



BELA BELA LOCAL MUNICIPALITY

PROPERTY RATES BY-LAW

1. PREAMBLE

- (1) Section 229(1) of the Constitution authorises a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the municipality.
- (2) In terms of section 3 of the Property Rates Act, a municipal council must adopt a policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipal area.
- (3) In terms of section 6(1) of the Property Rates Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.
- (4) In terms of section 6(2) of the Property Rates Act, by laws adopted in terms of section 6(2) may differentiate between different categories of properties; and different categories of owners of properties liable for the payment of rates

2. INTERPRETATION

In this By-Law, unless the context otherwise indicates -

“Rates Policy” means rates policy adopted by Bela Bela Local Municipality in terms of this by-law;

“Constitution” means the Constitution of the Republic of South Africa;

“Credit Control and Debt Collection By-Law Policy” means the Credit Control and Debt collection policy of Bela Bela Local Municipality;

“Municipality” means Bela Bela Local Municipality;

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

“Rate” or “Rates” means a municipal rate on property as envisaged in section 229 of the Constitution.

3. ADOPTION AND IMPLEMENTATION OF THE RATES POLICY

- a. Bela Bela Local Municipality shall adopt and implement a rates policy consistent with the Property Rates Act on the levying of rates on rateable property in the municipality.
- b. Bela Bela local Municipality shall not be entitled to levy rates other than in terms of a valid rates policy on behalf of the municipality.

4. CONTENTS OF THE RATES POLICY

Bela Bela Local Municipality's rates policy shall, inter alia:

- a. Apply to all rates levied by the Municipality pursuant to the adoption of the Municipalities annual budget ;
- b. Comply with the requirements for :-
 - i. The adoption and the contents of a rates policy specified in section 3 of the Property Rates Act.
 - ii. The process of community participation specified in section 4 of the Property Rates Act.
 - iii. The annual review of a rates policy specified in section 5 of the Property Rates Act
- c. Specify any further principles , criteria and implementation measures consistent with the Property Rates Act for the levying of rates which the municipality may wish to adopt ;
- d. Include such further enforcement mechanisms, if any, as Bela Bela Local Municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection Policy.

5. ENFORCEMENT OF RATES POLICY

Bela Bela Local Municipality's rates policy shall be enforced through the Credit Control and Debt Collection policy and any further enforcement mechanisms stipulated in Bela Bela Local Municipality's Rates Policy.

6. OPERATIVE DATE

This by-law shall take effect on the date of publication.