

**BY-LAW RELATING TO THE  
UNSIGHTLY & NEGLECTED  
BUILDING & PREMISES BY-LAWS**

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**BY-LAW RELATING TO UNSIGHTY AND NEGLECTED BUILDINGS AND PREMISES**

**PREAMBLE:**

Section 156 (2) of The Constitution of the Republic of South Africa, 1996, the Local Government: Municipal Systems Act, 2000 and the Local Government: Municipal Structures Act, 1998, the Municipal Council has made the following by-law as set forth hereunder.

1. In this by-law, unless the context indicates otherwise:

“building” has the meaning assigned thereto in section 1 of the National Building Regulations and Building Standards Act, 1997 (Act 103 of 1977) and includes fencing:

“Council” means the Municipal Council and includes the Mayor, Political Office Bearers, Political Structures, Municipal Manager and any other Official who has delegated powers in terms of section 59 of the Local Government: Municipal Systems Act (Act 32 of 2000);

“municipal area” means the area under the jurisdiction and control of the Council;

“premises” means any land whatsoever, whether vacant, occupied or with buildings thereon, situated within the municipal area.

2. Where any premises, in the opinion of the Council-

- (a) have a building thereon which is unsightly, neglected or offensive and which causes the value of surrounding properties to be detrimentally affected;
- (b) are neglected and-grown;
- (c) have an unsightly accumulation of papers, cartons, garden refuse, rubble and/or other waste material thereon, and
- (d) have an accumulation of motor wrecks or used motor parts thereon which-
  - (i) detracts from the appearance of surrounding properties, or
  - (ii) is offensive to the owners or occupiers of adjacent premises.

The Council shall give notice in writing to the owner or occupier of such premises requiring him to improve such building or the condition of such premises within a period of thirty days (30) so that the appearance or condition of such building or premises will comply with the standards required by the Council.

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3. (1) If the owner fails to comply with the requirements of the notice served in terms of section 2 within the period specified in such notice, such owner shall be guilty of an offence and, on conviction, be liable to a fine not exceeding R\_\_\_\_\_ or imprisonment for a period not exceeding \_\_\_\_\_ months or to both such fine such and imprisonment, and in the case of a continuing offence, to an additional fine not exceeding R\_\_\_\_\_ or an additional period of imprisonment not exceeding \_\_\_\_\_ days or to both such additional fine and additional imprisonment for each day during which such failure or offence continues.
- (2) The Council may, instead of instituting a prosecution and unless written objection from such owner has been received before the expiry date of the period specified on the notice served on him, assume that such owner has no objection and tactfully agrees that the Council may, without further notice, enter upon such premises and through its officials or a contractor whose tender the Council has accepted, and at the cost of such owner execute the work necessary to comply with the requirements of the said notice.

4. **SHORT TITLE AND COMMENCEMENT:**

These By-laws are called unsightly and neglected buildings By-laws and takes effect on a date approved by Council and proclaimed in the Provincial Gazette.