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<p style="text-align: center;">PROVINCIAL NOTICES</p> <p>Mangaung Metropolitan Municipality: Promulgation Notices of Revised By-laws:</p> <p>88 Lease of Municipal Halls Amendment By-law.....2</p> <p>89 Fresh Produce Market Amendment By-law.....3</p> <p>90 Municipal Cemeteries Amendment By-law.....8</p> <p>91 Control of Collections Amendment By-law.....9</p> <p>92 Electricity Supply Amendment By-law.....10</p> <p>93 Child Care Facilities Amendment By-law.....10</p> <p>94 Display of Property Numbers and Names Amendment By-law....12</p> <p>95 Municipal Swimming Pools Amendment By-law.....13</p> <p>96 Discharge of Industrial Effluent Amendment By-law.....14</p> <p>97 Repeal of Licensing of Dogs By-law.....15</p>		<p style="text-align: center;">PROVINSIALE KENNISGEWINGS</p>	

[PROVINCIAL NOTICE NO.88 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Lease of Municipal Halls Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Lease of Municipal Halls By-laws of 28 October 2005 (Local Government Notice № 114 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

LEASE OF MUNICIPAL HALLS AMENDMENT BY-LAW

BE IT ENACTED by the Council of the Mangaung Metropolitan Municipality, as follows:-

1. By amending section 1, the definitions clause by:
 - a) Replacing the definition for "*Council*" with the following definition:
"Council" means the Council of the Mangaung Metropolitan Municipality or any political structure, political office-bearer, councillor or any staff member acting under the Council's delegated or sub-delegated power. "
 - b) By replacing the definition for "*municipality*" with the following definition:
"Municipality/City" means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of section 12 of the Local Government : Municipal Structures Act, 1998 (Act no. 117 of 1998); "
2. By replacing the terms "*Council*" with the word **Municipality** where this appear in sections 1 (in the Definition for "Operational Officer") , 2(1) , 2(6)-(9) , 3(1) , 3(4) , 3(5) , 4(4) , 4(5)-4(7) , 6, 7(4)-(5) , 7(7) , 7(14)-7(18) , 8(1)-8(3) , 9, 10(2) – 10(3) , 11(1)-11(3) , 13(1) and 13(2) and 14(1).
3. By replacing in section 2(3) the word "*regulation*" with the word **section**.
4. By replacing in section 7(17) the phrase "*...prior approval of the Council...*" with the phrase "**...prior permission of the Municipality...**"
5. By inserting in section 10(3) after the phrase "*..South African Police Services...*" the phrase "**or Municipal Law Enforcement Unit..**"
6. By inserting a new subsection 15(2) to read :
"(2) The by-laws relating to the Lease of Municipal Halls, as promulgated in the Local Government Notice No. 114 of 28 October 2005, are hereby amended".
7. **Short title and commencement**
This By-law is called the **Mangaung, Lease of Municipal Halls Amendment By-law, 2016** comes into operation on the date of promulgation thereof in the Provincial Gazette.

[PROVINCIAL NOTICE NO.89 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Fresh Produce Market Amendment By-Law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Fresh Produce Market By-laws of 10 July 2009 (Local Government Notice № 105 of 10 July 2009), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

FRESH PRODUCE MARKET AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

1. By amending section 1, the definitions clause as follows :
 - a) Replace the term "Mangaung Local Municipality" with the term "**Mangaung Metropolitan Municipality**" at all instances it occurred;
 - b) By replacing the definition for "*Council*" with a new definition for "**Council**".
 - c) By replacing the definition for "*Municipality*" with a new definition for **Municipality**.
2. By replacing in section 11(1) the word "*shall*" with the word **should**.
3. By amending Section 5 by replacing the word "*shall*" with the word **must**.
4. By amending Section 9 by replacing the word "*shall*" with the word **must**.
5. By amending Section 10 by replacing the term "*Council*" with the word **Municipality**.
6. By amending Section 11(1) by replacing the word "*shall*" with the word **should**.
7. By amending Section 11(2) by replacing the word "*shall*" with the word **should**.
8. By amending Section 12 by replacing the word "*shall*" with the word **must**.
9. By amending Section 13 by replacing the word "*shall*" at all instances where it appears in the section with the word **should**.
10. By amending Section 13 by replacing the phrase "... *when it is delivered, and shall be responsible to the vendor for the quantity shown on the delivery note and shall account to the vendor ...*" with the phrase "... **when it is delivered, and must be responsible to the vendor for the quantity shown on the delivery note and must account to the vendor ...**"
11. By amending Section 14 thereof by replacing the word "*shall*" with the word **should**.
12. By amending Section 15 thereof by replacing the word "*shall*" with the word **must**.
13. By amending Section 16 thereof by replacing the word "*shall*" with the word **should**.
14. By amending Section 16 thereof by replacing the phrase "... *to appear thereon, shall be obliterated*" with the phrase "... **to appear thereon, must be obliterated**".
15. By amending Section 17 thereof by replacing the word "*shall*" with the word **must**.
16. By amending Section 17 thereof by replacing the phrase "... *or damaged, and shall re-sort or re-pack ...*" with the phrase "... **or damaged, and should re-sort ...**"
17. By amending Section 18 thereof by replacing the word "*shall*" with the word **should**.

18. By amending Section 19 thereof by replacing the word "*shall*" with the word **must**.
 19. By amending Section 20 thereof by replacing the word "*shall*" with the word **must**.
 20. By amending Section 21 thereof by replacing the word "*shall*" with the word **must**.
 21. By amending Section 21 thereof by replacing the phrase "... *article sold, shall be final and binding*" with the phrase "... **article sold, is final and binding**".
 22. By amending Section 22 thereof by replacing the word "*shall*" with the word **should** at all instances where it appears in this section.
 23. By amending Section 23 by replacing the word "*shall*" with the word **should**.
 24. By amending Section 23 thereof by replacing the phrase "... *and clean and shall immediately remove ...*" with the phrase "... **clean and must immediately remove**".
 25. By amending Section 24 thereof by replacing the word "*shall*" with the word **must** at all instances where it appears in this section.
 26. By amending Section 24 thereof by replacing the word "*Council*" with the word **Municipality**.
 27. By amending Section 25 thereof by replacing the word "*shall*" with the word **must**.
 28. By amending Section 27 thereof by replacing the word "*shall*" with the word **must**.
 29. By amending Section 28 thereof by replacing the word "*shall*" with the word **should**.
 30. By amending Section 29 by replacing the word "*shall*" with the word **must** and by replacing the term "... *such goods shall be given ...*" with the phrase "... **such goods should be given ...**".
 31. By amending Section 30 thereof by replacing the word "*shall*" with the word **may**.
 32. By amending Section 30 thereof by replacing the phrase "... *no other person shall organize ...*" with the phrase "... **no other person must organize**".
 33. By amending Section 31 thereof by replacing the word "*shall*" with the word **must**.
 34. By amending Section 32 thereof by replacing the word "*shall*" with the word **must**.
 35. By amending Section 33(1) by replacing the word "*shall*" with the word **should**.
 36. By amending Section 33(2) by replacing the word "*shall*" with the word **should**.
 37. By amending Section 34(1) thereof by replacing the word "*shall*" with the word **must** at all instances where this appears in this sub-section.
 38. By amending Section 34(2) with the following sub-section:
"**(2) If the fresh produce agent refuses to accept the highest bid obtained at the sale as a selling price for any article, he must declare a reserve price. The highest bid, together with the reserve price, should be inscribed on the market sales note by the auctioneer, and if no sale is made at the reserve price, the words "not sold" should be inscribed by the auctioneer on the market sales note, which must then be deemed to be a no sale market note.**"
 39. By amending Section 35 thereof by replacing the word "*shall*" with the word **should**.
 40. By amending Section 35 thereof by replacing the phrase "... *the General Manager shall either cancel ...*" with the phrase "... **the General Manager may either cancel ...**".
 41. By amending Section 35 thereof by replacing the phrase "... *and no person shall offer or sell*" with the phrase "**and no person must offer or sell**".
 42. By amending Section 36 thereof by replacing the word "*shall*" with the word **must**.
 43. By amending Section 37 thereof by replacing the word "*shall*" with the word **should** at all instances where it appears in this section.
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44. By amending Section 38 thereof by replacing the word "*shall*" with the word **must**.
 45. By amending Section 39 thereof by replacing the word "*shall*" with the word **must**.
 46. By amending Section 40 by deleting the word "*shall*" and by amending the word to read **forfeits**.
 47. By amending Section 41 thereof by replacing the term "*shall be*" with the word **is**.
 48. By amending Section 41 thereof by replacing the term "*shall*" with the word **must**.
 49. By amending Section 43 thereof by replacing the term "... *the article shall again be put up for sale and the Municipality shall not be responsible for any loss ...*" with the phrase "... **the article should again be put up for sale, and the Municipality is not responsible for any loss ...**"
 50. By amending Section 44 thereof by replacing the term "*shall be*" with the word **is**.
 51. By amending Section 45 thereof by replacing the term "*shall be*" with the word **is**.
 52. By amending Section 46 thereof by replacing the word "*shall*" with the word **must**.
 53. By amending Section 48 thereof by replacing the word "*shall*" with the word **must**.
 54. By amending Section 49 thereof by replacing the word "*shall*" in the first sentence thereof with the word **should**.
 55. By amending Section 49 by replacing the word "*shall*" in the second sentence thereof with the word **must**.
 56. By amending Section 49 thereof by replacing the phrase "*The buyer shall not be ...*" with the phrase "**The buyer is not entitled ...**"
 57. By amending Section 51 thereof by replacing the phrase "*No person except those authorised thereto by the Council shall conduct private treaty sales ...*" with the term "**No person except those authorised thereto by the Municipality can conduct private treaty sales ...**"
 58. By amending Section 52(1) thereof by replacing the term "*shall*" with the word **must**.
 59. By replacing Section 52(2) with the following:
"**Every sales docket referred to in Section 52(1) should be clearly and legibly written out and must have the following inscribed thereon:**"
 60. By amending Section 53 thereof by replacing the word "*shall*" with the word **must**.
 61. By amending Section 54 thereof by replacing the word "*shall*" with the word **must**.
 62. By amending Section 55(6) thereof by replacing the term "*Council*" with the word **Municipality**.
 63. By amending Section 56 by replacing the term "*shall be*" with the word **is**.
 64. By amending Section 56 thereof by replacing the word "*shall*" with the word **must**.
 65. By amending Section 57(1) thereof by replacing the term "*Council*" with the word **Municipality**.
 66. By amending Section 57(1) thereof by replacing the word "*shall*" with the word **must**.
 67. By amending Section 57(2) thereof by replacing the word "*shall*" with the word **must**.
 68. By amending Section 57(3) thereof by replacing the word "*is*" with the words **has been**.
 69. By amending Section 58 thereof by deleting the word "*shall*" and amending the word to read **applies**.
 70. By amending Section 59(1) by replacing the term "*shall be*" with the phrase **is**.
 71. By amending Section 59(3) by replacing the word "*shall*" with the word **must**.
 72. By amending Section 59(4) thereof by replacing the word "*shall*" with the word **is**.
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73. By amending Section 61 thereof by replacing the phrase "*it shall be the responsibility ...*" with the phrase "**it is the responsibility ...**"
 74. By replacing the phrase "*by discretion of the General Manager shall be sold by a mass, shall be the correct prescribed mass before they are displayed for sale, offered for sale or sold, and such mass shall be clearly ...*" with the phrase "**the General Manager are sold by mass, are the correct prescribed mass before they are displayed for sale, offered for sale or sold, and such mass should be clearly ...**"
 75. By amending Section 62 thereof by replacing the word "*shall*" with the word **should**.
 76. By amending Section 63(2) by deleting the word "*shall*".
 77. By amending Section 64 to replace the word "*must*" with the word **may**.
 78. By amending Section 65 to replace the word "*shall*" with **must**.
 79. By amending Section 66(1) by replacing the word "*shall*" with the word **must**.
 80. By amending Section 66(2) by replacing the word "*shall*" with the word **is**.
 81. By amending Section 67 by deleting the word "*shall*".
 82. By amending Section 68(1) by replacing the word "*shall*" with the word **must**.
 83. By amending Section 68(1) by replacing the phrase "*Fresh Produce Agent unless he shall first have a permit from the Municipality to do so. The permit is not transferable without the written permission of the Council*" with the phrase "**Fresh Produce Agent unless he has first obtained a permit from the Municipality to do so. The permit is not transferable without the written permission of the Municipality.**"
 84. By amending Section 68(2) by replacing the word "*shall*" with the word **must**.
 85. By amending Section 68(3) by replacing the word "*shall*" with the word **should**.
 86. By amending Section 68(5) by replacing the word "*shall*" with the word **must**.
 87. By amending Section 68(6) by replacing the word "*shall*" with the word **must**.
 88. By amending Section 68(8) by replacing the word "*shall*" with the word **must**.
 89. By amending Section 69 by replacing the word "*Council*" with the word **Municipality**.
 90. By amending Section 71 by replacing the word "*shall*" with the word **must**.
 91. By amending Section 72 by replacing the word "*shall*" with the word **must**.
 92. By amending Section 72 by replacing the phrase "*no person shall place or cause to be placed any offensive matter in such receptacles, and it shall be the responsibility ...*" with the phrase "**no person must place or cause to be placed any offensive matter in any such receptacles, and it is the responsibility ...**"
 93. By amending Section 73 by replacing the word "*shall*" with the word **should**.
 94. By amending Section 74 by replacing the term "*shall be*" with the word **is**.
 95. By amending Section 75(1) by replacing the word "*shall*" with the word **must**.
 96. By amending Section 75(2) by replacing the word "*shall*" with the word **must**.
 97. By amending Section 76(1) by replacing the word "*shall*" with the word **must** at every instance where it appears.
 98. By amending Section 76(2) by replacing the word "*shall*" with the word **should**.
 99. By amending Section 77 by replacing the phrase "*Every Fresh Produce Agent shall supply his employees with such protective clothing as may be required by the General Manager, and shall ensure ...*" with the phrase "**Every Fresh Produce Agent must supply his employees with such protective clothing as may be required by the General Manager and should ensure ...**"
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100. By amending Section 78 by replacing the word "shall" with the word **must**.
 101. By amending Section 79 by replacing the term "Council" with the term **Municipality**.
 102. By amending Section 80(1) by replacing the term "Council" with the term **Municipality**.
 103. By amending Section 80(2) by replacing the term "Council" with the term **Municipality**.
 104. By amending Section 80(2)(f) by replacing the term "Council" with the term **Municipality**.
 105. By amending Section 81(1) by replacing the term "Council" with the term **Municipality**.
 106. By amending Section 81(2) by replacing the term "shall be" with the word **are**.
 107. By amending Section 81(3) by replacing the word "shall" with the word **must**.
 108. By amending Section 81(5) by replacing the word "shall" with the word **should**.
 109. By amending Section 83 by replacing the word "shall" with the word **must**.
 110. By amending Section 83 by replacing the sentence "The General Manager shall reserve the right to impound any dog that is found in the market" with the sentence "**The Municipality reserves the right to impound any dog that is found in the market.**"
 111. By amending Section 84 by replacing the word "shall" with the word **must**.
 112. By amending Section 85 by replacing the word "shall" with the word **must**.
 113. By amending Section 86(2) by replacing the word "shall" with the word **should**.
 114. By amending Section 87 by replacing the word "shall" with the word **should**.
 115. By amending Section 87 by replacing the word "may" with the word **must**.
 116. By amending Section 88 by replacing the word "shall" with the word **must**.
 117. By amending Section 89 by replacing the phrase "The Municipality shall not be held liable or liable to any person for any loss ..." with the phrase "**The Municipality is not responsible or liable to any person for any loss**".
 118. By amending Section 90 by replacing the word "shall" with the word **is**.
 119. By amending Section 91 by replacing the phrase "Any person who uses, keeps or occupies any space in the market in any unlawful manner, shall be guilty of an offence and shall in addition be held responsible ..." with the phrase "**Any person who uses, keeps or occupies any space in the market in an unlawful manner, is guilty of an offence and is in addition responsible ...**"
 120. By amending Section 92(1) by replacing the phrase "shall be" with the word **are**.
 121. By amending Section 92(2) by replacing the word "shall" with the word **is**.
 122. By amending Section 93(2) by replacing the word "shall" with the word **may**.
 123. By amending Section 94 by replacing the word "shall" with the word **should** at all instances where this word appears.
 124. By amending Sections 95(1),(2) and (3) by replacing the word "shall" with the word **should**.
 125. By replacing in Section 95(3) the phrase "... advisory nature and shall not be deemed to be binding" with the phrase "**advisory nature and must not be deemed to be binding**"
 126. By replacing Section 94(4) with the following:
"**(4)Where a dispute arises which involves the General Manager or any other employee of the Municipality, the matter must be referred to the Head of Department whereupon the Head of Department shall reasonably attempt to resolve the dispute. A ruling from the Head of Department is of an advisory nature and is not deemed binding on the parties failing that, the matter must be referred to the City Manager whose ruling is deemed final and binding on the parties.**"
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127. By amending Section 96(1) by replacing the penalty with the following phrase:
 "... to a fine not exceeding R30 000.00 or imprisonment for a period not exceeding three (3) years ..."
128. By amending Section 97 to read as follows:
 "97. **Repeal and Amendment:**
 97(1) **The regulations regarding the municipal market promulgated under Administrators' Notice No. 53 of June 12th, 1979, as amended, are hereby repealed.**
- (2) **The by-laws relating to the Municipal Fresh Produce Market, as promulgated in the Provincial Gazette No. 105 of July 2009, are hereby amended."**
129. **Short title and commencement**
 (1) This By-law is called the **Mangaung, Fresh Produce Market Amendment By-law, 2016** and this By-law shall come into operation on the date of promulgation thereof in the Provincial Gazette.

[PROVINCIAL NOTICE NO.90 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
 PROMULGATION NOTICE**

**Municipal Cemeteries Amendment By-law
 Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Municipal Cemeteries By-laws of 27 September 2002 (Local Government Notice № 97 of 27 September 2002), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

MUNICIPAL CEMETERIES AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

8. By amending section 1, the definitions clause by :
 a) Replacing the definition for "*Council*" with the following definition:
 "**“Council” means the Council of the Mangaung Metropolitan Municipality or any political structure, political office-bearer, councillor or any staff member acting under the Council’s delegated or sub-delegated power. “**
9. By deleting the definition for "*Executive Director: Community and Social Development*".
10. By replacing the definition for "*municipality*" with the following definition:
 "**“Municipality/City’ means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of section 12 of the Local Government : Municipal Structures Act, 1998 (Act No. 117 of 1998); ”**
11. By amending the definition for "*resident*" by replacing the word "*council*" with the word **municipality**.
12. By adding to the definition for "*Structures Act*" the words **as amended** to the end of the definition.
13. By adding to the definition for "*Systems Act*" the words **as amended** to the end of the definition.
14. By replacing the word "*Council*" with the word **municipality** in the following sections 2(2), 2(3)(a), 2(3)(c), 2(3)(f), 3(1), 5(1), 8(2), 8(3), 9(2), 10(8), 16(7), 16(8), 17(7)(g), 17(7)(k), 17(12), 18(1)(b), 19(1), 19(2), 19(3), 19(4), 19(6), 20(4), 20(9), 20(12), 21(1), 21(2), 23(2).
15. By amending section 8(3) by replacing the phrase "*Executive Director: Community and Social Development*" with the word **municipality** and in the same subsection with the phrase **responsible official of the municipality**.
16. By deleting section 14(4).

17. By amending section 16(7) by replacing the phrase "*Executive Director: Community and Social Development*" with the phrase **responsible official of the municipality**.
18. By amending section 17(12) by replacing the word "*regulation*" with the word **section**.
19. By amending section 18(1) by replacing the phrase "*these regulations*" with the words **this section**.
20. By amending section 20(1) by replacing the word "*approval*" with the word **consent**.
21. By amending section 20(4) by replacing the phrase "*approval of the Council*" with the phrase **permission of the municipality**.
22. By inserting a new section 24(5) to read:
 "(5) **The by-laws relating to the Municipal Cemeteries, as promulgated in the Local Government Notice Number 97 of 27 September 2002, as amended, are hereby further amended**".
23. **Short Title and Commencement**
 This by-law is called the **Mangaung, Municipal Cemeteries Amendment By-Law, 2016** and comes into operation on the date of publication thereof in the Provincial Gazette.

[PROVINCIAL NOTICE NO.91 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Control of Collections Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Control of Collections By-laws of 28 October 2005 (Local Government Notice № 112 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

CONTROL OF COLLECTIONS AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

1. By amending Section 1(1) by replacing the definition of "*council*" with the following definition :
"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; "
2. By amending Section 1(1) by replacing the definition for "*municipality*" with the following definition:
"Municipality/City" means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of Section 12 of the Local Government : Municipal Structures Act, 1998 (Act number 117 of 1998). "
3. By replacing the term "*council*" with the word **Municipality** in sections 2(1), 2(2), 2(4), 2(5), 3, 4(2).
4. By amending the title of Section 3 to read **Age Limit for Collecting**.
5. By insertion of a new Section 5(2) to read:
 "(2) **The by-laws relating to the Control of Collections, as promulgated in the Local Government Notice number 112 of 28 October 2005, are hereby amended.**"
6. **Short Title and Commencement:**
 This by-law is called the **Mangaung, Control of Collections Amendment By-law 2016** and comes into operation on the date of publication in the Provincial Gazette.

[PROVINCIAL NOTICE NO.92 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Electricity Supply Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Electricity Supply By-laws of 28 October 2005 (Local Government Notice № 110 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

ELECTRICITY SUPPLY AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

1. Section 1 be amended by replacing the definition of "*municipality*" with the following definition:
"Municipality/City" means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011 issued in terms of Section 12 of the Local Government : Municipal Structures Act, 1998 (Act number 117 of 1998)".
2. By inserting a new Section 59(2) to read:
"(2) The Electricity Supply By-laws of the former Mangaung Local Municipality as promulgated in the Local Government Notice number 110 of 28 October 2005 are hereby amended".
3. **Short Title and Commencement**
This by-law is called the **Mangaung Electricity Supply Amendment By-law 2016** and comes into operation on the date of publication in the Provincial Gazette.

[PROVINCIAL NOTICE NO.93 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Child Care Facilities Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Child Care Facilities By-laws of 28 October 2005 (Local Government Notice № 99 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

CHILD CARE FACILITIES AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

1. By amending Section 1(1) by replacing the definition for "*Council*" with the following definition:
"Council" means the Council of the Mangaung Metropolitan Municipality or any political structure, Political Office Bearer, councillor or any staff member acting under the council's delegated or sub-delegated power;"
 2. By amending Section 1(1) by substituting the phrase "*Executive Director: Community and Social Development*" with the term **Head: Social Services**.
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3. By amending Section 1(1) by substituting the definition of *municipality* with the following definition:
"Municipality/City" means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of Section 12 of the Local Government : Municipal Structures Act, 1998(Act Number 117 of 1998);"
 4. By replacing the phrase "*Executive Director: Community and Social Development*" with the following term **Head: Social Services** at Sections 3(3), 3(4), 4(1), 5(1)(b), 5(2)(b), 5(3)(b), 5(3)(c), 5(7), 6(1)(b), 6(2), 6(6)(b), 6(6)(c), 6(7)(c), 8(3), 9(5), 10(2), 11(4), 11(9), 14(1), 14(2), 14(4), 15(8), 15(11), 21.
 5. By amending Section 7 by replacing the word "*shall*" with the word **must**.
 6. By amending Section 7(1) by replacing the word "*shall*" with the word **must**.
 7. By amending Section 7(2) to (8) by replacing the word "*shall*" with the word **must**.
 8. By amending Section 8 by replacing the word "*shall*" with the word **should** in section 8(1)(2)(3) and (4).
 9. By amending Section 9 by replacing the word "*shall*" with the word **must**.
 10. By amending Section 9(5) by replacing the word "*shall*" with the word **should**.
 11. By amending Section 10(1) by replacing the word "*shall*" with the word **should**.
 12. By amending Section 10(2), by replacing the word "*shall*" with the word **should**.
 13. By amending Section 10(3) by replacing the word "*shall*" with the word **should**.
 14. By amending Section 10(4) by replacing the word "*shall*" with the word **should**.
 15. By amending Section 11(1) to (7) by replacing the word "*shall*" with the word **must**.
 16. By amending Section 11(8) by replacing the term "*shall apply*" with the phrase **are applicable**.
 17. By amending Section 12 by replacing the term "*shall be*" with the word **is**.
 18. By amending Section 12(2) by replacing the word "*shall*" with the word **should**.
 19. By amending Section 12(3) by replacing the word "*must*" with the word **may**.
 20. By amending Section 12(5) by replacing the term "*Indoor free-playing area of at least 1,8m² per child must be available and shall not include ...*" with the phrase **Indoor free-playing area of at least 1,8m² per child should be available and may not include ...**
 21. By amending Section 14(2) by replacing the word "*shall*" with the word **should**.
 22. By amending Section 15 by replacing the word "*shall*" with the word **should**.
 23. By amending Section 15(11) by replacing the word "*shall*" with the word **should**.
 24. By amending Section 16(1) by replacing the word "*shall*" with the word **can**.
 25. By amending Section 16(2) by replacing the word "*shall*" with the word **may**.
 26. By amending Sections 17(1),(2) and (3) by replacing the word "*shall*" with the word **should**.
 27. By amending Section 17(2) and (3) by replacing the word "*noted*" with the word **recorded**.
 28. By amending Section 18 by replacing the word "*shall*" with the word **must**.
 29. By amending Section 19 by replacing the word "*shall*" with the word **should**.
 30. By amending Section 19 by replacing the word "*noted*" with the word **recorded**.
 31. By amending Section 20 to read:
"A holder must notify the municipality in writing within seven days of the temporary or permanent termination of the operations of the Child Care Facility to which the registration relates and should at the same time provide the existing registration and grading certificate"
 32. By amending Section 22(1) by inserting after the word "*fine*" the following:
"...not exceeding R60 000, 00 or imprisonment for a period not exceeding three years,..."
 33. By amending Section 23 by including a new sub-section (3) to read:
"(3)The by-law relating to the Child Care Facilities, as promulgated in the Local Government Notice Number 62 of 26 September 2008, are hereby further amended."
 34. **Short Title and Commencement**
This by-law is called the **Mangaung, Child Care Facilities Amendment By-law, 2016** and comes into operation on the date of publication in the Provincial Gazette.
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[PROVINCIAL NOTICE NO.94 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Display of Property Numbers and Names Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Numbering and Re-numbering of Buildings and Places and Assignment of Names to and the Display Thereof on Flat Buildings By-laws of 28 October 2005 (Local Government Notice № 113 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

DISPLAY OF PROPERTY NUMBERS AND NAMES AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

1. By amending the title of the By-laws to read:
“BY-LAWS RELATING TO DISPLAY OF PROPERTY NUMBERS AND NAMES.”
 2. By amending Section 1(1) by replacing the definition for “*Council*” with the following definition:
“ “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. ”
 3. By amending Section 1(1) by replacing the words “*General Manager*” with the word **Municipality**.
 4. By deleting the definition for “*General Manager*”.
 5. By amending Section 1(1) by amending the definition for “*meta*l” by replacing the phrase “*approved by the General Manager*” with the following phrase **determined by the Municipality**.
 6. By amending Section 1(1) by replacing the definition for “*municipality*” with the following definition:
“Municipality/City” means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of Section 12 of the Local Government : Municipal Structures Act, 1998 (Act No. 117 of 1998). “
 7. By amending Section 2 by replacing the word “*street*” with the word **property** in the title.
 8. By amending Section 2(1) to read:
“Property numbers are allocated or reallocated from time to time by the Municipality to properties within the area of jurisdiction of the Municipality”.
 9. By amending Section 2(2) by inserting the word **her** after the word “*him*”.
 10. By replacing the term “*General Manager*” with the word **Municipality** in Section 2(2), 3(1), 4(1), 6(2).
 11. By amending Section 4(1) to insert the word **her** after the word “*him*”.
 12. By amending Section 7 to include a new subsection (2) to read:
“(2) The by-laws relating to the numbering of buildings, as promulgated in the Local Government Notice number 113 of 28 October 2005, are hereby amended. ”
 13. **Short Title and Commencement**
This by-law is called the **Mangaung, Display of Property Numbers and Names Amendment By-Law, 2016** and comes into operation on the date of publication in the Provincial Gazette.
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[PROVINCIAL NOTICE NO.95 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Municipal Swimming Pools Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Swimming Pools By-laws of 27 September 2002 (Local Government Notice № 98 of 27 September 2002), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

MUNICIPAL SWIMMING POOLS AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

24. By amending section 1, the definitions clause, by :
- a) Replacing the definition for "*Council*" with the following definition:
"Council" means the Council of the Mangaung Metropolitan Municipality or any political structure, political office-bearer, councillor or any staff member acting under the Council's delegated or sub-delegated power"
 - b) By replacing the definition for "*municipality*" with the following definition:
"Municipality/City' means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of section 12 of the Local Government : Municipal Structures Act, 1998 (Act no. 117 of 1998); "
 - c) By adding to the end of the definition for "*Structures Act*" the words "**...as amended;**"
 - d) By adding to the end of the definition for "*Structures Act*" the words "**...as amended;**"
 - e) By amending subsection (2) to replace the phrase :
"...denoting the male sex shall include the female sex..." with the phrase: "**...denoting the male gender shall include the female gender...**"
25. By replacing the word "*Council*" with the word **municipality** in the following sections 3(1),3(2), 3(3), 4(1)(a), 4(4), 5(1), 6(1), 6(3)(b), 6(7), 6(8)(b), 9, 13(1)(e), 15, 19(1), 19(2), 21(2).
26. By amending section 13(1) by adding the phrase "**Municipal Law Enforcement Unit**" after the words "*...superintendent or...*".
27. By amending section 13(3) by adding the phrase "**the Municipal Law Enforcement Unit**" after the words "*...South African Police Services or...*".
28. By amending section 14 to replace the term "*...approval of the Council...*" with the phrase "**...with permission of the Municipality..**".
29. By deleting from section 19(2) the following phrase :
"The aforementioned indemnity also applies to injuries sustained by employees of the Council while on duty at the swimming pool, as well as damages to Council property at the swimming pool."
30. By inserting a new section 22(3) to read:
"(5) The by-laws relating to the Municipal Swimming Pools, as promulgated in the Local Government Notice Number 98 of 27 September 2002, as amended, are hereby further amended".
31. **Short Title and Commencement**
This by-law is called the **Mangaung, Municipal Swimming Pools Amendment By-Law, 2016** and comes into operation on the date of publication thereof in the Provincial Gazette.

[PROVINCIAL NOTICE NO.96 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Discharge of Industrial Effluent Amendment By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed amendments on the Discharge of Industrial Effluent By-laws of 26 September 2008 (Local Government Notice № 60 of 26 September 2008), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

DISCHARGE OF INDUSTRIAL EFFLUENT AMENDMENT BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

32. By amending section 1, the definitions clause, by :
- a) Replacing the definition for "*Council*" with the following definition:
"Council" means the Council of the Mangaung Metropolitan Municipality or any political structure, political office-bearer, councillor or any staff member acting under the Council's delegated or sub-delegated power."
 - b) By replacing the definition for "*municipality*" with the following definition:
"Municipality/City' means Mangaung Metropolitan Municipality established by the Provincial Notice Number 261 of 28 March 2011, issued in terms of section 12 of the Local Government : Municipal Structures Act, 1998 (Act no. 117 of 1998);"
 - c) By replacing in the definition for **employee**, the word "*Council*" with **Municipality**;
 - d) By amending subsection (2) to replace the phrase :
"...denoting the male sex shall include the female sex..." with the phrase: **"...denoting the male gender shall include the female gender..."**
33. By replacing the word "*Council*" with the word **municipality** in the following sections 2(1),3(2), 2(3), 2(5), 3(2), 3(2)(a), 3(2)(b), 3(2)(c) – (2)(f), 4, 5(1)(a), 5(1)(b), 5(1)(c), 5(1)(f), 5(1)(j), 5(2)(a),5(2)(b), 5(2)(c), 7 and 8.
34. By amending section 2(1) by replacing the word "*shall*" with the word **must**;
35. By amending section 2(2) by replacing the word "*shall*" with the word **must** at all instances where it is stated as such.
36. By amending section 2(4) by replacing the word "*shall*" with the word **must**
37. By amending section 3(1) by replacing the word "*shall*" with the word **should**
38. By amending section 3(2)(e) by replacing the word "*adopt*" with the word **take**
39. By amending section 5(1) by replacing the word "*shall*" with the word **must**
40. By amending section 10(1) by replacing the 2(1) by inserting after the word "*fine*" the following phrase **"...not exceeding R60 000 or imprisonment for a period not exceeding three years"**
41. By inserting a new section 22(3) to read:
"(3) The by-laws relating to the Discharge of Industrial Effluent, as promulgated as promulgated in the Local Government Notice Number 60 of 26 September 2008, as amended, are hereby further amended. "
42. **Short Title and Commencement:**
This by-law is called the **Mangaung, Discharge of Industrial Effluent Amendment By-Law, 2016** and comes into operation on the date of publication thereof in the Provincial Gazette.

[PROVINCIAL NOTICE NO.97 OF 2016]

**MANGAUNG METROPOLITAN MUNICIPALITY
PROMULGATION NOTICE**

**Repeal of Licensing of Dogs By-law
Passed by Council on May 05, 2016**

- i) Notice is hereby given in terms of the provisions of section 13 of the Local Government: Municipal Systems Act, 2000 (Act № 32 of 2000), as amended, that the Council of Mangaung Metropolitan Municipality passed resolution to repeal the Licensing of Dogs By-laws of 28 October 2005 (Local Government Notice № 115 of 28 October 2005), at its sitting dated 05 May 2016.
- ii) The Amendment By-laws are published for the purpose of general public notification.

Adv. Tankiso Mea
Acting City Manager

REPEAL OF LICENSING OF DOGS BY-LAW

BE IT ENACTED by the Council of the **Mangaung Metropolitan Municipality**, as follows:-

Repeal the Mangaung Licensing of Dogs By-laws, as promulgated in Provincial Gazette No 115 of 28 October 2005.

PROVINCIAL GAZETTE
(Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, Tel.: (051) 403 3139. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

SUBSCRIPTION: (POST)

PRICE PER COPY	R 27.00
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YEARLY	R1 356.00

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Stamps are not accepted

Closing time for acceptance of copy

All advertisements must reach the Officer in Charge of the Provincial Gazette **not later than 16:00, three workings days** prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge **not later than 08:00 on the Tuesday** preceding the publication of the Gazette and double rate will be charged for that advertisement.

A "Late Advertisement" will not be inserted as such without definite instructions from the advertiser.

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Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300, Tel.: (051) 403 3139.

NUMBERING OF PROVINCIAL GAZETTE

You are hereby informed that the numbering of the Provincial Gazette /Tender Bulletin and notice numbers will from 2010 coincide with the relevant financial year. In other words, the chronological numbering starting from one will commence on or after 1 April of every year.

Printed and published by the Free State Provincial Government

PROVINSIALE KOERANT
(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, Tel.: No. (051) 403 3139 geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie.

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NOMMERING VAN PROVINSIALE KOERANT

U word hiermee in kennis gestel dat die nommering van die Provinsiale Koerant / Tender Bulletin en kennisgewingnummers vanaf 2010 met die betrokke boekjaar sal ooreenstem. Met ander woorde, die kronologiese nommering beginnende met een, sal op of na 1 April van elke jaar begin.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Regering