

LOCAL AUTHORITY NOTICE 1225 OF 2024

PUBLIC NOTICE

MIDVAAL LOCAL MUNICIPALITY EMERGENCY SERVICES BY-LAW

The Municipal Manager of the Midvaal Local Municipality hereby, in terms of the provisions of Section 13 of the Local Government: Municipal Systems Act, (Act 32 of 2000), publishes the Midvaal Local Municipality's Emergency Services By-law passed by the Council on 25 April 2024 in accordance with Section 12 of the aforementioned Act.

This By-Law shall take effect on the date of publication in accordance with Section 162 of the Constitution of the Republic of South Africa and Section 7(6) of the Rationalisation of Local Government Affairs Act, (Act 10 of 1998).

The Municipal Manager
P.O Box 9
MEYERTON
1960

MIDVAAL LOCAL MUNICIPALITY

EMERGENCY SERVICES BY-LAWS

EMERGENCY SERVICES BY-LAWS

By-law

To give effect to the implementation of the Midvaal Local Municipality's Emergency Services Policy and to provide for matters incidental thereto.

Preamble

WHEREAS section 152(1)(d) of the Constitution of the Republic of South Africa, 1996 read together with the Local Government Municipal Systems Act 32 of 2000, as well as various other legislation states that everyone has a right to an environment that is not harmful to their health and well-being; and

WHEREAS the Municipal Systems Act 32 of 2000, provides that local government must ensure that municipal services are provided to communities in a financially and environmentally sustainable manner and promote safe and healthy environments; and

BE IT THEREFORE ENACTED in terms of section 13 of the Local Government: Municipal Systems Act 32 of 2000 read together with section 15 of the Local Government- Municipal Structures Act 117 of 1998 by the Midvaal Local Municipality as follows:

1. Definitions

In this By-law any word or expression to which a meaning has been assigned in the Fire Brigade Services Act 99 of 1987, Hazardous Substances Act 15 of 1973 as amended, or the Occupational Health and Safety Act 85 of 1993 as amended, shall bear the same meaning and unless the context indicates otherwise –

“**Act**” means the Fire Brigade Services Act 99 of 1987 as amended;

“**Council**” means the Council of the Midvaal Local Municipality; and

“**Emergency Service**” means the Fire Brigade Service established by the Controlling Authority as contemplated in section 1 of the Act.

2. Adoption and implementation of Emergency Services Policy

- a) The Council shall adopt and implement an Emergency Services Policy consistent with the Act; to regulate the provision of Emergency Services within the jurisdiction of the municipality; and
- b) The Council shall not be entitled to render Emergency Services other than in terms of its Emergency Services Policy.

3. Application of By-Law

This By-law is applicable to all persons within the area of jurisdiction of the municipality and include both formal and informal sectors of the community and economy.

4. Enforcement of Emergency Services Policy

The Council's Emergency Services Policy shall be enforced through this Emergency Services By-law and the Emergency Services Policy and any further enforcement mechanisms stipulated in the Act.

5. Short title and commencement

This By-law is the Emergency Services By-law and annexed to it is the Emergency Services Policy which amplifies the information contained herein. This by-law shall take effect on the date on which it is published in the provincial *gazette*.