

SWARTLAND MUNICIPALITY

WATER AND SANITATION SERVICES AMENDMENT BY-LAW, 2019

To amend the Swartland Municipality By-law Relating to Water Supply, Sanitation Services and Industrial Effluent

BE IT ENACTED by Swartland Municipality as follows;

Substitution of section 69 of the By-law Relating to Water Supply, Sanitation Services and Industrial Effluent (principal by-law)

1. Section 69 of the principal by-law is hereby substituted for the following section-

“69. Water Restrictions

(1) The municipality may, by public notice, ~~to prevent the wasteful use of water in terms of section 32, or in the event of a water shortage, drought or flood~~ whenever there is scarcity of water for distribution and supply to consumers, or for any other cause-

(a) prohibit or restrict the consumption of water in the whole or part of its area of jurisdiction ~~in general or for the municipality -~~

(i) in general or for specified purposes;

(ii) during specified hours of the day and on specified days; or

(iii) in a specified manner;

(b) ~~restrict~~ determine and impose limits on the quantity of water that may be consumed over a specified period;

(c) ~~impose charges additional to those prescribed in respect of the supply of water in excess of a limit contemplated in subsection (1)(b)(i)~~ impose restrictions or prohibitions on the use or manner of use of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation; and

(d) ~~impose a general surcharge on the prescribed charges in respect of the supply of water;~~ invoke special tariffs in respect of water restrictions, determined in terms of the Tariff By-law.

(2) The municipality may limit the application of the provisions of a notice issued under subsection (1) to specified areas or categories of consumers, premises and activities, and may permit deviations and exemptions from, and the relaxation of any of such provisions on reasonable grounds, provided that there will be no deviation from the tariffs referred to in subsection (1)(d).

- (3) The municipality may –
- (a) ~~take, or~~ by written notice, ~~require~~ order a consumer to take such measures, including the installation of meters and devices for restricting the flow of water, as may be necessary to ensure compliance with a notice published as contemplated in subsection (1), at the cost of such consumer.
- (4) The municipality —
- (a) may discontinue the supply of water for such period as deemed fit or limit the supply of water to any premises in the event of a failure to comply with the terms of a notice referred to in subsection (1) ~~subject to a notice in terms of section 22~~; and
- (b) ~~shall~~ may, where the supply has been discontinued in terms of paragraph (a), restore it only when the fee for discontinuation and reconnecting the supply has been paid.
- (5) The provisions of this section also apply in respect of water supplied by the municipality to consumers outside its area of jurisdiction, notwithstanding anything to the contrary in the conditions governing such supply, unless otherwise specified in the notice ~~published in terms of~~ as contemplated in subsection (1).
- (6) Where a local disaster has been declared due to a scarcity of water or to prevent such a disaster from being declared, the municipality may impose water restrictions by issuing a direction in terms of sections 54(3)(b) and 55(2) of the Disaster Management Act, 2002 (Act 57 of 2002).
- (7) A person who-
- (a) contravenes any of the provisions of this section;
- (b) fails to comply with a notice issued in terms of this section; or
- (c) fails to comply with water restrictions imposed in terms of this by-law;
- commits an offence.”

2. Short title and commencement

This By-law shall be known as the Swartland Municipality Water- and Sanitation Services Amendment By-law, 2019 and shall come into operation on the date of publication thereof.