

**SWARTLAND MUNICIPALITY**

**PROPERTY RATES POLICY**

**Reviewed and amended**

**MARCH 2019**

**for the Financial Year 2019/20**

In terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), the Swartland Municipality hereby adopts the following Property Rates Policy –

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### **1. Definitions**

In this policy, ~~the English text prevails in the event of any conflict with the Afrikaans text, and, unless the context otherwise indicates –~~

~~“agent” in relation to the owner of a property, means a person appointed by the owner of the property –~~

- ~~(a) to receive rental or other payments in respect of the property on behalf of the owner; or~~
- ~~(b) to make payments in respect of the property on behalf of the owner;~~

**“agricultural property”** in relation to the use of a property, means property that is primarily used for agricultural purposes, but ~~without derogating from section 9 of the Act, excludes any portion thereof that is used commercially for the hospitality of guests and~~ excludes the use of the property for the purposes of eco-tourism or for the trading in or hunting of game;

**“annually”** means once every financial year;

**“business”** means the activity of buying, selling or trade in in goods or services and includes any office or other accommodation on the same erf, the use of which is incidental to such business, with the exclusion of the business of mining, agriculture, farming, or inter alia, any other business consisting of cultivation of soils, the gathering in of crops or the rearing of livestock or consisting of the propagation and harvesting of fish or other aquatic organisms;

**“category”** –

- (a) means a category of property determined in terms of section 8(2) of the Act;
- (b) in relation to owners of property, means a category of owners determined in terms of section 15(2) of the Act;

**“conservation area”** means –

- (a) a protected area listed in terms of section 10 of the Protected Areas Act, 2003 (Act 57 of 2003);
- (b) a nature reserve established in terms of the Nature and Environmental Conservation Ordinance, No 19 of 1974; or
- (c) any land which is zoned as open space zone II or III in terms of the municipality’s zoning scheme regulations, provided that such protected areas, nature reserves or land, with the exception of tourism facilities that may have been erected thereon, are exclusively utilised for the preservation of fauna and/or flora and the products of such land are not being traded for commercial gain;

**“council”** means the municipal council of the ~~Municipality of Swartland Municipality~~ referred to in section 18 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

**“disabled person”** means a person who receives a disability grant from the Department of Social Development;

**“exclusion”** in relation to a municipality’s rating power, means an exemption granted in terms of section 15(1) of the Act;

**“financial year”** means the period starting from 1 July in a year to 30 June of the next year;

**“income”** means the income derived or received from a pension source or other similar retirement benefit;

**“Income Tax Act”** means the Income Tax Act, 1962 (Act 58 of 1962);

**“industrial”** means a branch of trade or manufacturing, production assembling or processing of finished or partially finished products from raw materials or fabricated parts, on so large scale that capital and labour are significantly involved;

**“land tenure right”** means a land tenure right as defined in section 1 of the Upgrading of Land Tenure Rights Act, 1991 (Act 112 of 1991);

**“local community”** means –

that body of persons comprising –

- (a) the residents of the municipality;
- (b) the ratepayers of the municipality;
- (c) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and
- (d) visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of services or facilities provided by the municipality; and

more specifically includes the poor and other disadvantaged sections of such body of persons;

**“market value”** means the value of the property determined in accordance with section 46 of the Act;

**“mining property”** in relation to the use of the property means property that is primarily used for any operation or activity for the purpose of extracting any mineral on, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise and includes any operation or activity incidental thereto; ~~“mining property” means a property used for mining operations as defined in the Mineral and Petroleum Resources Act, 2002 (Act 28 of 2002);~~

**“multiple purposes”** means the use of a property for more than one purpose subject to section 9 of the Act;

**“municipal property”** means property of which the municipality is the owner; ~~is property registered or which vests in the name of the Municipality of Swartland;~~

**“municipal valuer”** means a person designated as a municipal valuer in terms of section 33(1);

**“municipality”** means the ~~Municipality of Swartland~~ Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

**“municipal manager”** means a person appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

**“occupier”** means a person in actual occupation ~~or control~~ of a property whether or not that person has a right to occupy the property;

**“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, means 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 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 by the definition in the Act of the term **“publicly controlled”**; provided that a person mentioned shall for the purposes of this policy be regarded by the 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 a deceased estate;
  - (iii) a trustee or liquidator in an insolvent estate or in liquidation;
  - (iv) a judicial manager in the estate of a person under judicial management;
  - (v) a curator in the estate of a person under curatorship;
  - (vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered that is subject to a usufruct or other personal servitude;
  - (vii) a buyer, in the case of a property that was sold and of which possession was given to the buyer pending registration of ownership in the name of the buyer;
  - (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;

**“permitted use”** means the limited purposes for which the property may be used in terms of –

- (a) any restrictions imposed by –
  - (i) a condition of title;
  - (ii) a provision of a town planning or land use scheme; or
  - (iii) any legislation applicable to any specific property or properties; or
- (b) any alleviation of any such restrictions;

**“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;

**“protected area”** means an area that is or has to be listed in the register referred to in section 10 of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003), **excluding any residential or other properties located therein;**

**“public benefit organisation”** means an organisation conducting specified public benefit activities as defined in the Act and registered in terms of the Income Tax Act for tax reductions because of those activities;

**“public service infrastructure”** means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services, or labour move across a municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports; ~~aprons at national or provincial airports, including the vacant land known as the obstacle free zone surrounding these, which must be vacant for air navigation purposes;~~
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigational aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes ~~A right registered against immovable property~~ in connection with infrastructure mentioned in paragraphs (a) to (i);

**“public service purposes”** 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”**;

**“rate”** means a municipal rate on property envisaged in section 229(1)(a) of the Constitution and **“rates”** has a corresponding meaning;

**“rateable property”** means property on which a municipality may, in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the Act;

**“rebate”** means a discount on the amount of the rate payable on the property;

**“reduction”** means the lowering of the amount for which the property was valued and the rating of the property at that lower amount;

**“residential property”** means a property included in a valuation roll in terms of section 48(2)(b) of the Act as residential in respect of which the primary use or permitted use is for residential purposes, without derogating from section 9 of the Act;

**“senior citizen”** means a person who is 60 years or older in the financial year for which the application for rebate is made, irrespective of his or her age at the time of application;

~~**“small holding”** means an area predominantly zoned rural or any other equivalent zoning, with the purpose to accommodate smaller rural properties that may be used for agricultural and residential purposes for people seeking a rural lifestyle;~~

**“state-owned properties”** means properties owned by the State, which are not included in the definition of public service infrastructure in the Act. These state-owned properties are classified as follows:

- (a) State properties that provide local services;

- (b) State properties that provide regional/municipal district-wide/metro-wide services;
- (c) State properties that provide provincial/national services.

**“the Act”** means the Municipal Property Rates Act, 2004 (Act 6 of 2004); and

**“vacant land”** means ~~property without any buildings or structures, and~~ land on which no immovable improvements have been made.

### **1A. Purpose of the policy**

The purpose of the policy is –

- (a) to comply with the provisions of section 3 of the Act; and
- (b) to determine criteria to be applied for –
  - (i) the levying of different rates for different categories of properties;
  - (ii) exemptions;
  - (iii) reductions and rebates; and
  - (iv) rate increases or decreases;
- (c) to determine or provide criteria for the determination of –
  - (i) categories of properties for the purpose of levying different rates; and
  - (ii) categories of owners of properties or categories of properties, for the purpose of granting of exemptions, rebates and reductions;
- (d) to determine how the municipality’s powers must be exercised in relation to multiple purpose ~~multipurpose~~ properties;
- (e) to identify and quantify in terms of cost and benefit to the community –
  - (i) exemptions, rebates and reductions;
  - (ii) exclusions; and
  - (iii) rates on properties to be phased in;
- (f) to take into account the effect of rates on the poor;
- (g) to take into account the effect of rates on organisations which are conducting particular public benefit activities and are registered in terms of the Income Tax Act for tax exemptions, in respect of those activities;
- (h) to take into account the effect of rates on public service infrastructure;
- (i) to allow the municipality to promote local economic and social development;
- (j) to identify all rateable property;

- (k) to ensure that any exemptions, rebates or reductions provided for in this policy comply and be implemented in accordance with a national framework after consultation with organised local government; and
- (l) to ensure that the municipality does not grant relief in respect of the payment of a rate –
  - (i) to a category of owners of properties, or to the owners of a category of properties, other than by way of an exemption, a rebate or a reduction provided for in this policy; or
  - (ii) to the owners of properties on an individual basis.

## **1B. Application**

~~In the event of a conflict in interpretation between the English and Afrikaans versions of this policy, the English version shall prevail.~~

This property rates policy shall be applicable in respect of the financial year 1<sup>st</sup> July 2019 until 30<sup>th</sup> June 2020.

## **2. Policy principles**

- (1) The levying of a rate on a property is an exclusive power of the municipality which will be applied with due regard to the total income pool of the municipality.
- (2) The rating of property will be done impartially, fairly, equitably and without bias, and these principles also apply to the setting of criteria for exemptions, reductions and rebates contemplated in section 15 of the Act.
- (3) The rating of property will be implemented in a way that –
  - (a) is developmentally orientated;
  - (b) supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality; and
  - (c) supports local and social economic development.
- (4) Property rates may be levied to correct the imbalances of the past and to minimise the effect of rates on the poor.
- (5) Rates will be levied in proportion to the market value of the property;

- (6) The rates tariffs will be based on the value of all rateable properties and the amount required by the municipality to balance the operating budget after taking into account profits generated on trading and economic services and the amounts required to finance exemptions, rebates, reductions and phasing in or rates as approved by the council.
- (7) Trading and economic services must be ring fenced and tariffs and service charges calculated in such a manner that the income generated covers the cost of the services or generates a profit;
- (8) Property rates may be used to finance community services.
- (9) Profits on trading and economic services may be used to subsidise community services.
- (10) The provision for working capital and bad debts must relate to the requirements for community services and not to those of trading and economic services.
- (11) The income base of the municipality must be protected by limiting reductions, exemptions and rebates.

### **3. Levying of rates**

- (1) Subject to the provisions of subparagraph (2), the municipality must levy rates on all rateable property in its area of jurisdiction at a rate to be fixed in terms of section 14 of the Act.
- (2) Rates may not be levied –
  - (a) as contemplated in terms of section 17 of the Act;
  - (b) on property of the municipality;
  - (c) on public services infrastructure which is the property of a municipal entity;
  - (d) property referred to in section 7(2)(a)(iii) and (iv) of the Act; and
  - (e) property exempted in terms of paragraph 7 hereof.

### **4. Categories of property**

Properties may be categorised as follows according to the use of the property, the permitted use of the property, or a combination of the two –

- (a) residential properties;
- (b) vacant land;
- (c) industrial properties;
- (d) mining properties;

- (e) business properties;
- (f) properties in rural areas zoned for business or in terms of which consent uses have been approved in terms of the municipality's zoning scheme regulations;
- (g) agricultural properties;
- (h) state-owned properties, excluding state-owned property contemplated in subparagraph (l) below;
- (i) ~~municipal properties property, registered in the name of the Swartland Municipality or properties of which the ownership vests in the municipality;~~
- (j) public service infrastructure;
- (k) informal settlements including those on land which are not subdivided into residential erven;
- (l) property –
  - (i) acquired through the Provision of Land and Assistance Act, 1993 (Act 126 of 1993), or the Restitution of Land Rights Act, 1994 (Act 22 of 1994); or
  - (ii) which is subject to the Communal Property Association Act, 1996 (Act 28 of 1996);
- (m) conservation areas and protected areas;
- (n) properties on which national monuments are proclaimed;
- (o) properties owned by the following public benefit organisations and used for the corresponding public benefit activities listed in Part 1 of the Ninth Schedule to the Income Tax Act –
  - (i) welfare and humanitarian organisations;
  - (ii) cultural organisations;
  - (iii) conservation, environmental and animal welfare organisations;
  - (iv) healthcare organisations; and
  - (v) education and development.
- (p) properties used for multiple purposes in terms of the municipality's zoning scheme regulations.

## **5. Categories of owners**

In terms of section 15(2) of the Act the following categories of owners will be recognised –

- (a) owners who qualify for indigent support in terms of the municipality's Indigent Policy ~~Credit Control and Debt Collections policy;~~

- (b) owners of property situated within an area affected by –
  - (i) a disaster within the meaning of the Disaster Management Act, 2002 (Act 57 of 2002); or
  - (ii) any other adverse social or economic conditions;
- (c) owners of residential properties of which the market value is lower than an amount determined by the municipality; and
- (d) an owner of residential property who is a senior citizen or a disabled person.

## **6. Differential rates**

- (1) In terms of section 8 of the Act the municipality may levy differential rates for different categories of rateable property.
- (2) A rate equal to 25% or such lesser rate as the municipality may determine, of the rate applicable to residential properties may be levied in respect of –
  - (a) agricultural property; and
  - (b) that portion of a property in the category “**multiple purposes**” which has been apportioned for agricultural purposes in terms of section 15(2) of the Act.

## **7. Exemptions**

- (1) To reduce the rates burden and cost of service charges all municipal properties are exempted from property tax, including municipal property which is leased.
- (2) The following properties will also be exempt from rates –
  - (a) property assigned to the category contemplated in paragraph 4(m); provided that –
    - (i) the organisation which owns such a property, is registered for tax exemption in terms of the Income Tax Act;
    - (ii) a valid certificate issued by the SA Revenue Services confirming such registration is submitted; and
    - (iii) an application for exemption from rates for the ensuing financial year is submitted annually on or before 30 September.

- (b) property registered in the name of a public benefit organisation (welfare and humanitarian) which is used for the following public benefit activities –
- (i) the care for, or counselling of abandoned, abused, neglected, orphaned or homeless children or the provision of education programmes relating to such children;
  - (ii) the care for, or counselling of poor and needy persons where more than 90% of the persons to whom the care or counselling is provided are over the age of 60 years;
  - (iii) the care for, or counselling of physically or mentally abused and traumatised persons or the provision of education programmes relating to such persons;
  - (iv) the provision of disaster relief;
  - (v) the rescue or care of persons in distress;
  - (vi) the provision of poverty relief;
  - (vii) rehabilitative care, counselling or education of prisoners, former prisoners and convicted offenders and persons awaiting trial;
  - (viii) the rehabilitation, care or counselling of persons addicted to a dependence-forming substance or the provision of preventative and education programmes regarding addiction to dependence-forming substances;
  - (ix) conflict resolution, the promotion of reconciliation, mutual respect and tolerance between the various peoples of South Africa;
  - (x) the promotion or advocacy of human rights and democracy;
  - (xi) the protection of the safety of the general public;
  - (xii) the promotion or protection of family stability;
  - (xiii) the provision of legal services for poor and needy persons;
  - (xiv) the provision of facilities for the protection and care of children under school-going age of poor and needy parents;
  - (xv) the promotion or protection of the rights and interests of, and the care of, asylum seekers and refugees;
  - (xvi) community development for poor and needy persons and anti-poverty initiatives, including –

- (aa) the promotion of community based projects relating to self-help, empowerment, capacity building, skills development or anti-poverty;
  - (bb) the provision of training, support or assistance to community based projects contemplated in paragraph (aa); or
  - (cc) the provision of training, support or assistance to emerging micro enterprises to improve capacity to start and manage businesses, which may include the granting of loans on such conditions as may be prescribed by the minister by way of regulation; and
  - (dd) the promotion of access to media and a free press.
- (c) property registered in the name of a public benefit organisation (cultural) which is used for the following public benefit activities –
  - (i) the advancement, promotion or preservation of the arts, culture or customs;
  - (ii) the promotion, establishment, protection, preservation or maintenance of areas, collections or buildings of historical or cultural interest, national monuments, national heritage sites, museums, including art galleries, archives and libraries; and
  - (iii) the provision of youth leadership or development programmes.
- (d) property registered in the name of a public benefit organisation (sport) which is used for the administration, development, co-ordination or promotion of sport or recreation in which the participants take part on a non-professional basis as a pastime.
- (e) property registered in the name of a public benefit organisation (conservation, environmental and animal welfare) which is used for the following public benefit activities –
  - (i) engaging in the conservation, rehabilitation or protection of the natural environment, including flora, fauna or the biosphere;
  - (ii) the care of animals, including the rehabilitation or prevention of the ill-treatment of animals; and

- (iii) the promotion of education and training programmes relating to environmental awareness, greening, clean-up or sustainable development projects.
- (f) property registered in the name of a public benefit organisation (healthcare) which is used for the following public benefit activities –
- (i) the provision of healthcare services to poor and needy persons;
  - (ii) the care or counselling of terminally ill persons or persons with a severe physical or mental disability, and the counselling of their families in this regard;
  - (iii) the prevention of HIV infection, the provision of preventative and education programmes relating to HIV/AIDS;
  - (iv) the care, counselling or treatment of persons afflicted with HIV/AIDS, including the care or counselling of their families and dependants in this regard;
  - (v) the provision of blood transfusion, organ donor or similar services; and
  - (vi) the provision of primary healthcare education, sex education or family planning.
- (g) property registered in the name of an agricultural society affiliated to or recognised by a bona fide agricultural union ~~the South African Agricultural Union~~, which is used for the purposes of such a society shall be exempt from rates, provided that the owner thereof applies annually on or before 30 September for exemption for the ensuing financial year.
- (h) property which have been assigned to the following categories –
- (i) “informal settlements” in terms of paragraph 4(j);
  - (ii) “conservation areas” in terms of paragraph 4(l), or that portion of a property in the category **“multiple purposes”** which, in terms of section 9 of the Act, has been apportioned for conservation area purposes in accordance with paragraph 4(o); and
  - (iii) “public service infrastructure” in terms of paragraph 4(i).

## 8. Rebates

- (1) The municipality may grant rebates (as may be determined by the council from time to time) to industrial enterprises that promote local, social and economic development in the municipality's area of jurisdiction.
- (2) The following criteria shall be taken into consideration for applications by industrial enterprises –
  - (a) Job creation in the municipal area;
  - (b) Social upliftment of the local community; and
  - (c) Creation of infrastructure for the benefit of the community.
- (3) For purposes of rebates an industrial enterprise shall be considered to be an enterprise which is lawfully conducted from premises zoned for industrial purposes in terms of the municipality's zoning scheme and which employs at least 25 or more fulltime employees on such premises.
- (4) Rebates to industrial enterprises shall be phased out within five years from the date on which the rebate was granted for the first time.
- (5) Rebates to industrial enterprises may be granted on application subject to –
  - (a) the submission of a business plan indicating how the local, social and economic development objectives of the municipality are going to be achieved;
  - (b) the submission of a continuation plan certified by auditors of the ~~company~~ enterprise stating that the objectives have been met in the first year after establishment and how the ~~company~~ enterprise plans to continue to achieve the objectives; and
  - (c) an assessment and confirmation by the municipal manager that the ~~company~~ enterprise qualifies.
- (6) Rebates may be granted in respect of the following properties –
  - (a) properties assigned to the category contemplated in paragraph 4(m), provided that –
    - (i) the organisation which owns such a property, is registered for tax exemption in terms of the Income Tax Act; and
    - (ii) a valid certificate issued by the SA Revenue Services confirming such registration is submitted; and
    - (iii) an application for exemption from rates for the ensuing financial year is submitted annually on or before 30 September.

- (b) properties registered in the name of a public benefit organisation (education and development) which are used for the following public benefit activities –
- (i) the provision of education by a school as defined in the South African Schools Act, 1996 (Act 84 of 1996);
  - (ii) the provision of higher education by a higher education institution as defined in terms of the Higher Education Act, 1997 (Act 101 of 1997);
  - (iii) adult basic education and training, as defined in the Adult Basic Education and Training Act, 2000 (Act 52 of 2000), including literacy and numeracy education;
  - (iv) further education and training provided by a public further education and training institution as defined in the Further Education and Training Act, 1998 (Act 98 of 1998);
  - (v) training for unemployed persons with the purpose of enabling them to obtain employment;
  - (vi) the training or education of persons with a severe physical or mental disability;
  - (vii) the provision of bridging courses to enable educationally disadvantaged persons to enter a higher education institution as envisaged in subparagraph (ii);
  - (viii) the provision of educare or early childhood development services for pre-school children;
  - (ix) training of persons employed in the national, provincial and local spheres of government, for purposes of capacity building in those spheres of government;
  - (x) the provision of school buildings or equipment for public schools and educational institutions engaged in public-benefit activities contemplated in subparagraphs (i) to (viii);
  - (xi) career guidance and counseling services provided to persons for purposes of attending any school or higher education institution as envisaged in subparagraphs (i) and (ii);
  - (xii) the provision of hostel accommodation to students of a public benefit organisation, institutions, board or body;
  - (xiii) programmes addressing needs in education provision, learning, teaching, training, curriculum support, governance, whole school development, safety and security

- at schools, pre-schools or education institutions as envisaged in subparagraphs (i) to (viii);
- (xiv) educational enrichment, academic support, supplementary tuition or outreach programmes for the poor and needy.
- (c) properties assigned to the categories as contemplated by paragraphs 4(f) and 4(l);
- (d) properties used for public service purposes;
- (e) residential properties of owners as categorised in paragraph 5(a), of which the value exceeds the limit as determined in the municipality's indigent policy, subject to compliance with the following requirements –
- (i) application for a rebate must be submitted annually before 30 September for the ensuing financial year –
- (ii) the applicant must be the registered owner of the property; and
- (iii) the owner must occupy the property; and
- (iv) ~~in the case of a semi-detached house of which a section is rented out the rebate will only apply to that portion occupied by the owner, to an amount equal to the rates payable on the first amount of the valuation of such property as determined annually by the municipality during the budget process, subject to any conditions imposed.~~

to an amount equal to the percentage rebate as per subparagraph (f)(v) according to the monthly income of the owner. Such owner shall still be liable for payment of rates on the valuation which exceeds the amount determined annually<sup>1</sup> during the budget process. The R15 000 exemption in terms of section 17(1)(h) of the Act shall be excluded from the amount determined annually.

- ~~(f) residential properties of owners as categorised in paragraph 5(d), to an amount equal to the rates payable on the first amount of the valuation of such property as determined annually by the municipality during the budget process, provided that the owner –~~

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<sup>1</sup> Proposed at 28 March 2019 an amount of R300 000

- ~~(i) submits an application to the municipality by 30 September annually in respect of the ensuing financial year;~~
  - ~~(ii) must be the registered owner of the residential property concerned and must occupy such property; and~~
  - ~~(iii) qualifies for only the most beneficial of any rebates for which he or she qualifies in terms of this policy. The R15 000 exemption in terms of section 17(1)(h) of the Act shall be excluded from the amount determined annually.~~
- (f) residential properties of owners as categorised in paragraph 5(d) owned by senior citizens or disabled persons to the amount equal to the percentage rebate as indicated in subparagraph (v) according to the monthly income of such senior citizen or disabled person the owner, provided that –
- (i) the owner must be a natural person, and a South African citizen. If not a South African citizen, he or she must be the registered owner of the property within the jurisdiction of the municipality and must submit proof of his or her permanent residency in the Republic of South Africa;
  - (ii) the owner must –
    - (aa) occupy the property as his or her normal residence;
    - (bb) provide evidence that he or she is indeed a senior citizen, or in receipt of a disability pension from the Department of Social Development; and
    - (cc) provide proof of income to qualify for a rebate as indicated in the said subparagraph (v);**
  - (iii) where the owner owns more than one property, a rebate will be granted only on the occupied property;
  - (iv) where the occupant of a residential property is the usufructuary thereof, he or she satisfies the occupancy requirement;
  - (v) the percentage rebate will be determined according to the table below, based on the band of income levels as indicated:

<b>Monthly income</b>	
<b>Income levels</b>	<b>% Rebate</b>
Up to R12 000	100%

More than R12 000	75%
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- (vi) ~~the rebate shall be limited to an amount equal to the rates payable on the first amount of the valuation of such property as determined annually by the municipality during the budget process, subject to any conditions imposed.~~ such owner shall still be liable for payment of rates on the valuation which exceeds the amount determined annually<sup>2</sup> during the budget process. The R15 000 exemption in terms of section 17(1)(h) of the Act shall be excluded from the amount determined annually.

## 9. Application of rates

The municipality shall levy rates for the different categories of rateable property as follows:

		Tariff c/R
(1)	Residential properties	.006490
(2)	Vacant land	.008580
(3)	Industrial properties	.008580
(4)	Business and commercial properties	.008580
(5)	Agricultural properties (used for agricultural purposes)	.001623
(6)	Agricultural properties used for eco-tourism	.008580
(7)	Agricultural properties used for trading in or hunting of game	.008580
(8)	Mining properties	.008580
(9)	Properties owned by an organ of state and used for public service purposes	.008580
(10)	Public service infrastructure	.000000
(11)	Properties owned by public benefit organisations: (a) welfare and humanitarian organisations; (b) cultural organisations; (c) sporting organisations; (d) conservation, environmental and animal welfare organisations;	.008580

<sup>2</sup> Proposed at 28 March 2019 an amount of R300 000

	(e) healthcare organisations; and (f) education and development	
(12)	Properties used for multiple purposes	Differential rate
(13)	Properties in rural area zoned for business or in respect of which consent uses have been approved in terms of the municipality's zoning scheme regulations	.008580
(14)	Municipal properties	.000000
(15)	Informal settlements, including those on land which are not subdivided into residential ervens	.006490
(16)	Property acquired through the Provision of Land and Assistance Act, 1993 or the Restitution of Land Rights Act, 1994 or Communal Property Association Act, 1996	either .008580 or .006490, depending on use
(17)	Conservation areas	.000000
(18)	Protected areas (excluding residential or other properties located therein)	.000000
(19)	National monuments	.000000
(20)	State-owned properties	.008580

## 10. Application for exemption or rebate

- (1) Application for an exemption or a rebate must be made on the application form, the content of which and information required therein shall be determined by the chief financial officer. ~~obtainable from the chief financial officer.~~
- (2) Applications must be submitted annually by 30 September to qualify for an exemption or rebate for the ensuing financial year.
- (3) Late applications after 30 September may be considered by in the sole discretion of the chief financial officer.
- (4) All applications for an exemption or a rebate must be considered by the chief financial officer or his delegate.
- (5) The chief financial officer or his delegate may refuse an application for exemption or a rebate if –
  - (a) the information furnished on the application is incomplete, incorrect or false; or

- (b) the application form is not received on or before the due date determined for such applications.
- (6) Applications by senior citizens or disabled persons must be accompanied by the following –
  - (a) a certified copy of the identity document of the owner or any other proof of the owner's age, provided that no age requirement will apply if the owner is a disabled person in receipt of a disability grant;
  - (b) proof of a disability grant where applicable; and
  - (c) proof of income as directed by the chief financial officer.

## 11. **Reductions**

- (1) Reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act may be granted where the value of a property is affected by fire damage, demolition or floods.
- (2) The reduction will be subject to a certificate issued by the municipal valuer ~~valuator~~.

## 12. **Rate adjustments**

- (1) The municipality may adjust rates annually during the budget process.
- (2) Rate adjustments must be used to finance operating costs of community services.
- (3) The following annual adjustments will be made in respect of community services –
  - (a) all salary and wage adjustments as agreed at the National Bargaining Council;
  - (b) an inflation adjustment for general expenditure, repairs and maintenance and contributions to funds; and
  - (c) additional depreciation costs of interest and redemption on loans associated with the assets created during the previous financial year.
- (4) Extraordinary expenditure not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an adjustment in property rates.
- (5) All adjustments in the property rates must be communicated to the local community in terms of the council's policy on community participation.

### **13. ~~Multipurpose~~ Multiple purpose use of property**

The municipality shall apportion the market value of a property used for **multiple purposes** in a manner determined by the municipal valuer and shall apply the rates applicable to the different categories determined by it. Rates on properties which have been assigned to the category “multiple purposes: shall be levied at the rate as contemplated in section 9(2) of the Act.

### **14. Costs of exemptions, rebates, reductions and phasing in of rates**

- (1) During the budget process the chief financial officer shall inform council of the estimated costs associated with the suggested exemptions, rebates, reductions as well as the cost of phasing in of rates and grants in lieu of rates.
- (2) Provision must be made in the operating budget for –
  - (a) the full potential income associated with property rates; and
  - (b) the estimated costs associated with exemptions, rebates, reductions, phasing in of rates and grants in lieu of rates insofar as the aforementioned impacts revenue foregone.

### **15. Payment arrangements**

The following matters shall be dealt with in terms of the municipality’s credit control and debt collection policy –

- (a) the date on which rates become due;
- (b) the due date for payment of rates which are levied monthly as well as annually;
- (c) interest on taxes in arrears; and
- (d) steps against defaulters.

### **16. Utilisation of property**

Where it is necessary to determine the use of property, the permitted use of such a property, as contemplated in section 8(1)(b) of the Act, shall be decisive.

