable service is supplied to the average consumer, while large consumers pay for their additional volumes.
- (d) A consumer who chooses to do his/her own refuse removal will still be liable for paying the refuse tariff, as the service is available to all consumers.
- (e) Tariffs are based on units of refuse removal. For house hold purposes a flat tariff is charged for refuse removed once a week and for bulk/commercial purposes one unit is defined as one wheelie bin or five bags and the rate is determined by the number of removals per week.
- (f) For each additional residential unit, an additional domestic refuse unit removal will be levied.

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- (g) Refuse removal at accommodation establishments (1 to 4 rental units) will be levied at domestic tariffs.
- (h) Refuse removal at accommodation establishments (5 or more rental units) will be levied at bulk/business tariffs.
- (i) In caravan parks or camping areas two stands, bungalows and/or chalets will be levied as one refuse removal unit.
- (j) A refuse fee will be charged for each dwelling on an improved property, whether or not an electricity meter has been installed. A refuse levy will still be payable where a building/house is unoccupied or under construction, where an electricity meter has been installed. The levy will be from the installation date of the electricity meter.
- (k) Tariffs as well as units to be removed from categories of consumers will be revised annually during the budgetary process.
- (l) Only refuse in the prescribed black/green plastic bags should be removed.
- (m) Only refuse in the prescribed blue plastic bags should be removed for recycling.
- (n) In the event of business is being conducted from a residential property the business tariff will be levied for refuse removal. This does not apply to spaza shops.
- (o) Refuse levy will be payable on properties used as storage. This however is not applicable to a garage on a residential property which is used for storage or as a workshop or as a hanger.
- (p) Public Benefit Organisations with frail care facilities may apply for a 50% rebate on bulk refuse removal

17.2 Categories of Consumers

Provisions is made for the following categories of consumers:

- (a) Household consumers;
- (b) Additional household units;
- (c) Municipality;

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- (d) Crèches, Old Age Homes and Public Benefit Organisations;
- (e) Churches;
- (f) All Bulk/businesses removal (Including Hospitals, Clinics, Schools, Old Age Homes, Frail care, Shops/Malls/Offices, Taverns, Accommodation establishments (5 or more rental units and gated/security complexes;
- (g) Special refuse removal arrangements – Accommodation Units;
- (h) Removal of perishable foods on request;
- (i) Sale of refuse containers;
- (j) Disposal Fee at the waste disposal facilities for waste transports for gain;
- (k) Provision of Bulk containers for special events.

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18. SEWERAGE TARIFF

18.1 General

- (a) Tariffs will be revised annually during the budgetary process. Sewerage is levied and payable on a monthly basis;

18.2 Services Rendered

The following services are rendered in the Municipal area:

- (a) An internal water borne sewerage system consisting of reticulation network and sewerage works;
- (b) A small number of properties are serviced by a septic tank service.

18.3 Fixed Rate Structure

A fixed rate structure is applicable, which only differentiate between groups of properties:

- (a) Single residential;
- (b) Sectional title units;
- (c) Rondawels/chalets with own facilities;
- (d) Rondawels (without own facilities);
- (e) Granny flats;
- (f) Additional residential units;
- (g) Accommodation Establishments;
- (h) Business and other properties;
- (i) Churches;
- (j) Night soil bucket;
- (k) Industrial effluent.

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18.4 Discount to Pensioners

(a) Requirements

- (i) occupy the property as his/her Primary Residence, and
- (ii) be at least 60 years of age, or
- (iii) has been declared medically unfit even if not yet 60 years of age, and
- (iv) be in receipt of a gross monthly household income not exceeding the amount determined by Council during the Municipality's budget process.
- (v) The applicant must be the registered owner of the property; and

(b) Discount to qualifying Pensioners

The percentage discount will be determined by council during the compilation process of the annual budget.

18.5 Discounts to Schools

Schools receive a nett sewerage account based on the number of learners and calculated as below:

The different components used for the calculation is as follows:

- (i) Liter per learner per day is 6.5 liter;
- (ii) Number of learners;
- (iii) Capital cost per kl (which is determined by dividing the capital cost (interest and redemption) by the cost per kiloliter purified sewerage);
- (iv) Operating cost per kl. (which is determined by dividing the operating cost by the cost per kiloliters purified sewerage;

The capital cost recovery is as follows:

1 learner per day x 365 days x number of learners x capital cost per kl divided by 1000

The operating cost recovery is as follows:

1 learner per day x 202 days x number of learners x operating cost per kl divided by 1000

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The discount to schools are equal to the actual debits raised less the actual cost as calculated above.

18.6 Miscellaneous

- (a) An availability fee, except in cases where the site has been declared inhabitable by the municipality, will be charged on vacant properties not connected to the sewage system should it be available. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property, the debit will be adjusted pro-rata from the date of the connection.
- (b) A fixed tariff is charged for:
 - (i) sewerage connections;
 - (ii) larger connection;
 - (iii) inspections for blockages;
 - (iv) opening of sewage blockages;
 - (v) emptying of septic tanks.

18.7 Accommodation Establishments

- (a) Accommodation (1 to 4 rental units) will be levied at Residential tariffs.
- (b) Accommodation (5 to 7 rental units) will be levied at Business tariffs with a rebate of 30% calculated on 5 pans.
- (c) Accommodation (8 to 11 rental units) will be levied at Business tariffs with a rebate of 15% calculated on 8 pans.
- (d) Accommodation (12 or more rental units) will be levied at Business tariffs with no rebate calculated on the actual number of pans.

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18.8 Emptying of Septic/Conservancy Tanks

- (a) Consumers may apply for their septic/conservancy tank to be emptied.
- (b) A consumer can apply to be put on the monthly tariff, which entitles the tank to be emptied once a month by the municipality. Application for or Removal of this tariff may only be done once per financial year.
- (c) For any additional removals or if not on the above monthly tariff, the consumer may apply for an additional removal at tariffs set out in the tariff list.

19. SUNDRY SERVICE TARIFF STRUCTURES

- (a) A variety of sundry tariffs are applied to recoup costs of sundry services provided to the public. All such tariffs are based on cost of supply, but individual tariffs may be set at:
 - (i) subsidised levels;
 - (ii) levels reflecting actual cost; or
 - (iii) levels producing profits.
- (b) The level, at which the Council sets a sundry service tariff, takes into account factors such as:
 - (i) affordability;
 - (ii) socio-economic circumstances;
 - (iii) utilisation of amenities and resources;
 - (iv) national and regional agreements and provisions; and
 - (v) any other factors influencing such decisions.
- (c) These tariff structures and tariffs will be revised at least once a year, during the annual budgetary process.

20. CONCLUSION

- (a) Tariffs represent the charges levied by Council on consumers for the utilisation of services provided by the Municipality and rates on properties. Tariffs may be calculated in various ways, dependent upon the nature of the service being provided. Tariffs may be set in such a manner so as to recover the full cost of the service being provided or to recover a portion of those costs.
- (b) The same principles stipulated in this policy will unilaterally apply in Trading-, Economical-, Subsidised and Community Services.

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21. ADJUSTMENTS OF SERVICES

Where incorrect debits were raised regarding service charges, the accounts under query will be rectified for the year in which the error was found or reported, and two preceding years. The Municipal Manager may extend the period of corrections in cases of incorrect debits due to administrative errors.

22. CONFLICT

In the event of an inconsistency between the English, Afrikaans or Xhosa text, the English text shall prevail.

23. COMMENCEMENT


This policy will come into effect on 1 July 2020.

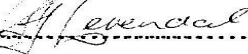
DOCUMENT AND VERSION CONTROL

Version: **Revision 16**

Date: **May 2020**

Summary: This document describes the Tariff Policy that will be applicable to the Mossel Bay Municipality, with effect from
1 July 2020

Signature:  Date: 28/05/2020
Municipal Manager
(Accounting Officer)

Signature:  Date: 28/05/2020
Executive Mayor