

Air Quality By-Law

**EDEN DISTRICT MUNICIPALITY AIR QUALITY BY- LAW
OFFENSES AND PENALTIES (PG 7043 dated 12 October 2012)**

Section Contravened	Description of Offense	Proposes Fine (1)	Approved Fine (2)
DUTY OF CARE			
8(1) r.w.23	Every person who is wholly or partially responsible for causing air pollution or creation a risk of air pollution occurring.	R2000	R2000
8(2) r.w.23	Failing to take measures to prevent and/or mitigate air pollution and/or failing to comply with a directive	R2000	R2000
8(4).r.w.23	Failing to pay recovery of cost by the municipality	R2000	R2000
8(5)(a) r.w.23	Unlawfully and intentionally or negligently commit any act or omission which causes or is likely to cause air pollution	R2000	R2000
8(5)(b), r.w. 23	Refuse to comply with a directive.	R2000	R2000
LOCAL EMISSIONS STANDARDS, NORMS AND STANDARDS			
11(3) r.w.23	Any person who is emitting sunstances or mixtures of substances exceeding the emission standards published in terms of this By - law	R2500	R2500
CONTROLLED EMITTERS			
14(1) r.w.23	The installation, altering, extension or replacement of any fuel - burning equipment of a Controlled Emitter without the prior written authorization of Council	R2500	Sect14 not in operation A.G not determined
14(6) r.w.15(3) r.w.23	Failing to remove fuel - burning equipment from the premises at the expense of the owner and operator and within the period stated in a notice	R2500	Sect14 not in operation A.G not determined
15(1) r.w.14 r.w.23	The use or operation of any fuel - burning equipment of Controlled Emitters on any premises contrary to the authorisation	R2500	Sect14 not in operation A.G not determined
MONITORING AND SAMPLING			
16(1) r.w.23	Refusal or failing to install emission measuring equipment and or to do emissions monitoring if and when required by an authorized person	R2500	R2500
16(1)(a) r.w.23	Failing to record all monitoring and sampling results and maintain a copy of this record for at least four years after obtaining results	R500	R500
16(1)(b) r.w.23	Failing to produce the record of the monitoring and sampling results for inspection	R500	R500
16(1)© r.w.23	Failing to provide a written report, in a form and by a date specified by the authorised person, of part or all of the information in the record of the monitoring and sampling results	R500	R500
DUST EMISSIONS			
17(1) r.w. 23	Any person conducting listed activities or controlled emitters that refuse to take control measures to prevent or minimize dust emissions into the atmosphere	R2500	R2500
17(2)(i-vii) r.w.23	Refusing or failing to implement the control measures to minimize or control dust emissions from Controlled Emitters and Listed Activities	R2500	R2500
OFFENSIVE ODOURS			

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18(1) r.w.23	Conducting a listed activity and or Controlled Emitter or part of Listed Activity and Controlled Emitter which cause an offensive odour	R2500	R2500
18(2) r.w.2	Refusing or failing to implement control measures to minimize or control offensive odours from Controlled Emitters and Listed Activities or part of Listed Activities and Controlled Emitters	R2500	R2500
18(3) r.w.23	Failing to implement necessary mechanisms such as monitoring or any other activity determined by the authorized person to identify the substance(s) causing the offensive odour	R2500	R2500
18(4) r.w.23	Failing or refusing to implement necessary offensive odour control measures and any alternative control measure approved by the air quality officer or his or her delegated representative	R2500	R2500
ABATEMENT NOTICE			
19(1) r.w.23	Failing to adhere to the conditions set in the abatement notice	R2500	R2500
19(1)(a) r.w.23	Failing to abate the offensive odour within the required time frame	R2500	R2500
19(1)(b) r.w.23	Failing to take all necessary steps to prevent a recurrence of the offensive odour	R2500	R2500
19(1)© r.w.23	Failing to comply with any other conditions contained in the notice	R2500	R2500
LICENSING OF LISTED ACTIVITIES			
21(1), r.w.(4), r.w.23	Undertaking a Listed Activity, as published in terms of section 21 of the Air Quality Act, without being in possession of an Atmospheric Emission License	R2500	R2500

I hereby certify that the admission of guilt fines list in the above table as submitted by the Eden District Municipality have been approved by me in terms of Section 57(5)(a) and 341(5) of the Criminal Procedure Act, 51 of 1977, for the Magistral Districts of George, Oudtshoorn, Mossel Bay, Riversdal, Knysna, Heidelberg, Calitzdorp, Ladismith, Plettenberg Bay.

The determination replaces any previous determination for the said Magistral District.

**EDEN DISTRICT MUNICIPALITY HEALTH BY- LAW
OFFENSES AND FINES**

Section Contravened	Description of Offense	Approved Fine
HEALTH NUISANCES		
4(1)(a)	Creating a health nuisance	R300
4(1)(b)	Performing any act which might cause a health nuisance	R300
4(1)(c.)	Organising or permitting an activity, event or function creating a health nuisance	R 300
4(1)(d)(i)	Permitting unauthorised handling or use of any material in a public place, which might cause a health nuisance	R 300
4(1)(d)(ii)	Introducing or handling any liquid or solid substance in a public place, which might cause a health nuisance	R300
4(1)(e)	Carrying, conveying or causing or permitting to be carried or conveyed any objectionable material, liquid or solids that are not covered with suitable material to prevent the creation of a health nuisance	R 300
4(1)(f)	Directly, indirectly or negligently allowing a health nuisance to be created or continued	R 300
5(1)(a)	Failure by an owner, occupier or user of land to: (i) ensure that a municipal health nuisance does not exist or occur on his/her land (ii) eliminate the health nuisance within 24 hours of becoming aware of the existence or if he or she is unable to eliminate the nuisance, failure to: (aa) take steps to reduce the risk to municipal health (bb) report the existence of health nuisance to the municipality	R 300
5(1)(b)	Failure by an owner, occupier or user of land to, for the purposes of eliminating or reducing the quantity of: (i) flies, use fly-traps or any other approved method to ensure optimum performance (ii) mosquitoes - (aa) drain accumulated water at least once every 7 days (bb) cover accumulated water with oil (cc) provide a mosquito-proof cover and pump for a well (dd) fit tanks, barrels and similar containers with mosquito-proof covers or mosquito wire gauze (ee) regularly clean blocked or sagging gutters and downpipes (iii) vermin, use mouse traps or vermin poison	R 300
5(2)	Failing to ensure that every well, hole, etc. is not filled in a way that may cause other sources to be polluted or contaminated to create a health nuisance	R 300
5(3)	Failing to place all waste in refuse receptacles and to be disposed of in a manner contemplated in section 23	R 500
KEEPING OF ANIMALS		
7(1)	Keeping of animals, birds, etc. on any premises in a manner that constitutes a health nuisance	R 300
8(1)	Failure by an owner, user or occupier of land to dispose of the carcass of an animal, bird, etc. which died on such land within 24 hours of its death	R 500
8(2)	Failure of an owner, user or occupier of land to dispose of the carcass of marine fauna that washed up on land within 24 hours of the discovery thereof	R 500
8(4)(a)	Failing to dispose of a carcass by: (a) having it removed by a registered animal organization or person authorised to do so; (b) burying it at a facility approved by the Municipality © having the carcass of an animal that died of a disease, removed by a registered animal organization	R 500
8(5)	Conveying the carcass of an animal, bird, etc.,... through a street or in a manner that creates a municipal health nuisance	R 500
9	Keeping animals, birds, etc. in close proximity to any building or facility in a condition that may be injurious or dangerous to the health of the occupants of neighbouring buildings or facilities	R 500
ANIMAL ESTABLISHMENTS		
10(1)	Failure by an owner or operator of a dog kennel or cattery to: (a) discharge waste and storm water into a sewerage or other approved system (b) store food in a rodent free receptacle with close fitting lids (c) provide isolation facilities, made of durable material, for sick dogs and cats (d) store animal waste in solid containers with tight fitting lids and failing to remove and dispose it on a daily basis (e) clean enclosures on a daily basis and keep it in a hygienic condition	R 500
10(2)	Operating a dog kennel or cattery in any building, structure or enclosure which has direct access to, or has a door, window or other opening to any existing habitable room or any existing room where food is stored, processed or sold	R 500
11(1)(a)(i)	Failure to use cages made of non corrosive material fitted with duplicate impervious movable trays tubular fittings that are closed at the end	R 500
11(1)(a)(ii)	Using cages where the bottoms thereof are less than 450mm above the floor or yard level	R 500
11(1)(b)	Failing to store animal bedding in a space which is not rodent-proof	R 500
11(1)(c.)	Failing to store perishable food for animal in a refrigerator which can maintain a temperature not exceeding 7°C	R 500

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11(1)(d)	Failing to provide toilet facilities and a wash basin with running water for employees	R 500
11(1)(e)	Covering more than 70% of the floor area with cages or goods incidental to the business	R 500
11(1)(f)	Failing to store animal and bird waste in solid containers with tight fitting lids and failing to remove and dispose it on a daily basis	R 500
11(1)(g)	Failing to clean cages and enclosures on a daily basis and keep it in a hygienic condition	R 500
11(2)	Operating a pet shop or pet parlour in any building, structure or enclosure which has direct access to, or has a door, window or other opening within 4 metres of any door, window or other opening to any existing habitable room or any existing room where food is stored, processed or sold	R 500

**EDEN DISTRICT MUNICIPALITY HEALTH BY- LAW
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ACCOMODATION ESTABLISHMENTS		
14	Failing to ensure that premises, household facilities, eating utensils, linen and bedding is kept in a clean and hygienic condition	R 500
SWIMMING POOLS AND WATER RELATED RECREATIONAL FACILITIES		
17(1)(a)	Failing to keep premises in a safe and clean condition	R 500
17(1)(b)	Failing to ensure that water is at all times purified, treated and maintained to set standards	R 500
18(1)	Failing to use water from an approved source to fill, clean or maintain the water level of a swimming pool	R 500
19(1)(a)	Failing to keep water free from flowing, suspended or settled debris. Etc.	R 500
19(1)(b)	Failing to keep walls, floors, access ladders, steps, etc. free from slime or algae	R 500
19(1)(c)	Allowing Total Plate Count bacteria to exceed 100 organisms per ml of water	R 500
19(1)(d)	Allowing faecal coliform bacteria to be present in any test of 100 ml of water	R500
19(1)(e)	Allowing free chlorine residual to be less than 1mg/liter	R500
BARBERS, HAIRDRESSERS, BEAUTICIANS, BODY PEIRCERS AND TATTOOISTS		
21(1)	Using the premises of a salon for a purpose other than for the carrying on of the business of barber, hairdresser, etc.	R 500
21(2)(a)	Failing to keep a first aid kit on the premises	R 300
21(2)(b)	Failing to have an appliance to sterilize or disinfect an instrument that have come in contact with human skin, hair, blood, etc.	R 500
21(2)(c.)	Failing to use only professional tattoo and body piercing machines designed to prevent contamination of needle sets and failing to store needles in single, service, sealed autoclaved bags which must be opened in the presence of the client	R 500
21(2)(d)	Failing to ensure that all clip cords and spray bottles have triggers and grasp areas, which grasp areas must be protected and disposed after use on each client	R 300
21(2)(e)	Failing to disinfect any blade, razor, etc. by applying a suitable disinfectant after each use	R 300
21(2)(f)	Failing to wear disposable latex or nitrile examination gloves for the duration of the procedure	R 300
21(2)(g)	Failing to disinfect his or her hands before and after rendering any service	R 300
21(2)(h)	Failing to directly after treatment, clean and disinfect a surface that has been contaminated by body fluids	R 300
21(2)(i)	Failing to dispose of any gloves or other disposable materail after each use	R 300
21(2)(j)	Failing to wash, with disinfectantall clothing and surfaces	R 300
21(2)(k)	Not disposing all waste water, sharp instruments, bloodied and or contaminated disposable towels and paper in an approved manner	R 300
21(2)(l)	Failing to store sharp instruments in a separate container	R 300
21(2)(m)	Failing to after each use, wash and clean all plastic and cloth towels	R 300
21(2)(n)	Failing to keep premises, tools, etc.in a hygienic condition at all times	R 300
21(2)(o)	Failing to dispose of waste such as hair, clippings, etc. in accordance with section 27.	R 300
21(2)(p)	Allowing animals, excluding a guide dog accompanying a blind person to enter the premises	R 300
21(2)(q)	Failing to provide employees with protective clothing, not training any workers and not ensuring that employees comply with the provisions of the by-law	R 300

**EDEN DISTRICT MUNICIPALITY HEALTH BY- LAW
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WASTE MANAGEMENT		
23(1)(a)	Storing, recovering and disposing waste in a manner that might endanger human health	R 1,000
23(1)(b)	Storing, recovering and disposing waste without using processes or methods which may prevent harm to human health	R 1,000
23(1)(c.)	Storing, recovering and disposing waste in a manner that might create a health nuisance	R 1,000
25(1)(a)	Storing empty containers in which hazardous waste was stored in a manner that might - (i)pollute the environment or cause harm to human health (ii)create a health nuisance	R 1000 R 1000
25(1)(b)	Failing to mark a container in which hazardous waste was stored with the date on which the container is stored	R 1,000
25(1)(c.)	Failing to mark a container in which hazardous waste was stored, while stored on site, with the words "Hazardous Waste".	R 1,000
25(1)(d)	Failing to fence off a storage area for containers in which hazardous waste was stored to prevent unauthorised access	R 1,000
27(1)	Failing by a generator, transporter or disposer of health care waste to sort, pack contain, handle, store, transport and dispose health care waste in accordance with this part.	R 2,500
27(2)	Allowing the sorting, packing, handling of health care waste to cause a health nuisance or safety hazard to any handler thereof or any other person or the environment in general	R 2,500
27(4)	Failing to inform the responsible authority by written notice in the prescribed format of the intention to engage in an activity which may cause health care waste to be generated prior to the generation of such health care waste	R 1,500
27(6)	Failing to dispose, store, transport, process or take appropriate measures as required by written notice by the municipality	R 2,000
27(7)	Failing to notify the municipality in writing of any changes occurring in respect of any of the matters stipulated in the notice given to the municipality regarding the intention to generate health care waste as contemplated in section 27(4).	R 2,000
27(8)	Failing to notify the municipality within 6 months of the commencement of this by-law of health care waste that are generated as a result of activities which commenced prior to the commencement of this by-law	R 2,000
27(9)	Failing to provide periodic training on proper health care waste handling to all employees.	R 1,500
28(1)	Failing to keep and store health care waste generated on the premises, until it is collected from the premises.	R 1,500
28(2)(a)	Failing to store perishable health care waste at a temperature not exceeding 4°C.	R 2,500
28(2)(b)	Failing to keep a health care waste storage area - (i) vermin-proof, insect-proof and rodent-proof (ii) in a manner that it does not have an easily cleanable floor and wall finish (iii) totally enclosed (iv) in a manner that it does not have adequate ventilation and lighting (v) locked	R 2500
28(2)(c.)	Failing to store health care waste in a health care waste storage area until it is loaded or removed for final disposal	R 2,500
28(2)(d)	Failing to clean on - site spills immediately	R 2,500
28(2)(e)	Failing to disinfect and clean interior surfaces of storage areas on a daily basis	R 1,500
28(3)	Failing to make provision for unrefrigerated health care waste to be removed on weekends and public holidays	R 1,500
28(4)(a)-(d)	Failing to have health care waste sterilized by a service provider prior to final disposal at a municipality disposal facility by autoclave, microwave, chemical treatment or incineration	R 2,500
28(6)(a)	Failing to put health care waste which has not been sterilized and which are rendered non - infectious in a red heavy duty plastic bag at the point of generation or at disposal site designated for health care waste.	R 2,500
28(6)(b)	Failing to put health care waste which has been sterilized by autoclave, microwave, chemical or other non-burning method in a yellow heavy duty plastic bag.	R 1,000
28(6)(c.)	Failing to discard cytotoxic or genotoxic pharmaceutical health care waste and associated contaminated materials in a container which is labeled cytotoxic waste or genotoxic waste.	R 2,500
28(6)(d)	Failing to place sharp objects into a rigid, sealed, plastic container which is labeled cytotoxic sharps and not making provision for the safe discarding of the longest Trocar needle.	R 2,500
28(7)	Failing to adhere to the requirements for colour coded containers when health care waste is moved or transported	R 2,000
29(1)	Transport of health care waste by transporters who are not approved health care waste transporters.	R 2,500
29(2)(a)	Failing to comply with the requirements set for loading compartments of vehicles used for the transport of health care waste.	R 2,500
29(2)(b)	Failing to man a transport vehicle with employees who are adequately trained in the effective use of the Spillkits and clean -up procedure.	R 2,500
29(2)(c.)	Failing to clean every loading compartment on a daily basis with disinfectants and chemicals	R 1,000
29(3)	Failure by a licensee to collect and dispose of health care waste to inform the municipality at those intervals stipulated by the municipality about: (a) the removal of health care waste (b) the date of removal and the quantity (c) the composition of the health care waste (d) the facility at which the health care waste has been disposed.	R 2 500
30(1)	Disposal of health care waste at a site other than an approved site	R 2,500

**EDEN DISTRICT MUNICIPALITY HEALTH BY- LAW
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WATER & SANITATION		
32(1)(a)	Failing to keep water passages open and free of obstruction so as to prevent the creation of a health nuisance	R 300
32(1)(b)	Failing to construct a bund wall around a tank that contain a substance that can create a health nuisance, of a size that contains the volume of the largest tank in the event of any unlawful or accidental discharge from the tank or tanks.	R 300
32(1)(c.)	Failing to clean any industrial surface area so as to prevent the pollution of storm water which may result in adverse impacts on the quality of any surface and ground water.	R 500
32(2)(a)	Locating a disposal site within the one hundred year flood line of any water resource	R 500
32(2)(b)	Creating a municipal health nuisance by using coal, coal discard, etc. to construct a slurry, evaporation or catchments dam.	R 500
DISPOSAL OF CORPSES AND DISTURBANCE OF MORTAL REMAINS		
33(1)(a)	Interring a corpse in such a manner that it constitutes a municipal health nuisance in that the lid of the coffin or the top coffin is less than 1500mm in depth.	R 1,000
34(1)(a)	Disturbing a corpse or mortal remains without an environmental health practitioner being present.	R 1,000
34(1)(b)	Re-open a grave without the Environmental Health Practitioner being present.	R 1,000
34(1)(c.)	Removing a corpse from a grave without an Environmental Health Practitioner present.	R 1,000
34(1)(d)	Exhuming a corpse while cemetery is open for the public	R 1,000
34(2)	Re-opening a grave for the purpose of interring a second corpse without the approval of the municipality	R 1,000
ENFORCEMENT		
36(3)	Failing to comply with the notice of compliance in terms of section 36(1)	R 300
36(4)(e)	Failing to comply with a notice of compliance in terms of section 36(4)(e)	R 300
FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 54 OF 1972 OFFENCES AND FINES		
2(1)	<p>(a) Selling, manufacturing or importing any foodstuff, cosmetics or disinfectant -</p> <p>(i) which contains or has been treated with a prohibited substance</p> <p>(ii) which contains a particular substance in a greater measure than that permitted by regulation or has been treated with a substance containing a particular substance in a greater measure than that permitted by regulation</p> <p>(iii) which does not comply with any standard of composition, strength, purity or quality prescribed by regulation for or in respect of it or any standard so prescribed for or in respect of any of its attributes</p> <p>(iv) the sale of which is prohibited by regulation</p> <p>(b) Selling, manufacturing or importing any foodstuff, cosmetics or disinfectants -</p> <p>(i) which is contaminated, impure or decayed, or is, or is in terms of any regulation deemed to be, harmful or injurious to human health, or</p> <p>(ii) which contains or has been treated with a contaminated, impure or decayed substance or a substance which is, or is in terms of any regulation deemed to be harmful or injurious to human health</p> <p>(c) Selling, manufacturing or importing any foodstuff, cosmetic or disinfectant -</p> <p>(i) which contains or has been treated with a substance not present in any such foodstuff when it is in a normal, pure and sound condition; or</p> <p>(ii) to which any substance has been added so as to increase the mass volume of such foodstuff with the object to deceive;or</p> <p>(iii) from which any substance or ingredient has been abstracted, removed or omitted with the result that its nutritive value or other properties, in comparison with those of such a foodstuff in a normal, pure and sound condition, are diminished or otherwise detrimentally affectant;or</p> <p>(iv) which has been treated in such manner that its damaged or unsound condition or inferior quality is concealed whether entirely or partly</p>	<p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p> <p>R200</p>
MICROBIOLOGICAL, STANDARDS FOR FOODSTUFFS AND RELATED MATTERS REGULATIONS (GN R692 IN GG 17993 of 16 May 1997)		

**EDEN DISTRICT MUNICIPALITY HEALTH BY- LAW
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Reg 6(2)	In the case of cooked sea-water and freshwater foods such as prawns, shrimps, crayfish, lobsters, crab meat, oysters, mussels, clams, eels or fish - (a) a histamine content of more than 10 mg per 100 grams of the foodstuff, when tested according to AOAC (Association of Official Analytical Chemists) method 977.13(1990), shall indicate decomposition of the foodstuff, and more than 20 mg per 100 grams shall render the foodstuff unsafe for human consumption; (b) no antibiotics shall be present (c) no organisms of the genera Salmonella and Shigella and no species of Escherichia coli Type 1, Vibrio cholerae and V.parahaemolyticus shall be present in 20 grams; (d) no coagulase - positive Staphylococcus aureus shall be present in 20 grams; (e) the number of coliform organisms other than Escherichia coli Type 1 shall not exceed 1 000 per 100 gram; and (f) the total colony count of organisms shall not exceed 100 000 per gram when such a foodstuff is tested by the pour-plate method on plate-count agar at 30°C for 72 hours.	R200 R200 R200 R200 R200
Reg 7	No person shall sell cooked poultry - (a) which contains the following: (i) Antibiotics and other antimicrobial substances in amounts that exceed the maximum levels determined in the regulations governing maximum limits for veterinary medicine and stock remedy residues that may be present in foodstuff, published by Government Notice R1809 of 3 July 1992; (ii) organisms of the genera Salmonella, Shigella and Escherichia in 20 grams; (iii) Staphylococcus aureus in 20 grams; (iv) Clostridium perfringens in 20 grams; and (b) of which the total colony count of organisms exceeds 10 000 per gram when such foodstuff is tested by the pourplate method on plate-count agar at 30°C for 72 hours.	R200 R200 R200 R200 R200
Reg 2	No person shall sell any foodstuff to which any colourant has been applied or added, except in so far as provided for as follows: (a) Only the colourants listed in Annex 1 may be used as colourants in foodstuff. (b) Colourants may be used only in the foodstuff listed in Annex III, IV, and V and subject to the conditions specified therein. (c) Colourants shall not be used in foodstuff listed in Annex II, except where expressly permitted in Annex III, IV, or V. (d) Colourants permitted for certain uses only are listed in Annex IV. (e) Colourants permitted in general in foodstuffs and their Conditions of use are specific in Annex V. (f) The maximum levels indicated in the Annexes relate to foodstuffs in the ready-to-eat form, unless otherwise stated.	R200 R200 R200 R200 R200
FUNERAL UNDERTAKERS'S PREMISES (GN R237 in GG 9582 of February 1985)		
Reg 2(1)	Preparing a corpse except on funeral undertaker's premises in respect of which a certificate of competence has been issued and is in effect.	R 500
Reg 11(1)	Use of an undertaker's premises where the following is not provided for: (a) A preparation room for the preparation of corpses. (b) Change -rooms, separate for each sex, for the use of the employees employed at such premises. (c) Refrigeration facilities for the refrigeration of corpses (d) Facilities for the cleansing of vehicles on such premises (e) Facilities for the loading and unloading of corpses	R300 R300 R300 R300 R300
Reg 11(2)	Using a room on funeral undertaker's premises for any purpose other than the purpose for which it is intended	R 300
Reg 11(3) (a)	Using a preparation that - (i) is not separated from all other rooms on the premises and that cannot communicate with any office or salesroom. (ii) does not enable obnoxious odours and vapours to be adequately treated; and (iii) is insufficiently ventilated and lighted	R300 R300 R300
Reg 12(2)	Failure to - (a) Provide clean protective over-clothes consisting of surgical gloves, gumboots, plastic aprons so designed that the front hangs over the top of the gumboots, face masks and linen overcoats to all employees and all other persons involved in post-mortems, and each such employee or other person shall, at all times when so involved, wear such clothing; (b) keep such premises free of insects; (c) cause all working areas or surfaces at such premises where corpses are prepared to be cleaned immediately after the preparation of any corpse; (d) cause all equipment used for the preparation of corpses to be washed and disinfected immediately after use; (e) daily cause all protective cover-clothes that have been used to be washed, cleansed and disinfected on the premises; and (f) if a corpse has been transported without a moisture proof covering, cause the loading space of the vehicle concerned to be washed and disinfected after such corpse has been removed.	R300 R300 R300 R300 R300
LABELLING AND ADVERTISING REGULATIONS (GN R2034 in GG 15226 of 29 October 1993)		
Reg 2 (1)	Importing, selling or manufacturing foodstuff of which the packaging, or the bulk stock from which it is taken, is not labelled in accordance with the provisions of these Regulations	R 200

EDEN DISTRICT MUNICIPALITY FIRE SAFETY BY-LAW OFFENCES AND FINES

Section Contravened	Description of Offense	Proposes Fine (1)	Approved Fine (2)
DUTY OF CARE			
6(1)	Failure to report a fire hazard	R 500.00	R 500.00
10(3)(a) - (b)	Failing to comply with an instruction given by a member of the force	R 1,000.00	R 1,000.00
11(1)	Pretend to be a member	R 1,000.00	R 1,000.00
11(2)	Unauthorised wearing of a uniform	R 1,000.00	R 1,000.00
14(1)	Driving a service vehicle without license	R 500.00	R 500.00
14(2)	Driving a service vehicle in disregard of the National Road Traffic Act.	R500.00	R500.00
16(2)	Failing to comply with a notice of compliance	No fine	No fine
17(1)	Interference with or obstruction of the chief fire officer in execution of duties	No fine	No fine
18(1)	Furnishing of false information	No fine	No fine
33(2)	Obstruction or impeding access to fire-fighting equipment and installations	R1 500.00	R1 500.00
34(1)(a)	Failing to remove combustible material from a vacant building	R 1,500.00	R 1,500.00
34(1)(b)	Failing to barricade vacant building	R 1,500.00	R 1,500.00
35(1)(a)	Failing to ensure readiness for use of fire-fighting equipment	R 1,000.00	R 1,000.00
35(1)(b)	Failing to service and maintain fire-extinguishers in accordance with SANS 0105 and 1475	R1 000.00	R1 000.00
35(1)(c)(i) - (iii)	Failing to keep fire-fighting equipment in working condition and inspected	R1 000.00	R1 000.00
35(2)(a)(i) - (ii)	Failing to certify functionality of equipment and furnishing of certificate	R500.00	R500.00
35(4)	Damaging or altering fire-fighting equipment or installations	R 1,500.00	R 1,500.00
36(4)	Removing, defacing or damaging a fire alarm	R 1,000.00	R 1,000.00
36(5)	Tampering or interfering with a fire hydrant	R 1,000.00	R 1,000.00
38(1)(a)	Failing to prepare emergency evacuation plan	R 1,000.00	R 1,000.00
38(1)(b)	Failing to display emergency evacuation plan	R 500.00	R 500.00
39(1)	Holding a public gathering without certificate of fitness	R 1,500.00	R 1,500.00
43(1)(a)	Failing to comply with conditions of certificate of fitness	R 1,500.00	R 1,500.00
43(1)(b)(i) - (ii)	Failing to display certificate and to keep in legible condition	R 500.00	R 500.00
49(1)	Obtaining a water connection without approved fire protection plans	No fine	No fine
50(1)	Making a fire that may endanger another person	R 1,500.00	R 1,500.00
50(2)(a)	Burning combustible material without permission	R 500.00	R 500.00
50(3)	Failing to take reasonable steps to ensure safety of people or animals	R1 000.00	R1 000.00
51(1)	Storage of combustible material in a manner to cause fire hazard	R 1,000.00	R 1,000.00
51(2)	Allowing accumulation of dust in quantities likely to caused fire hazard	R1 000.00	R1 000.00
51(3)	Allowing sawdust to soak up flammable liquid	R 1,000.00	R 1,000.00
51(4)	Accumulation of soot in a chimney	R 1,000.00	R 1,000.00
51(5)	Overgrown premises	R 1,000.00	R 1,000.00
52(1)(a) - (b)	Overloading electrical equipment or using in a manner likely to cause fire hazard	R1 000.00	R1 000.00
53	Using flame-emitting device in a manner likely to cause fire hazard	R 1,000.00	R 1,000.00
54(1)	Discarding flammable substance into sewer or drain	R 1,000.00	R 1,000.00
54(2)	Failing to report discarding of flammable substance into drain or sewer	R500.00	R500.00
55(1)	Unauthorised filling of a balloon of device with flammable liquid	R 500.00	R 500.00

EDEN DISTRICT MUNICIPALITY FIRE SAFETY BY-LAW OFFENCES AND FINES

56(1)	Failing to display "No smoking" signs	R 500.00	R 500.00
56(2)	Removing a sign	R 500.00	R 500.00
56(3)	Lighting or smoking a cigarette where prohibited	R 500.00	R 500.00
56(4)	Allowing smoking where prohibited	R 500.00	R 500.00
56(5)	Failing to provide for safe disposal of smoking materials	R 500.00	R 500.00
56(6)	Discarding a burning cigarette or material in a road of public place	R 1,000.00	R 1,000.00
57(3)	Clearing a fire-break without permission of chief fire officer	R 1,000.00	R 1,000.00
59(4)	Failing to comply with condition for discharge of fireworks	R 1,000.00	R 1,000.00
60(1)	Discharging fireworks outside designated area	R 1,000.00	R 1,000.00
61(1)-(b)	Dealing in fireworks without license or permission of chief fire officer	R1 500.00	R1 500.00
63(1)	Storage or handling flammable substances without certificate or registration	R1 500.00	R1 500.00
73(1)(a)	Handling flammable substances in a manner that may cause a fire or explosion	R1 500.00	R1 500.00
73(1)(b)	Obstructing an escape route during emergency	R 1,000.00	R 1,000.00
73(2)(a)	Dumping or spilling flammable substances in a borehole, drain or sewer	R1 000.00	R1 000.00
73(2)(b)	Discarding flammable substances from premises other than by a competent person	R1 000.00	R1 000.00
73(2)©	Bringing a fire or open flame within 5 metres of storage place	R 1,000.00	R 1,000.00
73(2)(d)	Using a device in connection with flammable substance in basement level of a building while not for maintenance of the building	R1 000.00	R1 000.00
73(2)(e)(i)	Filling a bus with passengers inside	R 1,000.00	R 1,000.00
73(2)(e)(ii)	Transporting flammable substances on a bus	R 1,000.00	R 1,000.00
74(1)	Handling or storing a liquefied petroleum gas in quantities in excess of Schedule 2	No fine	No fine
74(4)	Handling or storing a liquid petroleum gas cylinder at a public exhibition without permission	R1 500.00	R1 500.00
74(7)	Failing to comply with conditions imposed	R 1,500.00	R 1,500.00
75(1)(a)-©	Failing to display symbolic or warning signs	R 500.00	R 500.00
75(2)	Disregarding prohibitions on symbolic signs	R 500.00	R 500.00
76	Failing to report fires or accidents	R 500.00	R 500.00
79(1)(a)-(b)	Storage of flammable substances in a storeroom without certificate of registration or storeroom not compliant with by-law	R1 500.00	R1 500.00
81(1)	Failing to display safety signs	R 500.00	R 500.00
82(1)(a)- c	Erecting a flammable storeroom in disregard of specifications	No fine	No fine
83(1)-(3)	Installing fire doors in disregard of specifications	R 500.00	R 500.00
84(1)-(3)	Installing storeroom windows in disregard of specifications	R 500.00	R 500.00
85(1)-(2)	Installing storeroom catch pits in disregard of specifications	R 500.00	R 500.00
86(1)-(3)	Failing to comply with specifications for ventilation of storeroom	R 500.00	R 500.00
87(1)-(3)	Installing electrical equipment in a store room in disregard of specifications	R500.00	R500.00
88(1)(a)-(b)	Installing foam inlets in disregard of specifications	R 500.00	R 500.00
89(1)	Failing to install non-combustible shelving in a store room	R 500.00	R 500.00
90(1)(a)	Unauthorized entry of flammable storeroom	R 500.00	R 500.00
90(1)(b)	Using storeroom for purposes other than storage of flammable substances	R500.00	R500.00
90(1) c	Allowing person to work in storeroom while doors are not open	R 500.00	R 500.00
90(1)(d)	Obstructing or hindering access to storeroom	R 500.00	R 500.00
91(1)	Failing to ensure compliance with mixing requirements	R 500.00	R 500.00
92(1)	Storage of flammable substance without certificate of registration	R 1,500.00	R 500.00
92(3)(a)-(e)	Failing to ensure compliance with conditions	R 1,000.00	R 1,000.00
93(1)	Failing to ensure safety of tools in a storeroom	R 500.00	R 500.00

EDEN DISTRICT MUNICIPALITY FIRE SAFETY BY-LAW OFFENCES AND FINES

94(1)-(2)	Failing to ensure installation of above ground storage tank in accordance with SANS requirements	R1 500.00	R1 500.00
95(1)	Failing to ensure underground storage tank installation in accordance with SANS requirements	R1 500.00	R1 500.00
96(1)	Failing to notify chief fire officer of installation or demolishing of facilities	R500.00	R500.00
97(1)(a)-(b)	Entering or allowing someone to enter storage tank in disregard of safety requirements	R500.00	R500.00
98(1)(a)-(d)	Failing to comply with conditions applicable to termination of use of storage tanks	R1 000.00	R1 000.00
99(1)-(4) & (6)	Handling or storing a flammable substance container in disregard of specifications	R1 000.00	R1 000.00
100(1)(a)-(b)	Transporting dangerous goods without permit or keeping permit available	R1 500.00	R1 500.00
105(1)(a)-(b)	Designing or constructing road tankers in disregard of SANS specifications	No fine	No fine
106(1)(a)-(b)	Designing or constructing other transport vehicles in disregard of specifications	No fine	No fine
107(1)(a)	Transporting dangerous goods with unroadworthy vehicle	No fine	No fine
107(1)(b)(i)-(ii)	Transporting dangerous goods without prescribed fire extinguishers	R 1,500.00	R 1,500.00
107(3)	Transporting dangerous goods to travel or overnight in any area specifically prohibited	R1 500.00	R1 500.00
108(1)	Supplying or delivering dangerous goods in quantities in excess of Schedule 2	R1 500.00	R1 500.00
108(2)	Supplying or delivering dangerous goods in contravention of certificate of registration	R1 500.00	R1 500.00
108(3)	Handling container in a manner that could damage such container	R 1,000.00	R 1,000.00
108(4)(a)-(f)	Delivering dangerous conditions in disregard of safety conditions	R 1,000.00	R 1,000.00
111(1)(a)-(b)	Spraying without spraying permit or in a spraying room	R 1,000.00	R 1,000.00

In addition to the fines above, the following admission of guilt fines relate to contraventions of the National Building Regulations (Regulation T1(2)(b) and the SANS Code Of Practice(0400) relating to Fire Safety.

TT2 & TT12	Safety Distance Erecting a building in disregard of safety distances	R1 500.00	R1 500.00
TT3, TT5 & TT6	Different occupancies Owner or tenant allowing division of building without approval	R1 500.00	R1 500.00
TT4	Maximum division area Owner exceeding maximum division area	R1 500.00	R1 500.00
TT9 & TT10	Partitions and protection of openings Inadequate fire resistance and failure to protect openings	R1 500.00	R1 500.00
TT12	Roof Assemblies and Coverings Allowing combustible material to be used on a roof structure without approval	R1 500.00	R1 500.00
TT16 to TT29	Escape Routes and Exits Allowing an escape route to be made less efficient	R1 500.00	R1 500.00
TT23, TT24 & TT25	Stairways Installing a stairway that does not comply with part M of the rules	R1 500.00	R1 500.00
TT29	Markings and Sign Posting Failing to indicate the location of fire equipment or emergency exits with symbolic signs	R1 500.00	R1 500.00
TT30	Lighting of Emergency Routes Failing to light emergency route	R1 500.00	R1 500.00

EDEN DISTRICT MUNICIPALITY FIRE SAFETY BY-LAW OFFENCES AND FINES

TT31	<u>Fire Detection and Alarm System</u> Failing to install fire detection and alarm systems in compliance with SANS 0139	R1 500.00	R1 500.00
TT33 & WW5	<u>Water Reticulation System</u> Failing to install an approved water reticulation system for fire fighting	R1 500.00	R1 500.00
TT34	<u>House Reels</u> Failing to supply house reels	R1 500.00	R1 500.00
TT35	<u>Hydrants</u> Failing to supply fire hydrants	R1 500.00	R1 500.00
TT36	<u>Sprinkler System</u> Failing to supply sprinkler system where required	R1 500.00	R1 500.00
TT42	<u>Smoke Control</u> Failing to provide mechanical smoke ventilation or roof ventilators and windows	R1 500.00	R1 500.00
TT52	<u>Operating Theatres and Intensive Care Units</u> Failing to comply with the fire safety requirements of the rule	No fine	No fine
TT53	<u>Liquid Fuel Tanks</u> Installation of fuel dispensing pumps and tanks in disregard of prescribed measurements and distances	No fine	No fine
TT54	<u>Gas Installations</u> Installation of gas storage facilities not complying with SANS Code 087	No fine	No fine

I hereby certify that the admission of guilt fines listed in Column 2 above as submitted by the Eden District Municipality have been approved by me in terms of Section 57(5)(a) and 341(5) of the Criminal Procedure Act, 54 of 1977, for the Magistrial District of Eden. This determination replaces any previous determinatin in respect of a by-law realting to fire safety for the said Magistrial District.

EDEN DISTRICT MUNICIPALITY

FIRE SERVICES CHARGES

TARIFFS, CHARGES AND FEES

2016/2017

1. SPECIALIZED FIRE FIGHTING SERVICES:

		2016/2017		
		Tariff	V.A.T	Total
1.1	This will include all fire vehicles, all manpower, water supplies and pump attendance during actual rendering of a specialized fire fighting services,exceeding 1 hour working time (excluding travelling time) <i>(Per hour or part thereof after first hour)</i> <i>Less than 1 hour</i> <i>Humanitarian assistance- only if requested via disaster coordination JOC</i> <i>Allow 50% reduction in price for paid up FPA members</i> <i>Allow 50% reduction in price for controlled block burns or fire breaks</i>	3,296.0	461.4	3,757.4
			----- Free -----	
			----- Free -----	
1.2.	Contracted services <i>3rd party invoice amount plus 10% handling fee</i>			
1.3	Additional Consumables: <i>Purchase Price plus 10% handling fee</i>			
1.4	Standby: <i>(Per hour or part thereof)</i> <i>(excluding travelling time)</i>	1,057.5	148.1	1,205.6
1.5	Air Support Services: <i>Purchase Price plus 5% handling fee for non FPA members</i>			
1.6	Assistance requested outside EDEN DM boundary: <i>(Per hour or part thereof)</i>	3,877.6	542.9	4,420.5
1.7.	Fire safety/ fire prevention inspection per kilometer tariff LDV : R4,00/km Sedan type: R3,50/km			
1.8.	Fire permit per inspection (all inclusive tariff) R500,00 per kilometer tariff LDV : R4,00/km Sedan type: R3,50/km			
1.9	Certified copy of incident report per permit (all inclusive tariff) R500,00 Public education Per copy R 80,00			----- Free -----

V.A.T., AS INDICATED, IS APPLICABLE TO THE ABOVE TARIFFS.
(When an account rendered - V.A.T. is to be calculated seperately)

EDEN DISTRICT MUNICIPALITY

RENT INCOME OF TENTS

- | | | |
|----|----------------------|-----------------------|
| 1. | 5X 5 M Army tent | R400 per day |
| 2. | 10x 20 M Marque tent | R7,500 per day |

RENT INCOME OF GENERATORS

- | | | |
|----|-------|------------------------|
| 1. | 70KVA | R635.00 per day |
| 2. | 40KVA | R620 per day |
| 3. | 6 KVA | R200 per day |

SPECIAL SERVICES

- | | | |
|---|--|---|
| 1 | Assistance at events fist aid or fire safety <i>Not maket related reduce to R 500 per event per official.</i> | |
| 2 | Travelling or equipment use | |
| | 10 seater or minibus | R 6,00 |
| | Sedan type vehicle | R 3,50 |
| | Light delivery vehicle | R 4,00 |
| | Medium tanker | R 8,00 |
| | Major pumper | R 11,00 |
| | Consumables | Purchase Price plus 10% handling fee |
| 2 | Water delivery | R 11,00 |
| | <i>Add: Price of water as per supplier invoice plus 10% handling fee</i> | |