

EXPLANATORY NOTE:

Words ~~struck through~~ indicate proposed **deletions** from existing by-laws.

Words underlined with a solid line indicate proposed **insertions** in existing by-laws

BY-LAWS RELATING TO ~~NUMBERING OF BUILDINGS~~ DISPLAY OF PROPERTY NUMBERS AND NAMES

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CHAPTER 1 INTERPRETATION

1. Definitions

- (1) In these by-laws, unless the context otherwise indicates -

"building" means, in addition to its ordinary grammatical meaning, any portion of a building which has a street entrance and is not interleading with any other portion of the building, having a separate pedestrian street entrance and forming a self-contained unit for purposes of its intended use, whether or not a registered sectional title scheme in respect of the building exists;

~~"Council" means the municipal council of the Mangaung Local Municipality in which the executive and legislative authority of the municipality is vested, and which is the decision making body of the municipality, and its delegates;~~

"Council" means the Council of the Mangaung Metropolitan Municipality or any political structure, political office bearer, councillor or any staff member acting under council's delegated or sub-delegated power;

"display" means as a verb, to affix surely to, or unless otherwise authorised by the General Manager Municipality in terms of section 2, to paint on a building, boundary wall, gate or other place authorised by the General Manager Municipality in such a manner as to be clearly visible from the street bordered by such building, boundary wall, gate or other authorised place, and has a corresponding meaning as a noun;

"flat building" means a building in which several residential apartments are situated and such buildings usually consists of more than one level and for purposes of these by-laws may also refer to any sectional title complex;

~~"General Manager" means the General Manager Planning of the Council or a person acting on the authority of that person;~~

"metal" means, any plastic material or any other durable material ~~approved by the General Manager~~ determined by the Municipality;

~~"municipality" means the Mangaung Local Municipality,~~

~~and when referred to as—~~

(a) ~~an entity, means Mangaung Local~~ Municipality as described in section 2 of the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000);
and

(b) ~~a geographic area, means the municipal area of Mangaung Local~~ Municipality as determined in terms of the Local Government : Municipal Demarcation Act, 1998 (Act No 27 of 1998);

"Municipality/City" means Mangaung Metropolitan Municipality established by the Provincial Notice No. 261 of 28 March 2011, issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

"occupier" means, a person who actually occupies a property or any part thereof, irrespective of the title by virtue of which he occupies it and, in the case of a property which have been subdivided and are being let to various lodgers or various tenants, the person or persons entitled to the rental and, if the property form part of a scheme as referred to in the Sectional Titles Act, 1986 (Act No 95 of 1986), the body corporate referred to in that act shall be deemed to be the occupier of the property;

"property" means any land, building including flat building, room or structure, regardless of whether anything has been erected thereon.

- (2) In these by-laws, unless the context otherwise indicates, words and expressions denoting the singular shall include the plural and vice versa, words and expressions denoting the male sex shall include the female sex and vice versa and reference to a natural person shall include a legal person and vice versa.

CHAPTER 2 ALLOCATION OF NUMBERS AND NAMES

2. Allocation of ~~street~~ Property Numbers

- (1) ~~Street~~ Property numbers are allocated or reallocated from time to time by the ~~Council Municipality~~ to properties within the area of jurisdiction of the Municipality.
- (2) After service on him/her of a notice in writing by the ~~General Manager~~ Municipality requiring him to do so, the owner or occupier of any such property shall, within the time specified in such notice, display on such property the number allocated or reallocated thereto, in terms of this or any previous by-law by means of a metal number or metal plate bearing such number, or by means of paint if so authorised by the ~~General Manager~~ Municipality: Provided that such number or plate shall be affixed in the position indicated in such notice or, if no such position is so indicated, then in a position where it is legible from the street on which such property fronts, and its dimensions shall not be less than the minimum specified in section 5: Provided further that the ~~General Manager~~ Municipality may prescribe the colour and finish of the digits or the type of paint that may be used, in such notice.
- (3) The provisions of subsection (2) shall apply, mutatis mutandis, to any property where such number or plate has become detached, illegible, obliterated or defaced, or does not meet the provisions of section 5, or is for any reason no longer legible from the street on which such property fronts.

3. Allocation and Display of Names on Flat Buildings

- (1) After service on the owner of a notice in writing by the ~~General Manager~~ Municipality requiring him/her to do so, the owner of any flat building shall, within the time specified in such notice, display, by means of a metal sign on such building, the name that has been assigned to it, or by means of paint if so authorised by the General Manager: Provided that such sign shall be affixed in the position indicated in such notice or, if no such position is indicated, then in a position where it is legible from the street on which such building fronts and its dimensions shall not be less than the minimum specified in section 5: Provided further that the ~~General Manager~~ Municipality may prescribe the colour and finish of the letters or the type of paint that may be used in connection with such name in such notice.
- (2) The provisions of section 3 shall apply, mutatis mutandis, to any flat building where such sign has become detached, illegible, obliterated or defaced, or does not meet the

provisions of section 5, or is for any reason no longer legible from the street on which such flat building fronts.

4. Allocation of Numbers and Letters to Flat Buildings

- (1) After service on the owner of a notice in writing by the ~~General Manager~~ Municipality requiring him/her to do so, subject to the provisions of section 2, the owner of any flat building shall, within the time specified in such notice –
 - (a) affix a metal number, or a metal plate, bearing a number, over the entrance to each separate flat;
 - (b) where there is more than one block of flats, or more than one main entrance to each block, affix at each main entrance to each block a metal letter or metal plate bearing a letter in either case of dimensions not less than the minimum specified in section 5;
 - (c) provide and maintain continuously in efficient working order, means of illumination, by which the sign referred to in section 3 and the metal letter or plates referred to in subsection (1) (b) hereof are made legible during the hours of darkness.
- (2) The numbers referred to in subsection (1)(a) shall run from 1 upwards on the ground floor, from 101 upwards on the first floor, and so on.
- (3) The letters referred to in subsection (1)(b) shall run from A onwards and each block or main entrance shall be assigned a different letter.
- (4) The provisions of subsection (1) shall apply, mutatis mutandis, in respect of any metal number, metal plate or metal letter that has become detached, or is for any reason no longer legible.

5. Minimum Dimensions of Numbers and Letters

- (1) The minimum height of every number and letter with regard to a property within the municipality is, in respect of -
 - (a) flat buildings, office- or business buildings and shopping centres, 150 millimeter, and
 - (b) any other property, 75 millimeter:

Provided that the distance between the lines which represent the actual number or letter should not be less than 10 millimeter.

CHAPTER 3 MISCELLANEOUS

6. Offences and Penalties

- (1) A person contravening or failing to comply with any of the provisions of these by-laws shall be guilty of an offence and shall upon conviction by a court be liable to a fine not exceeding R 60 000, or imprisonment for a period not exceeding three years or both a fine as well as period of imprisonment, or such other fine or period of imprisonment which the Minister of Justice may from time to time determine in terms of the provisions of section 92 of the Magistrate's Courts Act, 1944 (Act No 32 of 1944), as amended.
- (2) Any expense incurred by the Council Municipality as a result of a contravention of these by-laws or in the doing of anything which a person was directed to do under these by-laws and which he or she failed to do, may be recovered by the Council Municipality from the person who committed the contravention or who failed to do such thing.

7. **Repeal Amendment**

- ~~(1) The Regulations in respect of the Numbering and re-numbering of Buildings and Places, and the Assignment of Names to and the Display thereof on Flat Buildings of the former Municipal Council of Bloemfontein, promulgated under Administrator's Notice No 140 of September 4, 1992, as amended, are hereby amended.~~

The by-laws relating to the Numbering of Buildings, as promulgated in the Local Government Notice No. 113 of 28 October 2005, are hereby amended.

8. **Short title and Commencement**

This by-law is now called the **Mangaung, Display of Property Numbers and Names By-law** and the amendments effected come into operation on the date of publication in the *Provincial Gazette*.