

C 3402/10/2024
MC A/6426/10/2024

9.A.21 [FS]: PROPERTY RATES BY-LAW

1/1/1/8

COMPETENCY: COUNCIL

IT WAS UNANIMOUSLY RESOLVED:

1. That the Property Rates By-law, attached to the report as Annexure "A" in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996 read with section 12 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000), be approved.
2. That the Promulgation of the Property Rates By-law by publication in the Official Provincial Gazette in terms of section 163 of the Constitution of the Republic of South Africa, 1996, read with Section 13 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000), be approved.

NOTE: The ANC requested that their vote against this item be recorded.

C 3402/10/2024
MC A/6426/10/2024

9.A.21 [FS]: PROPERTY RATES BY-LAW

1/1/1/8

COMPETENCY: COUNCIL

PURPOSE

To submit the Property Rates By-law for approval.

RECOMMENDATIONS

1. That the Property Rates By-law, attached to the report as Annexure "A" in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996 read with section 12 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000), be approved.
2. That the Promulgation of the Property Rates By-law by publication in the Official Provincial Gazette in terms of section 163 of the Constitution of the Republic of South Africa, 1996, read with Section 13 of the Local Government: Municipal Systems Act, 2000, (Act 32 of 2000), be approved.

REPORT

On 29 February 2024, the Council noted the draft Property Rates By-law. Council approved that the Municipality proceed with public participation in compliance with Section 12(3), read with Section 21 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) as amended and Section 7 of the Rationalisation of Local Government Affairs Act, 1998 (Act No. 10 of 1998).

The public participation process commenced on 27 March 2024 and concluded on 30 April 2024. The public notice is attached hereto marked as Annexure "B". The opportunity to submit comments was communicated in two local newspapers, an online newspaper, the Midvaal Local website, the Civic Centre, and all satellite offices (Clinics and Libraries included). The draft By-law was also evenly circulated for comments to relevant stakeholders, including the National Treasury and Gauteng Provincial Treasury. The circulation letters are attached herewith marked as Annexure "C". Furthermore, a public notice was placed in the Provincial Gazette and the opportunity to submit comments commenced from 27 March 2024 until 30 April 2024. The public notice is attached herewith marked as Annexure "D".

Consequently, the public participation provisions were compiled, and the deadline for submitting comments has lapsed. Council is hereby apprised that no comments were received during the public participation process, thus submitting to Council to have the Property Rates By-law promulgated.

ANNEXURES:

- Annexure A – Property Rates By-law
- Annexure B – Public Participation Notice and Resolution
- Annexure C – Letters to Provincial stakeholders
- Annexure D – Government Gazette notice

COMMENTS:

FINANCIAL SERVICES

Supported.

CORPORATE SERVICES

Supported.

COMMUNITY SERVICES

Supported.

PUBLIC SAFETY AND ROADS

Supported.

DEVELOPMENT AND PLANNING

None received.

ENGINEERING SERVICES

None received.

**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 15 OCTOBER 2024**

Resolved To Recommend

That the Item be referred to the Section 80 Finance Services Portfolio Committee.

**COMMENTS: SECTION 80 FINANCE SERVICES PORTFOLIO COMMITTEE: 14
OCTOBER 2024**

That the recommendations are supported.

MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 9TH ORDINARY MEETING OF 2024 TO BE HELD ON THURSDAY,
31 OCTOBER 2024 AT 14:00 IN THE COUNCIL CHAMBERS

MIDVAAL LOCAL MUNICIPALITY

MINUTES OF THE 2ND ORDINARY MEETING OF 2024 HELD ON THURSDAY,
29 FEBRUARY 2024 AT 14:00 IN THE COUNCIL CHAMBERS

C 3271/02/2024
MC A/6275/02/2024

9.A.24 [FS]: PROPERTY RATES BY-LAW

1/1/1/8

COMPETENCY: COUNCIL

IT WAS UNANIMOUSLY RESOLVED:

1. That the draft Property Rates By-law, attached to the report as Annexure "A", be noted.
2. That the publication of the draft Property Rates By-law for public participation in terms of section 12(3) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) as amended and section 7 of the Rationalisation of Local Government Affairs Act, 1998 (Act No.10 of 1998), be approved.

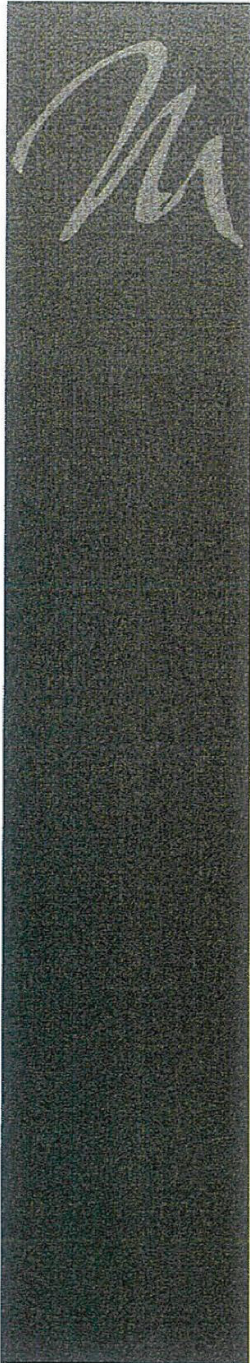
MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 9TH ORDINARY MEETING OF 2024 TO BE HELD ON THURSDAY,
31 OCTOBER 2024 AT 14:00 IN THE COUNCIL CHAMBERS

'A'

MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 2ND ORDINARY MEETING OF 2024 TO BE HELD ON THURSDAY,
29 FEBRUARY 2024 AT 14:00 IN THE COUNCIL CHAMBERS



PROPERTY RATES BY-LAWS

MIDVAAL LOCAL MUNICIPALITY



MIDVAAL LOCAL MUNICIPALITY

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MIDVAAL LOCAL MUNICIPALITY

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PROPERTY RATES BY-LAWS

By-law

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

Preamble

WHEREAS section 6(1) of the Local Government: Municipal Property Rates Act, 2004 (6 of 2004) as amended, requires a municipality to adopt By-laws to give effect to the implementation of its Rates Policy;

AND WHEREAS section 6(2) of the Local Government: Municipal Property Rates Act, 2004 (6 of 2004) as amended, provides that By-laws adopted in terms of section 6(1) may differentiate between distinct categories of properties; and distinct categories of owners of properties liable for the payment of rates.

BE IT THEREFORE ENACTED by the Council of the Midvaal Local Municipality, as follows: -

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MIDVAAL LOCAL MUNICIPALITY

RATES BY LAWS

1. Definitions

In this By-law any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) shall bear the same meaning and unless the context indicates otherwise –

“Act” means the Local Government: Municipal Property Rates Act, 2004 (6 of 2004) as amended;

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

“rate” or “rates” means a municipal rate on property as envisaged in section 229 of the Constitution of the Republic of South Africa.

2. Adoption and implementation of Property Rates Policy

(1) The Council shall adopt and implement a property rates policy consistent with the Act on the levying of rates on rateable properties within the jurisdiction of the municipality; and

(2) The Council shall not be entitled to levy rates other than in terms of its property rates policy.

3. Contents of Property Rates Policy

The Council's Property Rates policy shall, *inter alia*:

(1) Apply to all rates levied by the Council pursuant to the adoption of its Annual Budget;

(2) Comply with the requirements for:

(a) the adoption and contents of a property rates policy specified in section 3 of the Act;

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MIDVAAL LOCAL MUNICIPALITY

PROPERTY RATES BY LAWS

- (b) the process of community participation specified in section 4 of the Act;
and
- (c) the annual review of a Property Rates Policy specified in section 5 of the Act.
- (3) Specify any further principles, criteria and implementation measures consistent with the Act for the levying of rates which the Council may adopt; and
- (4) Include such further enforcement mechanisms, if any, as the Council may wish to impose.

4. Enforcement of Property Rates Policy

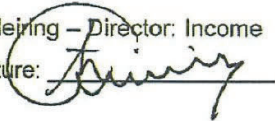
The Council's Property Rates Policy shall be enforced through the Credit Control and Debt Collection By-law and Policy and any further enforcement mechanisms stipulated in the Act.

5. Short title and commencement

This By-law is the Property Rates By-law and takes effect on its date of promulgation in the *provincial gazette*.

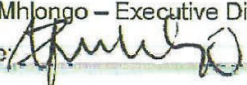
Approved and Signed by:

1. Arie Meiring – Director: Income

Signature: 

Date: 19/1/2024

2. Zakhele Mhlongo – Executive Director: Financial Services

Signature: 

Date: 22/01/24



PUBLIC NOTICE

27 March 2024

THE PROPERTY RATES DRAFT BY-LAW

GENERAL ENQUIRIES - 087 106 2471
EMERGENCY LINE - 016 360 7500
complaints@midvaal.gov.za

Dear Midvaal residents,

Please be advised that in accordance with Section 12(3), read with Section 21 of the Municipal Systems Act (Act 32 of 2000) and Section 7 of the Rationalisation of Local Government Affairs Act (Act 10 of 1998), the Midvaal Local Municipality is inviting all interested parties to review and comment on the Property Rates draft By-law, as required by the legislation above.

The Property Rates draft By-law document will be available for review from 27 March 2024 until 30 April 2024. The document will be accessible at all clinics, libraries, and satellite offices across the Municipal area of jurisdiction and on the Midvaal website.

The By-law seeks to give effect to section 6(1) of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), as amended, which requires that a municipality must adopt By-laws to give effect to the implementation of its Rates Policy and section 6(2) which directs that such Policy may differentiate between distinct categories of properties and owners liable for payment of the rates.

If you wish to provide any feedback or representation on the Property Rates draft By-law document, please submit it in writing no later than 30 April 2024 to Legal Services: Corporate Support Services at the Midvaal Municipal Offices, Civic Centre, located at 25 Mitchell Street, Meyerton, during regular office hours between 07:30 to 13:00 and 13:30 to 16:00, Monday to Friday. You can also provide your comments via email at sibulelemh@midvaal.gov.za.

For further information, please contact Sibulele Mhlawuli at 016 360 7605. Yours in service excellence,

Original Signed by Municipal
Manager

MR. ANTON GROENEWALD
MUNICIPAL MANAGER

MN3716/24
13 MARCH 2024

YOURS IN EXCELLENCE.



MY MIDVAAL APP

Available on the
Google Play App Store



MIDVAAL LOCAL MUNICIPALITY

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 9TH ORDINARY MEETING OF 2024 TO BE HELD ON THURSDAY,
31 OCTOBER 2024 AT 14:00 IN THE COUNCIL CHAMBERS**

"C"

 MIDVAAL LOCAL MUNICIPALITY	Midvaal Local Municipality PO Box 9, Meyerton, 1960 Tel: 016 360 7400 Fax: 016 360 7519 www.midvaal.gov.za		

DATE:	03 JULY 2024		
FROM: (Name)	Mr. Sibulele Mhlawuli	Department	Corporate Services
Contact number.	(016) 360 7605		
TO: (Name) Contact Number	Mr. Jacob Mamabolo Ms. Ncumisa Mnyani 011 227 9270 011 241 0854		
FULL PHYSICAL DELIVERY ADDRESS.	Gauteng Treasury 75 Fox Street Imbumba House Marshalltown Johannesburg 2107		

DESCRIPTION OF DOCUMENT/ITEM BEING DELIVERED:

**RE: INVITATION TO COMMENT ON MIDVAAL LOCAL MUNICIPALITY'S
FINANCE BY-LAWS**

NAME	RECEIPT	SIGNATURE	TIME	DATE
Nkhama	Assistant P.A.	Nkhama	11:18	04/07/24

Delivered by: Joseph

Date: 04/07/24

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 MIDVAAL LOCAL MUNICIPALITY	Midvaal Local Municipality PO Box 9, Meyerton, 1960 Tel: 016 360 7400 Fax: 016 360 7519 www.midvaal.gov.za		

DATE:	03 JULY 2024		
FROM: (Name)	Mr. Sibulele Mhlawuli	Department:	Corporate Services
Contact number.	(016) 360 7605		
TO: (Name) Contact Number	Dr. Duncan Pieterse Ms. Malijeng Ngqaleni 012 315 5904 012 315 6557		
FULL PHYSICAL DELIVERY ADDRESS.	National Treasury 40 Church Square Old Reserve Bank Building 2 nd Floor, Pretoria 0002		

DESCRIPTION OF DOCUMENT/ITEM BEING DELIVERED:

**RE: INVITATION TO COMMENT ON MIDVAAL LOCAL MUNICIPALITY'S
FINANCE BY-LAWS**

NAME	RECEIPT	SIGNATURE	TIME	DATE
	Patricia	P. Nkomo	13:45	04.07.24

Delivered by:

Joseph

Date:

04/07/2024

"D"

PROVINSIALE KOERANT, 27 MAART 2024

No. 106 167

LOCAL AUTHORITY NOTICE 428 OF 2024

PUBLIC NOTICE

27 March 2024

THE PROPERTY RATES DRAFT BY-LAW



GENERAL ENQUIRIES - 087 106 2471
EMERGENCY LINE - 016 360 7500
complaints@midvaal.gov.za

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For further information, please contact Sibulele Mhlawuli at 016 360 7605. Yours in service excellence,

Original signed by Municipal Manager

MR. ANTON GROENEWALD
MUNICIPAL MANAGER

MN3716/24
13 MARCH 2024

YOURS IN EXCELLENCE.



MIDVAAL LOCAL MUNICIPALITY