



Waterberg
District Municipality

on the Go for Growth



EMERGENCY SERVICES BY-LAWS

The Municipal Manager of Waterberg District Municipality hereby in terms of section 13(a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), publishes the Emergency Services By-Law for the Municipality as approved by its Council, as set out hereunder.

Section 84(1) (j) of the Local Government Municipal Structures Act, 1998 (Act 117 of 1988), provides that a District Municipality has the functions and powers of the fire fighting services serving the area of the District Municipality as a whole, which includes-planning, co-ordination and regulation of the fire services; specialized fire fighting services; co-ordination of the standardization of infrastructure, vehicle, equipment and procedures.

Section 156(2) and (5) of the Constitution provides that a Municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and has the right to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

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EMERGENCY SERVICES BY-LAWS

The Waterberg District Municipality hereby promulgates the Emergency Services by-laws set out below for its area of jurisdiction in terms of section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), together with section 15 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

CHAPTER 1

Application of By-Law

- 1 This By-Law apply-
- (a) Within the area of jurisdiction of the Council;
 - (b) In addition to any applicable National and Provincial law;

DEFINITIONS

2. In these by-laws, unless the context indicates otherwise -

"Aboveground Tank" means a tank situated above ground for the storage of a flammable liquids and gases;

"Access Door" means any door that provides access to an emergency route;

"Activity" means any work that needs to be performed to test, to service, to renew and/or to replace an extinguisher, hose reel, fire installation and/or service installation;

"Adaptor Dolly" means a semi-trailer with one or more axles, designed or adapted-

- (a) to be attached between a truck-tractor or a haulage tractor and a semitrailer; and
- (b) not to carry any load other than that imposed by a semi-trailer;"

"Ambient" means the temperature of the air in the spray area at which a spray application process takes place;

"Animal" means any animal that is kept for domestic or agricultural purposes within the area of the controlling authority;

"Area" means any residential area or any other area within the boundaries of the Municipality;

"Approved" means approved by a Chief Fire Officer;

"Basement" means that part of a Building which is below the ground floor storey;

"Building" includes -

- (a) Any structure, whether temporary or permanent, irrespective of the materials used in its erection, erected or used for or in connection with -

- (i) The accommodation or convenience of human beings and animals;
 - (ii) The manufacture, processing, storage, display or sale of any goods;
 - (iii) The provision of any service;
 - (iv) The destruction or treatment of refuse or other waste materials; and
 - (v) The cultivation of any plant or crop;
- (b) Any wall, swimming-bath, swimming-pool, reservoir or bridge, or any other structure connected with it;
- (c) any fuel pump or any tank used in connection with it;
- (d) any part of a building, including a building as defined in paragraph (a), (b) or (c); and
- (e) any facility or system, or part or portion of it, within or outside but incidental to a building, used for the provision of a water supply, drainage, sewerage, storm water discharge, electricity supply or other similar service in respect of the building;

"Building Control Officer" means the person appointed or deemed to be appointed as a building control officer by a local authority in terms of section 5 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

"Bulk Depot" means any Premises defined as such in SANS Code of Practice 10089: Code of Practice of the Petroleum Industry, Part I: The Handling, Storage and Distribution of Petroleum Products, on which the capacity for the storage of flammable goods or combustible goods (or both) exceeds 200m³ in above-ground tanks, on which goods are normally received from refinery or other bulk depot by road, trail, sea or pipeline (or combination of these), and from which such flammable goods or combustible goods (or both) are delivered;

"Bund Wall" means a containment wall surrounding an above ground storage tank, constructed of an impervious material and designed to contain 110% of the contents of the tank;

"Certificate of Appointment" means an identification document issued by the Chief Fire Officer to a member;

"Certificate of Compliance" means a certificate contemplated in Section 20 of these by-laws, which certificate has been issued by the Service in terms of fire related requirements to authorises a person to occupy designated premises (which are a public building) accordingly;

"Certificate of Registration" means a certificate issued by the Service in terms of Section 24 of these by-laws which authorises a person to occupy registered premises, or to use the premises for spray-painting activities or for the storage or handling of dangerous goods, by having complied with all fire related requirements.

"Chief Fire Officer" means the person in charge of a service as contemplated in section 5 of Fire Brigade Services Act of 1987 (Act 99 of 1987), and includes any member who exercises any power or performs any duty delegated by the Chief Fire Officer to the member under section 19 of the Act, and also includes an Acting Chief Fire Officer appointed in terms of section 5 (3) of the Act.

"Chief Inspector of Explosives" means a member appointed as an inspector in terms of section 2(5) of the Explosives Act, 1956, to control fireworks in so far as the storage, use and sale of fireworks are concerned;

"Civil Aviation Authority" means the South African Civil Aviation Authority established in terms of section 2 of the South African Aviation Authority Act, 1998 (Act No. 4 of 1998);

"Code of Practice" means the code of practice as defined in section 1 of the Standards Act, 1993 (Act 29 of 1993);

"Combustible Liquid" means a liquid which has a close-cap flash point of 38°C or above;

"Combustible Material" means combustible refuse, combustible waste or any other material capable of igniting;

"Combustible Powder" means any finely divided solid coating material that is capable of being ignited;

"Combustible Waste" means combustible waste material which is salvageable, retained or collected for scrap or reprocessing and may include all combustible fibres, hay, straw, hair, feather, Downwood shavings, turnings all types of paper products, soiled cloth trimmings and cuttings, rubber trimmings and buffing, metal fines, and any other salvageable combustible waste material;

"Competent Person" means a person who is qualified by virtue of his or her experience and training;

"Competent Authority" shall have the meaning assigned thereto in the National Environment Management Act (Act No. 107 of 1998);

"Consignor" means the person who offers dangerous goods for transport in a vehicle referred to in regulation 274(1), and includes the manufacturer or his or her agent, duly appointed as such;

"Consignee" means the person who accepts dangerous goods which have been transported in a vehicle referred to in regulation 274(1);

"Constitution" means the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

"Controlling Authority" means the local authority in control of the Service as defined in the Fire Brigade Services Act, 1987;

"Control Room" means a room on any premises which is specifically designed, built and equipped to coordinate and control an emergency situation in or on the premises in question;

"Council" means The Waterberg District Municipality established by Provincial Notice No. 37 of 2000, dated 1 October 2000 its successors in line title; a structure or person exercising a delegated powers or carrying out an instruction, where any power in this By-Laws has been delegated or sub-delegated, or an instruction given as contemplated in section 59 of the Local Government, Municipal Systems Act 2000 or a service provider fulfilling a responsibility under this By-Laws; assigned to it in terms of section 81 (2) of Local Government, Municipal Systems Act 2000, or any other law, as the case may be;

"Critical location" means area that is not ventilated for the dispersal of liquid petroleum gas;

"Dangerous Goods" means any substance, mixture of substances, product or material that has been declared to be a Group I, II, III, IV, V, VI, VII, VIII or IX dangerous good in terms of section 2(1) of the Hazardous Substances Act, 1973;

"Dangerous Goods Declaration" means a document that describes and quantifies the dangerous goods being transported from a consignor to a consignee;

"Designated Premises" means any premises designated by the Service with a view to an emergency evacuation plan as contemplated in Section 19 of these by-laws;

"Device" means any vehicle, mechanical or electrical implement, electrical motor, machine, instrument, apparatus or other implement of which the whole or any part is used or is capable of being used for, in or in connection with the manufacture, treatment, provision, delivery, supply, packaging, labelling, storage, conveyance, loading and unloading, handling, preparation, serving or administering of any grouped dangerous good, and includes any delivery pump, filling device, spray-painting device and mechanical hoist;

"Discharge" means the ignition or activation of any fireworks whatsoever;

"Distance to be covered" means the distance that a person would in normal circumstances have to cover to exit a room, measured from the furthest point in the room;

"Diversion wall" means solid non-combustible wall that is erected with the specific purpose of ensuring and maintaining the appropriate safety distances between the point of gas release and any drains, doors and windows in buildings and possible sources of ignition;

"Division Separating Element" means a building element or component which separates one area in a building from another and has a fire resistance of not less than that required by the National Building Regulations (T1) read with the SABS 0400; resistance of not less than that required by the National Building Regulations (T1) read with the SABS 0400;

"Dry Cleaning Machinery" means any machinery used or intended to be used for the cleaning or treatment of garments or textiles with the aid of Flammable Liquids;

"Dry Cleaning Room" means that portion of any Premises used or intended to be used for the cleaning or treatment for gain or reward of garments or textiles with the aid of Flammable Liquids in which the dry cleaning process is carried out and which has been Approved for the purpose;

"Earth", "Earthed" or "Earthing" in relation to electricity means connected to the general mass of Earth in such a manner as will ensure at all times an immediate discharge of electrical energy without danger;

"Dump", in relation to a grouped dangerous good, means to deposit, discharge, spill or release that substance (whether or not the substance in question is enclosed in a container), or to have it or permit it to be deposited, discharged, spilled or released, or to deposit, discharge, spill or release it in such a way or place, or under such circumstances or for such a period, or to have it or permit it to be so deposited, discharged, spilled or released in a manner that reasonably indicates the intention to abandon or discard the substance, and "dumping", "spilling" and "spill into" have a corresponding meaning;

"Dwelling House" means a single dwelling unit situated on its own site, including any motor vehicle garage and other domestic out buildings on that site;

"Emergency" means an incident or eventuality that poses or may pose a serious threat to any person, environment or property, and "emergency situation" has a corresponding meaning;

"Emergency Evacuation Plan" means a written procedure and a set of detailed plans as contemplated in Annexure III to these by-laws;

"Emergency Plan" means a plan in writing which on the basis of identified potential incidents at the installation, together with their consequences, describes how such incidents and their consequences should be dealt with on-site and off-site;

"Emergency Route" means that part of an escape route which provides the occupiers of any

building with protection from fire and which leads to an escape door;

"Emergency Vehicle" means a fire-fighting vehicle, rescue vehicle, ambulance, a vehicle driven by a traffic officer in the execution of his or her duties, a vehicle driven by a member of the South African Police Service or a member of a municipal police service, both as defined in the South African Police Services Act, 1995 (Act No. 68 of 1995), in the execution of his or her duties.

"Environmental Impact Assessment", means a systematic process of identifying, assessing and reporting environmental impacts associated with an activity and includes basic assessment and Scoping and Environmental Impact Reporting (S&EIR);

"Escape Door" means any door at the end of an emergency route, and includes any door leading from the inside to the outside of a building;

"Escape Route" means the entire path of travel, measured from an escape door to the furthest point in any room in a building;

"Explosive(s)" means –

- (a) gunpowder, nitro-glycerine, dynamite, gun cotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance, whether similar to those herein mentioned or not, which is used or manufactured with a view to producing a practical effect by explosion or a pyrotechnic effect;
- (b) Any fuse, rocket, detonator, cartridge, and every adaptation or preparation of an explosive;
- (c) Any other substance, which the President may from time to time by proclamation in the Government Gazette, declares to be an explosive;
- (d) A petrol bomb; and
- (f) Any container, apparatus, instrument or article which -
- (i) contains any inflammable substance and can be used or adapted so that it can be used to cause an explosion or a fire; or
- (ii) Was made or can be adapted to cause, in combination with or by means of any inflammable substance, an explosion or a fire;

"Extinguishing Stream" means the amount of water that the Service needs to extinguish a fire;

"Facility" means any storage tank, whether above ground or below ground, or any transportable or refillable container that can be used for the keeping of dangerous goods, and includes the fuel tank of a motor vehicle, aircraft, vessel, ship or boat;

"Feeder Route" means that part of an escape route, which allows travel in two different directions to access doors of at least two emergency routes;

"Fire Area" means the area of jurisdiction of the controlling authority in which provision is made for fire protection as defined in SANS 10090;

"Fire Brigade Services Act" means the Fire Brigade Services Act, 1987 (Act 99 of 1987);

"Fire Damper" means an automatic damper and its assembly that complies with the requirements contained in SABS 193;

"Fireworks Display" means the use of fireworks for purposes of a public display;

"Fire Door" means an automatic or self-closing door or shutter assembly especially constructed to prevent the passage of fire for a specific length of time;

"Fire Extinguisher" means a portable or mobile rechargeable container which has a fire extinguishing substance that is expelled by the action of internal pressure for the purposes of extinguishing a fire;

"Fire-Fighting Equipment" means any portable fire extinguisher, mobile fire extinguisher, hose reel or fire hydrant;

"Fire Grading" means, with regard to materials, components and elements used in the construction and finishing of buildings, those materials, components and elements which have been tested and classified in accordance with SANS 10177 as amended;

"Fire Hazard" means any situation, process, material or condition which may cause a fire or explosion or provide a ready fuel supply to increase the spread or intensity of the fire or explosion and which poses a threat to life or property;

"Fire Incident" means a fire on any premises in the area;

"Fire Installation" means any water installation, which conveys water solely for firefighting;

"Fire in the Open Air" means any fire not within a building or structure, but does not include a fire in an area specifically designed for such fire, and maintained by the owner;

"Fire Lanes" means the road; path or other passageway constructed or designated to allow access for emergency vehicles;

"Fire Protection Systems" means any device or system designed and installed to —

(a) Detect, control or extinguish a fire, or

(b) Alert occupants or the fire service, or both, to a fire, but excludes portable and mobile fire extinguishers;

"Fire Risk Category" means a fire area being divided into sub-areas, which fall into one of the following fire-risk categories:

Category A: Central business districts and extensive commercial and industrial areas normally found in cities and large towns (areas where the risk to life and property are likely to be high due to fire occurrence and spread).

Category B: Limited central business districts, smaller commercial or industrial areas normally associated with small towns and decentralized areas of cities and large towns (areas where the risk to life and property is likely to be moderate due to fire occurrence and spread).

Category C: Residential areas of conventional construction.

Category D: Rural risks of limited buildings and remote from urban areas.

Category E: Special risks. Individual risks requiring a pre-determined attendance over and above the predominant risk category in an area. Includes large shopping/entertainment centers, informal settlements, harbours, hospitals, prisons, large airport buildings, high-rise buildings and petrochemical plants.

NOTE: High-rise buildings, as defined in SANS 10400, are an integral part of central business districts and would therefore be included in Category A. Buildings with major fire safety deficiencies may, however, be classed as special risks.

" Fire Wall" means a wall that is able to withstand the effects of fire for a specific period of time as contemplated in the National Building Regulations (T1) read with SABS 0400;

"Fireworks" means explosives under Class 7, Division 2, shop goods only, as contemplated in Regulation 9.1 under the Explosives Act, 1956 (Act 26 of 1956);

"Flammable Gas" means a gas which at 20°C and a standard pressure of 101, 3 kilopascals-
(a) is ignitable when in a mixture of 13% or less (by volume) with air; or
(b) Has a flammable range with air of at least 12%, regardless of the lower flammable limit;

"Flammable Liquid" means a liquid or combustible liquid has a closed-cap flash point of 93°C or below;

"Flammable Store" means a store that is used for the storage of flammable liquids and complies with the criteria set out **in Section 49 of this By-law;**

"Flammable Substance" means any flammable liquid, combustible liquid or flammable gas;

"Flash-Off Area" An open or enclosed area after a spray application process where vapours are released due to exposure to ambient air or a heated atmosphere;

"Gas equipment" means gas equipment includes but is not limited to appliances, regulators, hose, piping, fittings or any other related gas component;

"Goods Vehicle" means a motor vehicle, other than a motor cycle, motor tricycle, motor car, mini-bus or bus, designed or adapted for the conveyance of goods on a public road and includes a truck-tractor, haulage tractor, adaptor dolly, converter dolly and breakdown vehicle;";

"Grouped Dangerous Goods" means a group of dangerous goods as contemplated in section 1 of the Dangerous goods Act, 1973 (Act 15 of 1973);

"Hazardous Substances Act" means the Hazardous Substances Act, 1973 (Act No. 15 of 1973), and any regulations made under that Act;

"Hazardous Substance" means any hazardous substance contemplated in the Hazardous Substances Act;

"Local Municipality" means Municipality within the borders of Waterberg District Municipality;

"Major Hazardous Installation" means an installation where any substance is produced, processed, used, handled or stored in such a form and quantity that it has the potential to cause a major incident;

"Member" means a member of the Service as contemplated in section 6 and 6A (5) of the Fire Brigade Services Act, 1987;

"Mobile kitchen" means vehicle or trailer that may be used vapour withdrawal systems for commercial or industrial catering purposes;

"Mobile unit" means purpose built unit, that includes but is not limited to trailers, semi-trailers, caravans, motor homes, commercial catering units, recreation vehicles and mobile ablution facilities which accommodate various appliances for gas;

"Municipality" means the duly constituted Waterberg District Municipality;

"Municipal Manager" means a person appointed in terms of Section 82 of the Municipal Structures Act;

"National Building Regulations" means the regulations published by Government Notice R2378 of 12 October 1990 in *Government Gazette* 12780, as amended;

"National Building Regulations" means the regulations promulgated in terms of section 17(1) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and:—

- (a) National Building Regulations (A2) means the provisions regulating the submission of building plans and particulars to the Municipality;
- (b) National Building Regulations (A20) means the provisions regulating the classification and designation of occupancies;
- (c) National Building Regulations (A21) means the provisions regulating the population of a building;
- (d) National Building Regulations (T1) means the provisions regulating general requirements for fire protection of a building, and
- (e) National Building Regulations (T2) means the provisions regulating the offences for non-compliance with the National Building Regulations (T1);

"National Road Traffic Act" means the National Road Traffic Act, 1996 (Act 93 of 1996);

"National Road Traffic Regulations 1999" means regulation on transportation of dangerous goods and substances by road as prescribed in chapter 8 of the National Road Traffic Regulations.

"Normative Reference List" means the list of SANS specifications or codes of practice, which are contained **in Annexure V to these by-laws;**

"Occupancy" in relation to any public building, means the assembly of people in or on any premises or the participation of people in any activity in or on any premises contemplated in the definition of "public building";

"Occupational Health and Safety Act" means the Occupational Health and Safety Act, 1993 (Act 85 of 1993);

"Operator" means the person responsible for the use of a motor vehicle and who has been registered as the operator of such a vehicle in terms of the National Road Traffic Act;

"Occupier" means any person who actually occupies or has control over any premises, irrespective of the title under which he/she occupies or has control over the premises;

"On-Site Emergency Plan" means a plan to be followed during an emergency inside the premises of an installation or part of the installation classified as a major hazard installation;

"Outdoor Spray Area" means spray area that is outside the confines of a building that has a canopy or roof that does not limit the dissipation of heat or dispersion of flammable vapours and does not restrict firefighting access and control;

"Owner", in relation to land or premises, means the registered owner of the land or premises, and includes any person who receives the rental or profit from the land or premises from any tenant or occupier, whether for his/her own account or as an agent for a person who is entitled to the rental or

profit or who has an interest therein, and, in relation to a sectional title scheme in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), for the purposes of section 18 of the Fire Brigade Services Act, 1987, the body corporate as contemplated in the Sectional Titles Act, 1986, and, in the case of a deceased or insolvent estate, the executor or the curator respectively;

"Peace Officer" shall have the meaning assigned thereto in the Criminal Procedure Act, 1997 (Act No.51 of 1997), in respect of persons authorized by the Municipality to enforce the provisions of this By-laws;

"Pollution" means any change in the environment caused by substances, radioactive or other waves, or noise, odours, dust or heat emitted from any activity, including the storage or treatment of waste or substances, construction and provision of services, whether engaged in by any person or an organ of state, where that change has an adverse effect on human health or wellbeing or on the composition, resilience and productivity of natural or managed ecosystems, or on material useful to people, or will have such an effect in the future;

"Power Insulating Switch" means a bipolar switch that can be activated with an L-type key of which one end is fitted with a bayonet-type socket switch;

"Premises" means land, a building or other construction or structure, or any part of it, and includes –

- (a) a train, boat, ship, aircraft or other vehicle, excluding, where applicable, the fuel tank of any such vehicle; and
- (b) any building or room in which explosives are stored, kept or handled for the purpose of sale: Provided that if a building is divided into more than one room, each room used for the storing, keeping or handling of explosives is considered to be separate premises;

"Prescribed Fee" means a fee determined by the Council by resolution in terms of section 10G (7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

"Public Building" means any building where people gather to view theatrical and operatic performances, orchestral and choral recitals, and cinematographic screenings, or to attend or participate in indoor sports activities, including any place where people dance or practise or perform any physical activity;

"Public Place" means a public place as defined in section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939);

"Pyro-Technician" means any appropriately qualified person responsible for the use of fireworks at a fireworks display;

"Rational Design" as defined in SANS 10400;

"Registered Installer" means person that has the ability, appropriate training, knowledge and experience to carry out the *necessary work in a safe and proper manner, and who is registered in accordance with the requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)*

"Registered Premises" means premises in respect of which the Service has issued a certificate or permit for spray-painting activities and the storage, handling and use of dangerous goods, as well as a certificate or permit to occupy premises;

“Reserve” a fire brigade reserve force established by section 6A (1) of the Fire Brigade Services Act, 99 of 1987;

“Reservist” means a member of the reserve appointed in terms of section 6A (2) of the Fire Brigade Services Act, 99 of 1987 as amended;

“Responsible Engineer” means an engineer who is registered in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000);

"Retail Dealer" means a person or concern that, for the purposes of dealing in explosives, supplies such explosives to any other person for use by that person and not for resale;

"Risk Assessment" means the process of collecting, organising, analysing, interpreting, communicating and implementing information in order to identify the probable frequency, magnitude and nature of any major incident which could occur at a major hazard installation, and the measure required to remove, reduce or control the potential causes of such an incident;

"Room" means any room or other partitioning in a building;

"Rolling Stock" means any locomotive, coach, railway carriage, truck, wagon or similar contrivance used for the purpose of transporting persons, goods or any other thing, and which can run on a railway;

"SABS" means the South African Bureau of Standards;

"SANS" means the South African National Standards;

"SAPS" means the South African Police Service;

"Service" means the Fire Service established by the controlling authority as contemplated in Section 1 of the Fire Brigade Services Act, 1987;

"Service Installation" means any automatic extinguishing installation, fire pump connector, fire pump, emergency power and/or standby generator, fire detection system, fire locating system, fire alarm system, emergency lighting system, emergency evacuation communication system, mechanical ventilation system, pressure regulating system, smoke ventilation system, hoists and symbolic safety signs, and includes smoke and fire door assemblies;

"Shack" means any temporary shelter, building, hut, tent, dwelling or similar structure which does not comply with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), the regulations promulgated under that Act and the Municipality's Building Control By-laws and which is primarily used for residential purposes;

"Site" means any erf, lot, plot, stand or other piece of land on which a building has been, is being or is to be erected;

"Spill into" (see the definition of "dump");

"Spraying Area" means any fully, partly enclosed or unenclosed area in which dangerous quantities of flammable or combustible vapours, mists, residues, dusts or deposits are present due to the operation of spray processes (any area in the direct path of a spray application process, the interior of a spray booth or spray room, the interiors of the exhaust plenum, eliminator/scrubber section, exhaust duct or stack).

"Spraying Booth" means a power-ventilated enclosure for a spray application operation or process that confines and limits the escape of the material being sprayed, including vapours, mists, dusts and residues and conducts or directs these materials to an exhaust system. The booths can be of the Dry, or Water-Wash type;

"Spraying Permit" means a permit issued by the Service in terms of **Section 48(1) (a) of these by-laws;**

"Spraying Room" means a power ventilated fully enclosed room or structure used exclusively for open spraying of flammable or combustible materials and /or intended to be used for the purpose of spraying Vehicles or articles;

"Spraying Room" means any room, building or structure that is designed, built, equipped or erected solely for spraying or coating vehicles, parts of vehicles, or any other objects with Group III dangerous goods and/or combinations of Group III dangerous goods, or with any other substance, to form a decorative and/or corrosion resistant layer, or for any purpose incidental thereto, and "spraying booth" and "submersion tank", as well as any related process involving electrolysis, have a corresponding meaning;

"State" means: —

- (a) Any department of state or administration in the national, provincial or local sphere of government, or
- (b) Any other functionary or institution:—
 - (i) Exercising a power or performing a function in terms of the Constitution or a provincial constitution, or
 - (ii) Exercising a public power or performing a public function in terms of any legislation, but does not include a court or judicial officer;

"Storage Tank" means a metal tank of adequate strength used or intended to be used for the storage or conveyance of Flammable Liquids or substances;

"Storage Vessel" means a pressure vessel as defined in the Regulations for Pressure Vessels made under the Occupational Health and Safety Act;

"Storeroom" means a room, which is constructed, equipped and maintained as contemplated in section 46 of these by-laws;

"Storey" means that part of a building which is situated between the top of any floor and the top of the floor above it or, if there is no floor above it, that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery is regarded as part of the storey in which it is situated): Provided that, in relation to a building -

- (a) the ground storey will be regarded as the storey in which there is an entrance to the building from the level of the adjoining ground or, if there is more than one such storey, the lower or lowest of these storeys;
- (b) A basement will be regarded as any part of the building, which is below the level of the ground storey;
- (c) An upper storey will be regarded as any storey of the building which is above the level of the ground storey; and
- (d) The height, expressed in storeys, will be regarded as that number of storeys which includes all storeys other than a basement;

"Temporary structure" means any structure that is apparently temporary in nature;

"Transport Emergency Card" means document carried in the cab of any vehicle carrying

dangerous goods to instruct the driver and emergency personnel in the event of an incident;

“Underground tank” means any tank used or intended to be used for the storage of any flammable liquid and which is wholly sunk into and below the surface of the ground;

“Use” in relation to fireworks means discharging, lighting or igniting;

“Vegetation” includes grass, weeds, leaves, shrubs and trees;

“Vehicle” includes a semi-trailer or trailer which has at least four wheels with independent axles and suspension systems and can be hitched to a truck-tractor, a tank truck or any other motor vehicle as contemplated in the National Road Traffic Act, 1996 (Act 93 of 1996), as the case may be;

“Ventilation” means the changing of air within a compartment by natural or mechanical that is provided for the prevention of fire and explosion and is sufficient to prevent accumulation of vapour-air mixtures in concentrations over 25% of the lower flammable limit;

“Wheel Blocks” means wedge-shaped blocks, manufactured from material which, when scraped against the surface of any other object or material, does not produce sparks or generate static electricity; and

“Wholesale Dealer” means a person or concern that, for the purposes of trade, supplies explosives to any other dealer for resale;

CHAPTER 2

Part 1

ESTABLISHMENT OF THE SERVICES

- 3** (1) The controlling authority may, subject to section 3(3) of the Fire Brigade Services Act, 1987, as amended, establish and maintain a Service within its area, which includes the appointment of personnel and the acquisition of vehicles, machinery, equipment, devices and accessories that may be necessary to operate the Service efficiently, and the Service is intended to be used for -
- (a) Preventing the outbreak or spread of a fire;
 - (b) Fighting or extinguishing a fire;
 - (c) The protection of life or property against a fire or other threatening danger;
 - (d) The rescue of life or property from a fire or other threatening danger;
 - (e) Subject to the provisions of the Health Act, 1977 (Act 63 of 1977), the provision of an ambulance service as an integral part of the Service; or
 - (f) The performance of any other function connected with any of the matters referred to in subsection (1) (a) to (e).

Part 2

APPOINTMENT OF MEMBERS OF SERVICE

Chief Fire Officer

- 4
- (1) A controlling authority shall appoint a person who possesses the prescribed Qualifications and experience, as Chief Fire Officer to be in charge of its service;
 - (2) A person who immediately prior to the commencement of this Act was in the service of a local authority as a Chief Fire Officer in terms of a law which is repealed by this Act shall be deemed to have been appointed in terms of subsection (1);
 - (3) Whenever a Chief Fire Officer is for any reason unable to perform his duties of office, the controlling authority shall appoint a member of the service as acting chief fire officer to perform the duties and functions of the chief fire officer.

Member

- 5
- (1) A controlling authority may appoint any person who possesses the prescribed qualifications and experience, as a member of its service to perform such functions as may be assigned to him by the chief fire officer: Provided that a controlling authority may, after due consideration of the peculiar circumstances of a specific case, appoint any person who does not possess the prescribed qualifications and experience as a member of its service subject to the general conditions determined by the Board.

Reservist

- 6
- (1) A controlling authority may establish a fire brigade reserve force for its area of Jurisdiction;
 - (2) A Chief Fire Officer may, on the prescribed conditions, appoint a person who applies therefore, as a member of a fire brigade reserve force;
 - (3) A member of a fire brigade reserve force shall be a temporary member of the service and shall perform the functions entrusted to him by the Chief Fire Officer, or a member of the service acting on behalf of the chief fire officer: Provided that a member of a fire brigade reserve force may, as far as possible, only be employed for the performance of those functions for which he, in the opinion of the chief fire officer has received adequate training;
 - (4) A Chief Fire Officer may at any time discharge a member of a fire brigade reserve Force;
 - (5) A member of a fire brigade reserve force shall have the same powers as a member of the service and shall, in the performance of his functions, be regarded as a member of the service.
 - (6) The controlling authority may, in terms of an agreement as contemplated in **section 12 of the Fire Brigade Services Act, 1987**, employ its Service within or outside its area of jurisdiction, or within or outside the Province of Limpopo, against payment of **the tariffs determined in Annexure I** to these by-laws, or against payment in terms of or on the conditions contained in the agreement concerned.

CHAPTER 3

ADMINISTRATIVE PROVISIONS

Administration and Enforcement

- 7 (1) The Chief Fire Officer is responsible for the administration and enforcement of this By-law.
- (2) Where no Chief Fire Officer has been appointed in terms of the Fire Brigade Services Act, the municipal manager is responsible for the administration and enforcement of this By-law.
- (3) Where there is no service established in the area of jurisdiction of the Municipality, the municipal manager is responsible for the administration and enforcement of this By-law.

Delegation

- 8 (1) A Chief Fire Officer may delegate any power granted to him in terms of this By-law and in accordance with section 19 of the Fire Brigade Services Act.
- (2) A municipal manager may delegate any power granted to him in terms of this By-law in accordance with the system of delegation of the Municipality developed in terms of section 59 of the Municipal Systems Act.

Enforcement Provisions

- 9 (1) A controlling authority may, whenever he/she regards it necessary or expedient to do so; enter any premises at any reasonable time to ensure compliance with this By-law.
- (2) A controlling authority has the authority to summarily abate any condition which is in violation of any provision of this By-law and which presents an immediate fire hazard or other threatening danger.
- (3) A controlling authority must remedy any violation mentioned in subsection (2), by performing any act, and may also:-
- (a) Call for the immediate evacuation of the premises;
 - (b) Order the closure of the premises until such time as the violation has been rectified;
 - (c) Order the cessation of any activity, and
 - (d) Order the removal of the immediate threat.
- (4) Any costs of such action must be borne by the person deemed by a controlling authority to be responsible for the existence of such condition;

Authority to Investigate

- 10 (1) **Notwithstanding anything to the contrary contained in any other law, a controlling authority has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger;**

Failure to Comply with Provisions

- 11 (1) When a controlling authority finds that there is non-compliance with the provisions of this By-law by any person or that a condition has arisen that has the potential to lead to a contravention of this By-law or any other law excluding the situation in section 4(2), he or she written compliance notice must be issued and include the following:—

- (a) May issue a compliance notice to the person contravening with this By-law or any other law;
 - (b) Provisions of this By-law that are being contravened;
 - (c) The remedial action required, and
 - (d) set forth the time period in which the notice must be complied with;
- (2) A compliance notice issued in terms of subsection (1) must state:-
- (a) The provision of the By-law that is being contravened or will be contravened if the condition is allowed to continue;
 - (b) The remedial action required, and
 - (c) set forth the time period in which the notice must be complied with;
 - (d) Name and address of the owner/occupier
- (3) An order or notice issued under this By-law must be served either by personal delivery or registered mail upon a person who is in the opinion of the controlling authority, deemed to be the appropriate person.
- (4) For unattended or abandoned premises, a copy of such order or notice must be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice must be mailed by registered mail, to the last known address of the owner, the person in charge of the premises or both;
- (5) If a person on whom notice was served in terms of **Subsection (1)**, fails to comply with the requirement of the notice, the controlling authority may for the purpose of this By-law, take such steps as may be necessary to rectify the condition at the cost of the person in contravention with the provision of this By-law or other law;
- (6) Any person who fail to comply with a compliance notice issued in terms of **subsection (1)** commits an offence;
- (7) The controlling authority shall in respect of a person who fails to comply with a compliance notice on several occasions-
- (a) keep record of non-compliance and consider any appropriate action as may be required; and
 - (b) Issued with notice, fine and imprisonment.

Denial, Suspension or Revocation of an Approval of Certificate or Permit

- 12** (1) The Controlling Authority may refuse, suspend or revoke an approval or a certificate required by this By-law for: —
- (a) Failure to meet the provisions of this By-law for the issuance of the approval or certificate, or
 - (b) Non-compliance with the provisions of the approval or certificate;
 - (c) Take such steps as may be necessary in terms of this By-law and the transgressor shall be liable for any costs incurred thereby;

Records Required.

- 13 (1) The safekeeping of all relevant records and documents is the responsibility of the **Controlling Authority**;

Charges

- 14 (1) The Municipality may determine the fees payable by a person on whose behalf, the Controlling Authority rendered a service as contemplated in section 10 of the Fire Brigade Services Act;
- (2) The Municipality may charge a fee for the provision of an inspection, re-inspection or any other service as well as the issuing of permits, approvals or certificates in accordance with the applicable local government legislation regulating the charging of fees;

Reporting a Fire Hazard and other Threatening Danger

- 15 (1) An owner or the person in charge of the premises, upon discovering any evidence of a fire hazard or other threatening danger pertaining to this By-law, must immediately notify the controlling authority;

Pretending to be a Member/Member Wearing Misleading Rankings

- 16 (1) No person, except a member, may wear any official clothing, uniform, badge or insignia of the Service which creates or may create the impression that he/she is a member.
- (2) No person may falsely present himself/herself as a member or pretend to be a member.

Certificate to Identify a Member of Service

- 17 (1) Any person who so pretends to be or presents himself/herself as a member must, irrespective of whether he/she has been requested to do so, identify himself/herself by producing the relevant certificate of appointment and/or mark of appointment, or by furnishing proof of identity within a reasonable period.
- (2) Any person who contravenes or fails to comply with this section is guilty of an offence.

Powers of Members and Designated Officers

- 18 (1) Every member, including the Chief Fire Officer, has all the powers provided for in the Fire Brigade Services Act, 1987.
- (2) A designated officer as contemplated in **section 16/18 (4) (a)** may -
- (a) Seize any certificate of compliance, certificate of registration or spraying permit provided for in these by-laws if the conditions of or endorsements in the document are not being complied with, or if the member has reasonable grounds to suspect that unauthorised changes have been made to the document;
 - (b) Institute the relevant prosecution in connection with **subsection (2) (a)** or have the prosecution instituted, as the case may be; and
 - (c) Seize anything (hereinafter called "object") on any premises that is connected with a spraying permit, certificate of registration or certificate of compliance, but must

provide reasonable proof of a contravention of any condition of or endorsement in such permit or certificate and must remove the object or have the object removed to a place of safe custody: Provided that the seizure does not exempt any person from any other relevant provisions of these by-laws: Provided further that the seizure is, subject to **section 20 of the Fire Brigade Services Act, 1987**, made in accordance with the following conditions:

- (i) The Chief Fire Officer or the delegated member must grant prior approval in writing for the seizure.
 - (ii) Official proof of seizure must be issued to the person from whom the object has been seized, together with a description of the object.
 - (iii) After an order issued in terms of the Fire Brigade Services Act, 1987, or these by-laws has been complied with in full or after a prosecution **in terms of section 21 of the Fire Brigade Services Act, 1987**, has been instituted and finalised, as the case may be, any object seized must be returned to the person from whose possession it was taken;
- (3) Any member may seal off any building or premises by temporarily closing a street, passage or place which he/she deems necessary for public safety or for effectively fighting a fire or dealing with any other emergency that may give rise to a fire, explosion or other threat to life or limb, and the member may remove, using no more force than is reasonably necessary, any person who refuses to leave the street, passage or place after having been requested by the member to do so.
- (4) (a) Designated officers must be -
- (i) Suitably trained and certified as peace officers and be appointed as such in terms of Government Notice R159 of 2 February 1979, as amended;
- (b) All designated officers have the power -
- (i) In terms of the provisions of section 56, read with section 57, of the Criminal Procedure Act, 1977 (Act 51 of 1977), to issue summons involving a spot fine;
 - (ii) In terms of the provisions of section 341 of the Criminal Procedure Act, 1977, to issue spot fines for certain minor offences;
 - (iii) In terms of the provisions of section 44 of the Criminal Procedure Act, 1977, to issue a warrant of arrest;
 - (iv) In terms of the provisions of section 41 of the Criminal Procedure Act, 1977, to ask certain persons for their names and addresses and to arrest persons without a warrant if duly authorised to do so; and
 - (v) In terms of the provisions of section 54 of the Criminal Procedure Act, 1977, to serve summons in order to secure the attendance of the accused in a magistrate's court.

Making Service Equipment and Manpower Available

- 19 (1) With the approval of the Chief Fire Officer, the Service may, at the request of anybody or person and at **the tariffs determined in Annexure I** to these by-laws, use any equipment and/or manpower at its disposal to provide any special service in connection with the aims of the Service.

- (2) The said equipment and/or manpower may be withdrawn summarily if the equipment and/or manpower are required elsewhere for or in connection with an emergency situation.

PART IV / CHAPTER 4

FIRE PROTECTION AND FIRE-PREVENTION

Part 1

FIRE PROTECTION

Application for approval of plans

- 20** (1) Subject to the provisions of the National Building Regulations and Building Standards Act, 1977 and SANS10400 and the provisions of the Major Hazard Installation Regulations, every owner of premises on which there is a building in respect of which a floor layout change, addition, alteration, upgrading and/or renovation is envisaged, or the owner of premises on which bulk, above-ground and underground installations and any other structures are to be erected for the use, storage or handling of dangerous goods or erected in connection with such use, storage or handling, must submit plans in triplicate to the controlling authority on the prescribed form obtainable from the office of the Building Control Officer.
- (2) The **prescribed fees** payable to the Service for the approval of plans are determined in **Annexure I** to these by-laws, but exclude the fees charged by the Building Control Officer for the approval of plans.
- (3) The Service will not accept any plan (except for a plan regarded by the Building Control Officer to be that of "minor building work") unless the official certification of submission of the Building Control Officer appears on it.
- (4) No construction work may be started on any premises unless the building contractor is in possession of the relevant plans that have been officially certified as approved by the Fire Safety Section of the Service, as the case may be. For the duration of construction work on the premises the plans in question must be available for inspection by the Service.
- (5) The provisions of **section 23 of the National Building Regulations and Building Standards Act, 1977**, are applicable to the approval of plans as regulated in this section.
- (6) Any owner of premises who fails to comply with the provisions of this section or any person who on behalf of the owner is involved in any activity contemplated in this section and fails to comply with the provisions of this section is guilty of an offence;

Registration Application For Existing Premises

- 21** (1) If an owner rebuilds, alters, extends or changes the floor layout of an existing building that has been legally erected and used, or if ownership or control of the premises changes, no existing certificate of compliance, certificate of registration or spraying permit, as prescribed in **Annexure II** to these by-laws, will be renewed, unless and until all the appropriate provisions of these by-laws regarding an original application have been complied with.
- (2) No additions or alterations may be made to any existing registered premises unless and until –
- (a) the owner of the premises has submitted to the Building Control Officer and the Chief Fire Officer a plan of the existing premises and of the proposed work, as required in terms of Regulation A2 of the National Building Regulations; and

(b) The Building Control Officer and the Chief Fire Officer have approved the plan.

(3) Any person who fails to comply with the provisions of this section is guilty of an offence.

Fire Protection Requirement for Premises

- 22**
- (1) In addition to any other provisions contained in these by-laws, the Building Regulations, published under Government Notice R2484 of 26 October 1990, as amended, which are contained in Code of Practice SANS 10400 and called "The Application of the National Building Regulations", and any additional building regulations published for application in the area, are, for the purposes of the enforcement of these by-laws in relation to fire protection requirements, applicable *mutatis mutandis* to premises in the area.
 - (2) If any superfluous water unavoidably spills into or is collected in a basement for whatever reason during fire extinguishing activities, adequate means must be provided to convey the water so spilled or collected to a storm water drainage;
 - (3) No high- and/or low-voltage transformer room(s) in any building may be situated on any level other than the ground level: Provided that -
 - (a) The access to the transformer room (s) is situated on the outside of the building; and
 - (b) Provision is made for adequate access to the transformer room(s) for fire-fighting activities and/or maintenance.
 - (4) Whenever an approved sprinkler system is required in accordance with the provisions of SANS 10400; SANS 10087, and SANS 10089, the sprinkler system must be planned, designed and installed in accordance with the guidelines of SANS 10287 for automatic sprinkler installations and in consultation with the Service.
 - (5) Any person who fails to comply with any of the provisions of SANS 10400, as amended, where the provisions relate to fire protection matters, is guilty of an offence.

Design and Construction of Landfill Site

- 23**
- (1) Every person who designs and construct any landfill site, must ensure that it is designed and constructed in accordance with the minimum engineering requirement as stipulated in the National Environment Management: Waste Act, (Act no.59 of 2008) as amended, National Environmental Management Act, (Act no.107 of 1998) as amended;
 - (2) Person contemplated in **subsection (1)** must ensure that before he/she design and construct a landfill must consult with-
 - (a) National Department of Environmental Affairs;
 - (b) Limpopo Economic Development Environmental and Tourism;
 - (c) The department of Agriculture, Forestry and Fisheries;
 - (d)The Municipal Health Services;

Design and Construction of Temporary Structures and Tents

- 24**
- (1)** Any person or organisation who intend to construct, erect tent/marque or temporary structure

to hold an event or public gathering shall apply to the controlling authority by completing and submit an application forms provided in Annexure 1 together with a prescribed fee to the fire service for the issuing of certificate;

- (2) Application must be made prior to the erection of a tent/marquee for an event and/or function and such date must be at least seven (7) working days prior to the proposed erection of such a tent for an event and/or function;
- (3) Notwithstanding the provisions in subsection (2) an application for compliance certificate in terms of the event must be submitted at least twenty (20) days before the intended event;
- (4) A compliance certificate in terms of the event is only valid for the duration of that particular event, entertainment or public assembly;
- (5) No certificate of compliance will be issued for a public building or temporary structure unless the relevant provisions of these by-laws have been complied with;
- (6) The compliance certificate is valid only for the premises or portion of the premises for which it was issued, and when changes of occupancy occur or alterations are made to premises for which the certificate was issued, the owner or person in charge of the premises must reapply for the certificate in accordance with subsection (1);
- (7) Fire service will conduct an inspection on that premises or event 48 hours before the commencement of the event;
- (8) An application must be made to the fire service to conduct a fire safety inspection and comment on evacuation planning; fire installation systems, emergency exits and escape routes;
 - a. The application must be accompanied by event categorization certificate from the South African Police Service;
 - b. Submit an application in terms of the National Building Regulations (A20 and A23) to the Municipality for the erection and usage of the tent; and
 - c. Submit an application in terms of section 24/20 (4) of this By-laws to the controlling authority for a temporary compliance certificate;
 - d. If the applicant is not the owner of the property where the temporary structure will be erected, an original Power of Attorney must be submitted.
- (9) The following documents, together with the application form, must be submitted to the Controlling Authority;
 - (a) Site plan showing the following on scale:
 - (i) the position of the tent;
 - (ii) toilet facilities;
 - (iii) entrance to the premises;
 - (iv) parking area to be provided
 - (b) Layout drawings (scale) showing the following:
 - (i) Size, form and materials of construction;

- (ii) Use of the proposed structure;
 - (iii) Position of all fire fighting equipment;
 - (iv) Openings for lighting, ventilation and fire escapes/accesses
- (10) Floor coverings, combustible decorative materials and effects shall be composed of flame-resistant material or shall be treated with flame retardant in an approved manner;
- (11) After the erection has been completed, the applicant must arrange for an inspection with the Controlling Authority prior to the proposed event or function and the following documents must be submitted additional to the previously submitted documents:
 - (i) An original Engineer's Compliance Certificate for the erection of a Marquee tent and stage area;
 - (ii) The trade name and type of flame retardant utilized in the flame-retardant Treatment;
 - (iii) Normal (non-marquee tents) compliance certificate;
- (12) The application submitted in terms of subsection (1) (a) must comply with the following:
 - a. Tent must be erected at least 4.5m from a boundary, combustible stores or material and the controlling authority may require that this distance be increased should the situation require it;
 - b. Where tents are erected adjacent to one another, an unobstructed minimum distance of 4.5m must be provided between them and where applicable between the stakes and guidelines of the adjacent tents, in order to ensure emergency vehicle access;
 - c. The requirements set out in the National Building Regulations (T1) must be complied with in the following instances:
 - i. Where the population of a tent exceeds twenty-five (25) people;
 - ii. Where the tent is occupied during the hours of darkness;
 - iii. For seating arrangements and aisle dimension; and
 - iv. For the provisions of fire extinguishers;
 - d. The population density of a tent must comply with the National Building Regulations (A21);
 - e. No cooking may be carried out in the tent occupied by the public and where cooking is required, it must be out in a separate tent or an area to which the public does not have access;
 - f. No open fire is permitted in a tent and any other flame emitting devices, such as a candle, lantern or torch not limited thereto, is only permitted in a tent after approval by the controlling authority;
 - g. No open fire or flame is permitted within five (5) metres of a tent, stake or guidelines of a tent; Exemptions

- h. Smoking is prohibited in a tent and a **No Smoking** sign and other symbolic safety and warning sign must be prominently displayed at each entrance and must comply with **SANS 1186**;
 - i. Lighting and wiring installed in a tent must comply with the requirement set out in SANS 10142 in such a manner that direct contact is not made with combustible material and the radiated heat does not pose an ignition hazard;
- (13) Notwithstanding the provisions in **subsection (1) and (2)** the controlling authority may request the applicant to fulfil additional requirement for the erection and usage of a tent;
- (14) Any person who fails to comply with the provisions of this section or who alters or attempts to alter a certificate of compliance, or knowingly allows the certificate to be altered, is guilty of an offence;

Rational Designs

- 25** **(1)** The construction, design and/or erection of -
- (a) Hangars;
 - (b) Helipads;
 - (c) Grain silos;
 - (d) Atriums;
 - (e) Air traffic control towers;
 - (f) Any other structure or building identified at the discretion of the Chief Fire Officer, in the area must comply with an acceptable rational design, submitted to and approved by the Chief Fire Officer, which meets all the applicable requirements of **Regulation T1 (1)** of the National Building Regulations.
- (2)** Subject to the provisions of **subsection (1)**, provision must also be made, in the case of hangars or helipads, for -
- (a) The drainage of any liquid from the floor of the hangar or helipad and/or approach to the hangar;
 - (b) The channelling of any liquid to a drainage area, which is effectively connected to a separator well;
 - (c) The prevention of any liquid from spreading from the floor of the hangar or helipad to any rooms, adjacent buildings or to the outside of the hangar; and
 - (d) Earthing devices for discharging static electricity;
- (3)** Any person who fails to comply with the provisions of this section is guilty of an offence;

Design and Construction of Disposal Sites

- 26** **(1)** Any person who intend to design, layout and construct any disposal site of whatever nature must be done in accordance with the requirements of the Waste Act, (Act No.59 of 2008) with Regulations and Norms and Standard, National Environment Management Act, (Ac No.107 of 1998) with Regulations;

(2) Person contemplated in subsection (1) must consult with the National Department of Environmental Affairs and Tourism, Municipal Health Services and other related departments;

(3) Any person who fails to comply with the provisions of this section is guilty of an offence;

Requirement of Fire Doors and Assemblies

27 (1) Subject to the provisions of SANS 1253, a fire door and assembly must be maintained in such a manner that in the event of a fire it retains its integrity, insulation and stability for the time period required for that particular class of door;

(2) A fire door may be kept open, only when it is equipped with automatic releasing hold-open device approved by the Municipality;

(3) A door and assembly may not be rendered less effective through the following actions:

- a. Altering the integrity, insulation or stability of a particular class of door;
- b. Disconnecting the self-closing mechanism;
- c. Wedging, blocking or obstructing the door so that it cannot close;
- d. Painting the fusible link actuating mechanism of a door;
- e. Disconnecting or rendering less effective an electric or electronic release mechanism;
- f. Any other actions that renders a fire door or assembly less effective;

Requirement of Emergency Exit and Escape Routes

28 (1) A component which forms part of an escape route such as the feeder routes, access doors, emergency routes and escape doors must not be obstructed or rendered less effective in any way, which could hinder or prevent the escape of any person from a building in the case of fire or any other emergency;

(2) A locking device, which is fitted to an escape route must be of a type approved by the controlling authority;

(3) Where required by the controlling authority, an escape routes must be clearly indicated with signage and symbolic safety signs, which complies with SANS 1186, indicating the direction of travel in the event of fire or any other emergency;

(4) Every owner of a building must ensure that any escape door in that building—

- (a) Is fitted with hinges that open in the direction of escape; and
- (b) Is equipped with a fail-safe locking device or devices that do not require a key in order to exit.

(5) Every owner of a building must ensure that any door in a feeder route—

- (a) Is a double swing-type door;

(b) is not equipped with any locking mechanism;

(6) Notwithstanding the provisions of subsection (8), if it is necessary that a door, in a feeder route be locked for security reasons, the owner of the building must provide an alternative means of escape approved by the Chief Fire Officer;

(7) No person may obstruct or allow the obstruction of any escape route from any premises that may prevent or hinder the escape of any person or animal from the premises in an emergency.

Installation of Extractor Fan Systems

29 (1) Extractor fan systems and related ducts or similar chimney systems must be designed and installed in such a manner as to grant adequate access (that is clearly marked) for trouble-free inspection and maintenance of and repairs to the relevant mechanisms.

(2) Every filter, damper, screen or conduit that forms an integral part of a system referred to in subsection (1) must be regularly cleaned, maintained and checked to ensure that fatty residues or any other combustible residues do not accumulate.

(3) The conduit and outlet of any system referred to in subsection (1) must be installed so as not to pose a fire hazard or probable fire hazard to any premises or property.

(4) Any person who fails to comply with the provisions of this section is guilty of an offence.

Requirement for Sprinkler Systems

30 (1) If a sprinkler system is required in any building in accordance with SANS 10400, SANS 10087 or SANS 10089 or if the Council so requires, the owner of the building must ensure that the building is equipped with a sprinkler system;

(2) Every person who designs, constructs or installs a sprinkler system must ensure that it is designed, constructed and installed –

(a) in accordance with SANS 10287; and

(b) In compliance with the requirements of SANS 10400 insofar as it relates to fire protection;

Requirement of Fire Extinguishers

31 (1) Fire extinguishers must be provided and installed on premises as required by the controlling authority and in accordance with the National Building Regulations (T1) and (T2);

(2) When the controlling authority finds that a fire extinguisher has been refilled, recharged, reconditioned, modified, repaired or tested by a person not in possession of a permit mentioned in section 16/46 (1) (c); the controlling authority must instruct the owner or person in charge of such premises to have the work carried out by a person who is in possession of such permit or certificate;

(3) When, in the opinion of the controlling authority, a fire extinguisher is unsafe or ineffective either by reason of deterioration, design or construction, the controlling authority must instruct the owner or the person in charge of the premise to have the appliance inspected and tested in terms of SANS 1475 and SANS 1571;

- (4) The owner or person in charge of the premises, land or vehicle must ensure that, person who charged, reconditioned, refill, modified, inspect, repaired or test a fire extinguisher issue him/her with the certificate of compliance;

Water Supply For Fire-Fighting (Take Note)

32

- (1) In any township development, a township developer must provide as follows for water supply for fire-fighting purposes as provided for in SANS 10090 (Community Protection against Fire) as well as SANS 11200 specifications. The Red Book-Guidelines for the provision of Engineering Services and Amenities shall also be applicable.
- (2) Fire hydrants must be inspected by the Service at the intervals as provided for in SANS 10090, and a flow and pressure test must be conducted on the stream to determine whether the stream complies with the said code of practise.
- (3) The position of all fire hydrants must be properly plotted for operational use by the Service. In the case of township development the fire hydrant spacing must be in accordance with SANS 10090 (Community Protection against Fire) as well as SANS 11200 specifications. The Red Book-Guidelines for the provision of Engineering Services and Amenities shall also be applicable.
- (4) If any risk area is developed or redeveloped in such a manner that the risk area falls into the high-risk category, the water reticulation must be adapted accordingly without delay, by the developer;
- (5) Any building developer who requires water supply on to the water reticulation system of the controlling authority must submit a complete set of approved fire protection plans for the premises to the Service, as contemplated in Regulation A9 of the National Building Regulations, to obtain a water connection form, as set out in Annexure II to these by-laws, from the Service, for submission to the Water Supply Division of the controlling authority: Provided that -
- (a) If the premises are protected by a sprinkler installation, the water supply requirement must be calculated and designed for each sprinkler installation in accordance with appropriate design criteria, and the size, delivery pressure and flow of the water supply requirement must be calculated in advance by the engineer responsible;
- (b) If the Service requires a larger water supply for the premises to ensure that fire-fighting equipment functions in accordance with the appropriate design requirements as set out in SANS 10400, the owner of the premises must provide the required water supply; and
- (c) The size, work pressure and delivery flow of any water supply, excluding a water supply as contemplated in subsection (5)(a), must be calculated and designed according to the provisions of SANS 10400 and SANS 10252;
- (b) No person may obtain a water connection to the water reticulation system of the council unless the fire protection plans for the premise to be connected have been approved by the Chief Fire Officer;
- (c) Every person or owner of premise who requires a water connection to the reticulation system of the council must-
If the promises to be connected are protected by a sprinkler installation ensure that-

- (i) The connection is calculated and designed for each sprinkler installation in accordance with rational design as contemplated in the National Building Regulation and Building Standard Act, and
 - (ii) The size, delivery pressure and flow of the water connection is calculated in advance by the responsible engineer;
- (d) Chief Fire Officer may requires a larger water connection for the purpose of fire fighting;
- (e) Ensure that the size, work pressure and delivery flow, except in the case of a water connection to a sprinkler installation, is calculated and designed in accordance with **SANS 10400** and
- (f) Ensure that the water installation upon completion complies with the provisions of **SANS**;
- (6) Every person who develops or redevelops a township must ensure that:
- (i) The storage capacity and rate of replenishment of the reservoirs supply water to the township are sufficient for the fire fighting purposes contemplated in this By-laws;
 - (ii) The water from these reservoirs is reticulated in a manner that ensures that the water supply to any area in the township can be provided from at least two direction; and
 - (iii) Double supply mains are installed from the water supply source to the distribution reservoirs and double pumps are installed for the delivery of the water supply;
 - (iv) **The water distribution system is designed and equipped with control valves positioned so that it is not necessary to close off any branch or any portion of the distribution system for more than 150 meters in any high risk area or for more than 300 meters in any moderate or low risk area in the event that the system, excluding any of the branches, is damaged or requires repair; and**
- (6) **Any person who fails to comply with the provisions of this section is guilty of an offence;**

Application For Certificate of Compliance

- 33** **(1)** The owner of any public building, or of any temporary structure which is erected or intended for holding public gatherings, must apply in writing to the Service for the issuing of a certificate of compliance for every type of gathering or for the proceedings envisaged in the premises or structure, and must pay the fees, as determined in **Annexure I** to these by-laws, when submitting the application form (the design guidelines appear in **Annexure II** to these by-laws).
- (a) Fire Protection plans have to be submitted for approval by Council, which complies with the requirements as stipulated in the National Building Regulations and Building Standard Act (Act No. 103 of 1977), SANS10400 , and Safety at Sport and Recreation Events Act (Act No.2 of 2010) and SANS 10366;
 - (b) An application for an event risk categorization certificate with regards to fire safety requirements for events must be completed by the venue owner. The venue has to be designed for events according with SANS 10400, SANS10366 and Safety at Sport and Recreation Events act (Act No. 2 of 2010);
- (2)** An application contemplated **in subsection (1)** must be submitted at least thirty (30) days

before intended public gathering;

- (3) The certificate of compliance is valid for twelve (12) calendar months;
- (4) The provisions of this subsection are not applicable to any action, which results in the temporary removal of something for the purpose of effecting repairs or replacements in respect of the premises.
- (5) Where so required by the Chief Fire Officer the attendance of the Service shall be provided for;
- (6) Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of compliance has been issued will result *ipso facto* in the cancellation of the certificate of compliance, including any other authorization granted in terms of these by-laws;
- (7) If the trade name of the public building changes, the holder of the certificate of compliance must ensure that the change is brought to the attention of the Service immediately and in writing;
- (8) Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of compliance has been issued will result *ipso facto* in the cancellation of the certificate of compliance, including any other authorization granted in terms of these by-laws;
- (9) Any person who fails to comply with the provisions of this section or who alters or attempts to alter a certificate of compliance, or knowingly allows the certificate to be altered, is guilty of an offence;

ANNEXURE I

APPLICATION FOR BUILDING COMPLIANCE CERTIFICATE

Serial: **WDM/MAB/COMC/01/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire compliance certificate of the Building Structures **permanent or temporary** within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner, the tenant/responsible person for the said shop/premise stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act of 1987, National Building Regulation and Building Standard Act of 1977, South African National Standard codes, Safety at Sport and Recreation Events Act, Act No.2 of 2010, Occupational Health and Safety Act of 1993, Explosives Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer for approval. The authority reserves the right to upon any other defects not mentioned herein being rectified before certificate can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Date of previous inspection : ____/____/20____ **Place** : _____

Receipt No. : _____ **Amount R** _____

Certificate/Permit is valid for 12 months from the date issued and must always be kept on the premise/shop and be maintained in a legible condition.

Signature: _____
Applicant

Date: ____/____/20____

Requirements For Compliance Certificate

- 34 (1) No certificate of compliance will be issued or renewed, as the case may be, unless and until the controlling authority -
- (a) Is in possession of a set of plans referred to in **section 24/20** of these by-laws and approved by the Service; and
 - (b) Has received the prescribed application form defined in **Annexure II** to these by-laws, which form has been completed in full and correctly.
 - (c) Unless the building or temporary structure complies with the requirement of this By-laws; and

Contents of Compliance Certificate

- 35 (1) A certificate of compliance issued to the owner of a public building will be endorsed with the following information, where applicable:
- (a) The trade name and street address of each occupier
 - (b) The type of activity of each occupier
 - (c) The name of the persons on the executive
 - (d) The permissible number of people in proportion to the usable floor area
 - (e) The number of emergency exits and their widths
 - (f) A cancellation clause in the event of any applicable provision of these by-laws being disregarded
 - (g) An obligation on the part of the holder of the certificate to -
 - (g) Display the certificate prominently on the premises at all times; and
 - (ii) Maintain the certificate in a legible condition at all times
 - (h) A date, year and serial number
 - (i) The date of expiry of the certificate.

Duties of Holder of Certificates and Permits

- 36 (1) Every owner, occupier or person in charge of a building, storeroom of flammable substance, spray-painting room, transport of dangerous goods vehicles and storage facilities must ensure that they complies with the requirement of this By-law and other applicable law;
- (2) The holder of a certificate or permit for a specific premises must ensure that the certificate is kept on the premises for inspection at all times
- (3) If the trade name of a public building changes, the holder of the certificate or permit must ensure that the change is brought to the attention of the fire **service** immediately and in writing;
- (4) The holder of a compliance, registration certificate, transport or spray-painting permit must –

- (a) Comply with the provisions of the certificates and permits at all times;
 - (b) Display the certificate and permits prominently on the premises and vehicles;
 - (c) Maintain the certificate and permits in a legible condition;
 - (d) Immediately notify the Chief Fire Officer in writing of any change to the trade name, activity or governing or similar body of any occupier, owner of the vehicle, building or structure; and
 - (e) Submit any application for renewal of the certificate or permit at least 30 days before its expiry in the form and manner determined by the Council together with **the prescribed fee**.
- (5) Any person who holds a certificate, permit or other authorization contemplated in these By-laws must ensure that the premises to which the authorization applies, are equipped with
- (a) Portable fire extinguishers that comply with requirement in SANS 1910 and maintained and serviced in accordance with SANS 1475;
 - (b) If applicable, hose reels that comply with requirement in SANS 453 and maintained, serviced in accordance with SANS 1475, maintain a minimum flow of 0,5 litres per second at a minimum work pressure of 300 kPa;
 - (c) If applicable, fire hydrants that comply with the requirement in SANS 1128 and maintained, serviced in accordance with SANS 1475;
 - (d) If applicable, in relation to any above-ground facility, a sprinkler system or deluge system that is approved by the Chief Fire Officer and with the exception of temporary storage facilities, is installed in a position indicated in the building plans for the premises;
- (6) Any person who holds a certificate, permit must position firefighting equipment prominently or where this is not possible, the position of the firefighting equipment is clearly indicated by a symbolic safety signs in accordance with the specifications of SANS 1186; and to the satisfaction of the Chief fire Officer.
- (7) Any person who fails to comply with the provisions of this section or who alters a certificate, permit or who attempts to alter the certificate or permits the certificate to be altered is guilty of an offence.

Renewal of Certificates and Permits

37

- (1) The owner, Operator or person in charge of the premises, vehicles, stores and spray-painting room must annually apply to the Controlling Authority to renew Permits or Certificates thirty (30) days before the expiry date on the certificate or permit;
- (2) Application forms for the renewal of the certificate or permit must be completed and submit to the Chief Fire Officer, together with the prescribed fees determined in Annexure I to these by-laws,
- (3) The Chief Fire Officer may for some reason require further, additional and/or amended plans of the premises in question for the purposes of the renewal of the certificate together with the application forms;
- (4) The certificate or permit will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted.

- (5) The Chief Fire Officer may send a reminder for renewal of the certificate or permit to the owner of the vehicle(s), premises, spray-painting room and flammable stores. A holder who has not received a reminder is not indemnified from possible prosecution. If a person contemplated in Subsection 1 does not annually apply to the Controlling Authority for the renewal of Permit or Certificate, Permit or Certificate will lapse and the Controlling Authority is under no obligation to notify any person to renew the Permit or Certificate.
- (6) The period of validity will be calculated from the date of issue of the original certificate or permit;
- (i) compliance certificate in terms of an event is valid for the duration of the event;
 - (ii) certificate in terms of building compliance is valid for twelve months;
 - (iii) registration certificate in terms of storage for dangerous goods is valid for twelve months;
 - (iv) permit for the transportation of dangerous goods is valid for twelve months
- (7) Any person who fails to comply with the provisions of this section, or who alters or attempts to alter a certificate and permit or who permits it to be altered, is guilty of an offence.

Cancellation of Certificates and Permits

- 38 (1) Chief Fire Officer may cancel any certificate or permit in respect of a building, temporary structure, dangerous goods transport and storage facilities if he or she has reason to believe that -
- (a) The owner or occupier concerned contravenes or fails to comply with any provision of these By-laws; or
 - (b) The building, temporary structure, dangerous goods transport and storage facilities contravenes or does not comply with the requirements of these By-laws.
 - (c) The owner has given false information, obtained certificate or permit through fraud, non-disclosure of material information on an application form submitted;
 - (d) The owner has wilfully or negligently made an incorrect or false statement in a placards affixed by him;
 - (e) The owner committed a breach of or failed to comply with any provisions of these By-laws and other legislations;
 - (f) The owner has performs any act or duty under this By-laws in an negligent manner;
 - (g) Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of compliance has been issued will result *ipso facto* in the cancellation of the certificate of compliance, including any other authorisation granted in terms of these by-laws:
 - (h) An operator cause such a severe breach of a Dangerous Goods vehicle permit that in the opinion of the Controlling Authority, the cancellation of all Dangerous Goods vehicle permit issued to the operator, recur, or was found guilty of dishonesty or fraud by a court of law

- (2) Subject to subsection (3), before the Chief Fire Officer cancels a certificate or permit as contemplated in subsection (1), he or she must –
- (a) Give the owner or occupier concerned written notice of the intention to cancel the certificate or permit and the reasons for such cancellation;
 - (b) Give the owner or occupier concerned a period of at least 20 days to make written representations regarding the matter or as to why the certificate or permit should not be cancelled; and
 - (c) Consider any representations received.
- (3) If the Chief Fire Officer has reason to believe that the failure to cancel a certificate or permit within the period contemplated in subsection (2) (b), may endanger any person or property, he or she may cancel a certificate or permit with immediate effect and direct the holder of such certificate or permit to cease any activities that have been commenced or refrain from commencing with activities without prior notice to the owner or occupier concerned.
- (4) If the Chief Fire Officer cancels a certificate or permit in terms of subsection (3), he or she must –
- (a) Furnish the owner or occupier of the building, temporary structure, dangerous goods transport and storage facilities concerned with written notice of the cancellation;
 - (b) Provide the owner or occupier a period of at least 20 days to make written representations regarding the cancellation; and
 - (c) The owner or occupier may within the said period of twenty (20) days submit written representations for consideration;
- (5) The Chief Fire Officer may within 20 days of receipt of representations, alternatively within 20 days of expiry of the time period must consider the representations contemplated in subsection (4), if any must inform the applicant in writing of its decision to-
- (a) Cancel the certificate or permit;
 - (b) Reverse or lift the decision to cancel the certificate or permit;
 - (c) Partially withdraw certificate or permit;
- (6) In the event that the Chief Fire Officer requires further information in order to take a decision contemplated in subsection (5) shall-
- (a) Within 20 days' time period and in writing request to the holder such further information;
- (7) Where further information is requested, the Chief Fire Officer shall have a further 20 days period from the date of receipt of this information, in which to make its decision in terms of subsection (5)(a)(b)(c);

Replacement of Certificates and Permits

- 39 (1) A person whose certificate or permit is lost, destroyed or damaged shall forthwith apply to the Chief Fire Officer on the prescribed form for replacement of such certificate or permit;

- (2) The certificate or permit may be replaced without following the procedural requirement for the initial applications contemplated in this By-law, if the purpose is to correct an error and the correction does not change the right and duties of any person or any information regarding the material; and
- (3) When will not change the scope of a valid certificate or permit or increase the quantity and alter with the inspection outcome that was initially conducted and considered when application was first made for certificate or permit
- (4)** An application in terms **of subsection (1)** shall be accompanied by an affidavit, as to the circumstances in which the certificate or permit was lost, destroyed or damaged as the case may be and the **prescribed fee;**

Annexure II

APPLICATION FOR REPLACEMENT OF CERTIFICATE/PERMIT

Serial: **WDM/MAB/REPL/01/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the replacement of certificate no.

WDM/ _____ / _____ / _____ / **2016**

1	Compliance Certificate	
2	Registration Certificate	
3	Transport Permit	

Within the jurisdiction of the Municipal area of: _____

and I declare I'm the responsible person for the said shop/premise and transport stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

Details of transportation/ Vehicle

Make : _____ Description: _____ Reg no: _____

VIN no. : _____ Tare: _____ kg GVM: _____

Number of Tanks : _____ Tanks Capacity: _____

Year Tank Manufactured: _____ DG Registration No: _____

Quantity of Flammable Substances to be conveyed

Flammable Liquids:	Flammable Solids:	Flammable Gas:
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I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act of 1987, National Building Regulation and Building Standard Act of 1977, South African National Standard codes, Safety at Sport and Recreation Events Act, Act No.2 of 2010, Occupational Health and Safety Act of 1993, Explosives Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

Date of previous inspection : _____/_____/20____ Place : _____

Signature: _____
Applicant (Operator)

Date: _____/_____/20____

Transfer of Certificate and Permits

- 40
- (1) A certificate or permit may be transferred from one person to another, but shall not be transferred from one premise to another or from one vehicle to another; and
 - (2) **The Chief Fire Officer may only consider the application for transfer made in relation to the change of ownership or transfer of rights and obligations;**
 - (3) A person desiring or intending for such transfer, shall make an application in writing to the Chief Fire Officer and such application shall be accompanied by a current valid certificate or permit relating to the premises or vehicles in respect of which such transfer is intended; and
 - (4) An application contemplated in subsection (3) shall be accompanied by an affidavit, as to the circumstances in which the certificate or permit must be transferred as the case may be and together with the prescribed fee;
 - (5) Application for such transfer is made to the Chief Fire Officer on the prescribed form I Annexure III of this By-law;

Annexure III

APPLICATION FOR TRANSFER OF CERTIFICATE/PERMIT

Serial: **WDM/MAB/TRANSF/01/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the transfer of certificate/ permit no.

WDM/ _____ **/** _____ **/** _____ **/2016**

1	Compliance Certificate	
2	Registration Certificate	

Within the jurisdiction of the Municipal area of: _____

and I declare I'm the responsible person for the said shop/premise stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

I therefore wish to transfer the certificate / permit to: _____

ID no. : _____ as the new responsible

person for the above-mentioned premise and transport.

As the new responsible person, I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act of 1987, National Building Regulation and Building Standard Act of 1977, South African National Standard codes, Safety at Sport and Recreation Events Act, Act No.2 of 2010, Occupational Health and Safety Act of 1993, Explosives Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

Date of previous inspection : _____/_____/20____ Place : _____

Signature: _____
New Responsible Person

Date: _____/_____/20____

Signature: _____
Applicant

Date: _____/_____/20____

Amendments of Certificates and Permits

- 41
- (1) Any person who has a legal certificate or permit on his/her possession may apply in writing on the prescribed form to have the total quantity of dangerous goods, flammable liquids and number of underground tanks, storerooms, gas installations and other storage areas amended, according to need, and the form must be accompanied by the **prescribed fee**;
 - (2) The certificate or permit may be amended without following the procedural requirement for any applications contemplated in this By-law, if the purpose is to correct an error and the corrections does not change the right and duties of any person or any information regarding the material; and
 - (3) When will not change the scope of a valid certificate or permit or increase the quantity of the material, the size or the capacity of the storeroom and alter with the inspection outcome that was initially conducted and considered when application was made for certificate or permit;
 - (4) Whenever the Chief Fire Officer approves such an application, the person concerned must hand in the initial certificate or permit to the Chief Fire Officer to be amended.
 - (5) The Chief Fire Officer will grant the certificate or permit only if the proposed amendments complies with the provisions contemplated in subsection (2) and (3);
 - (6) The Chief Fire Officer may not consider amendments if-
 - (a) Such amendments will result in an increase level of fire risk and nature of impact will have on the community, property and environment;
 - (b) The premise was not inspected by the service in the initial application for certificate or permit;
 - (c) The amendment does not, on its own, constitute listed or specified activities;
 - (7) The Chief Fire Officer may request the holder of certificate or permit to furnish additional information;

Access for Fire-Fighting and Rescue Purposes

- 42
- (1) all premises in the area must be planned, designed and constructed so as to ensure that -
 - (a) The requirements of the Guidelines for the provision of Engineering Services and Amenities (Red Book) shall apply and;
 - (b) If a building does not front onto a street, an access road is provided, the dimensions and carrying capacity of which must be suitable for the fire engines used by the Service (dimensions obtained from statistics of the Service's fire engines), with specific reference to the length, width and tonnage of the fire engines: Provided that the dimensions must be equal to the largest fire engine that is likely to be used on the premises in question; and
 - (c) whenever any entrance arch spans a driveway to a group housing, cluster housing or townhouse complex or is constructed over an access to a shopping centre or office complex, the dimensions of the opening of the arch must be at least **3,5m wide** and **4,2m high** and there must be nothing causing an obstruction of the opening: Provided that if the dimensions of the entrance arch are less, another access or service gate to the premises must be provided, which access or gate is capable of being opened **to 3,5 m.**

- (2) (a) The appropriate street number of every built-up premise within the area must be displayed clearly on the street boundary of the premises in question. This number must be 75mm high and must be visible from the street.
- (b) The owner or occupier of any premises must maintain the street number to ensure that it is legible at all times;
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence;

Barricading of Vacant Building

- 43 (1) Every owner or person in charge of a building or portion of a building that is vacant must, at his or her own cost and to the satisfaction of the Chief Fire Officer –
- (a) Remove all combustible waste and refuse from the building; and
- (b) Lock, barricade or otherwise secure all windows, doors and other openings in the building in a manner that will prevent the creation of any fire hazard caused by entering of the building by any unauthorised person.

PART 2

FIRE PREVENTION

Inspection of properties and instructions to occupier

- 44 (1) Any officer contemplated in section 16/18(4) of these by-law may, in executing all powers delegated in terms of Fire Brigade Services Act (Act No.99 of 1987) as amended together with the applicable legislations, enter any premises, land at any reasonable time to conduct inspections to determine whether there is any fire, dangerous goods or other hazard on the premises.
- (2) Whenever in the opinion of an officer contemplated in subsection (1) any trees, bush, weed, grass or any other matter situated on any land, premises constitutes or is likely to constitute a threat of fire or likely to spread the fire, he/she may cause a notice to be served on the owner, occupier of such land or premises calling on him or her to remedy such conditions within a specified period;
- (3) Whenever an officer contemplated in subsection (1) finds obstruction to or on fire escapes, stairs, passages, doors, windows or vestibules which are liable to interfere with the operations of the service or the egress of peoples in case of fire or finds any obstructed, defective fire fighting equipment he/she shall make such order as he/she deems necessary to remedy the situation
- (4) An officer contemplated in subsection (1) may, arising from a condition referred to in subsection (1), serve on the occupier of the premises or any other premises a written instruction, notice and fire protection directives and requirements that are necessary to rectify the condition on or in the premises in order to reduce the fire risk and/or to protect life and property, which instruction must determine a deadline for compliance with the directives and requirements.
- (5) Whenever a condition exists or is found in or on any premises, whether or not structural in nature, or anything else exists that may increase the fire risk or pose a threat to life or property, and the condition or anything else cannot be rectified immediately, or if costs need to be incurred to rectify it, the owner of the premises must, after receiving the rectification directives referred to in subsection (4), inform the Chief Fire Officer forthwith in writing about the measures which the owner

intends taking to rectify the condition and must submit a programme with a deadline to the Service for approval.

- (6) The Chief Fire Officer may approve the proposed measures and deadline with or without amendments and may give instructions for compliance with the measures;
- (7) Any person who fails to comply with a written instruction referred to in this section is guilty of an offence.

Accessibility of Fire-Fighting Equipment and Mitigating Agents

- 45 (1) Fire-fighting equipment, mitigating agents and the appropriate service installations must be installed so as to be readily accessible at all times.
- (2) Any person who, in whatever way, causes or permits fire-fighting equipment, mitigating agents and the appropriate service installations not to be readily accessible is guilty of an offence.

Maintenance of Fire-Fighting Equipment and Mitigating Agents

- 46 (1) The owner of any premises must ensure that -
 - (a) All fire-fighting equipment, mitigating agents or other appropriate service installations that have been provided or installed on or in connection with the premises are maintained in a good working condition by a competent person and/or firm approved by the SANS as contemplated in SANS 1475 and registered in terms of SANS 1475;
 - (b) Fire extinguishers are maintained strictly in accordance with the requirement of Occupational Health and Safety Act, Act No. 85 of 1993, Pressure Equipment Regulations (Regulation 17), SANS 1475, SANS 1571, SANS 1573 and SANS 10105;
 - (c) The person maintaining fire equipment is in possession of a permit issued by the South African Bureau of Standard or certificate of competence issued by the South African Qualifications Certification Committee-Fire;
 - (d) Hose reels are serviced and maintained in accordance with the provisions of SANS 10105 and SANS 1475;
 - (e) fire installations and any other relevant service installations are inspected and serviced in accordance with the specifications of the manufacturers of the installations; and
 - (f) Installations are inspected by a registered and competent person at least every twelve-calendar month; and
 - (g) Comprehensive service record of all fire-fighting equipment and service installation on the premises is maintained and furnished to the Chief Fire Officer every 12 months;
- (2) Any person who check, service, renew, replace or work on any fixed service installation must –
 - a. On completing the inspection, service, renew, replace or repair as the case may be certify in writing that the equipment or installation concerned is fully functional; and
 - b. Furnish the certificate of compliance to the owner of the premises or;

- c. Notify the Service immediately in writing if he/she finds that the service or installation cannot, for whatever reason, be readily repaired to its functional state;
- (3) The owner of any premises must keep a comprehensive service record of all fire-fighting equipment and any other appropriate service installation on his/her premises and submit the record to the Service upon request by the designated officer;
- (4) Except for purposes of inspection, service, repair or fire-fighting, no person may remove or interfere with any fire-fighting equipment or service installation at any premises;
- (5) No person may alter, damage, misuse or render ineffective any fire-fighting equipment or service installation at any premises;
- (6) Any person who fails to comply with the provisions of this section is guilty of an offence;

Prohibitions for Maintenance of Fire-Fighting Equipment

- 47
- (1) A juristic or a natural person may not fill, recharge, recondition, modify, repair, inspect or test a fire extinguisher in terms of **SANS 1475**;
 - (2) The owner or a person in charge of the premises may not allow a fire extinguisher to be filled, recharged, reconditioned, modified, repaired, inspected or tested by a person not in possession of a permit or certificate mentioned **in section 16/46 (1) (c)**;
 - (3) A fire extinguisher may not be removed from the premises for filling, recharging, reconditioning, modification, repair, inspection or testing unless the appliance is replaced temporarily with a similar appliance in good working condition;
 - (4) A fire extinguisher may not be installed, dismantled, recharged, disconnected, serviced, modified, repaired or tested in an area where such action would create a danger or hazard;
 - (5) No person may alter, damage, misuse or render ineffective any fire-fighting equipment or service installation at any premise;
 - (6) Except for the purposes of inspection, service, repair or fire-fighting, no person may remove or interfere with any fire-fighting equipment or service installation at any premises;

Emergency Evacuation Plans

- 48
- (1) The owner, occupier or person in charge of a school, hospital, residential institution, hotel, guest house, hostel or other similar occupancies which has a population in excess of **twenty-five (25) persons** including staff members, must formulate an emergency evacuation plan detailing the appropriate action to be taken by staff or occupants in the event of a fire or other threatening danger;
 - (a) **within 30 days** after the premises have been designated by the Service, prepare a comprehensive emergency evacuation plan for the premises, in triplicate, and must have it ready for inspection and approval by the Service, which plan must be in accordance with the guidelines prescribed in Annexure III to these by-laws;
 - (b) constitute an internal emergency committee from among the internal staff and occupiers to assist with the planning and organisation of a fire protection programme, which programme includes regular, scheduled fire evacuation drills on the premises;
 - (c) Ensure that -

- (i) The emergency evacuation plan is revised and updated whenever the floor layout changes or whenever the Service requires revision or updating, but in any case at least every twelve months;
 - (ii) updated records of revised emergency evacuation plans, fire protection programmes, evacuation drills and related documents are kept and maintained at all times; and
 - (iii) The emergency evacuation plan and relevant documents are at all times available in a control room for inspection by the Service; and
- (d) Identify a predetermined place of safety outside, but in the vicinity of, the designated premises, where occupiers may gather during an emergency situation for the purpose of compiling a list of survivors.
- (e) The emergency evacuation plan must be tested in its entirety at a minimum of six monthly intervals or when the plan has been revised and a record of testing must be kept in a register;
- (f) The register mentioned in **subsection (1) (d)** must contain the following information:
- (i) The date and time of the test;
 - (ii) The number of participants;
 - (iii) The outcome of the test and any corrective actions required; and
 - (iv) The name and signature of the person supervising the test;
- (g) An EEP (Emergency Evacuation Plan) box, as described in Annexure IV shall be installed in a prominent position at the main entrance of the premises.

(2) The Service may from time to time -

- (a) Provide directives for updating and/or amending an emergency evacuation plan;
- (b) instruct the owner or occupier of designated premises in writing to implement such fire protection programmes that, in the opinion of the Chief Fire Officer, are necessary to ensure the safety of the occupiers of the designated premises; and
- (b) Require the owner or occupier of designated premises to furnish the Service with a certified copy of any emergency evacuation plan and/or relevant documents on such day and at such time and place as the Service may determine.

(3) The controlling authority may evaluate the formulation and implementation of the emergency evacuation plan, must be available on the premises for inspection by the controlling authority;

(4) The Chief Fire Officer may by written notice designate any premises as premises requiring an emergency evacuation plan.

(5) Any person who fails to comply with the provisions of this section is guilty of an offence.

Prevention and Control of Overcrowding

49 **(1)** Prior to the usage of a premises for entertainment or public assembly, event the owner or person in charge of such premises must submit an application for either a

temporary or permanent compliance certificate to the controlling authority, as prescribed in Annexure II of these By-laws;

(2) The controlling authority may request additional information from the applicant;

(3) Notwithstanding the provision in subsection (1), the controlling authority may instruct the owner or person in charge of the premise or the event organiser to apply for either temporary or permanent compliance certificate as contemplated in section 21/33, should the premises be used in respect of any other occupancy contemplated in the National Building Regulations (A 20);

(4) The controlling authority may refuse to issue a temporary or permanent compliance certificate if the premises do not comply with the requirements of the National Building Regulations (T1), and where the controlling authority is of the opinion that the non-compliance of the premises can be remedied, he/she must instruct the owner or person in charge of the premises in writing, to take all reasonable steps to render the premise safe prior to the usage of the premises and the issuing of the temporary or permanent compliance certificate;

(5) If any time the controlling authority becomes aware that the usage of the premises is not in accordance with the compliance certificate issued, he/she must act in terms of section 9 (2) or 10 (1) and section 11 of this By-laws;

(6) The compliance certificate must be displayed in a clear visible and conspicuous space, in a position of an event organiser or on the premises for which the certificate was issued;

(7) The owner or person in charge of the premises must prevent overcrowding by limiting the maximum population to that which is specified on the temporary or permanent compliance certificate;

Prohibitions of Public Gatherings

50 (1) No person may hold a public gathering or allow a public gathering to be held in any building or temporary structure unless a certificate of compliance contemplated in section 21/33 has been issued by the Chief Fire Officer in respect of that building or temporary structure, unless a certificate of compliance previously issued in terms of this subsection has not yet expired;

(2) Subsection (1) does not apply in respect of a building or temporary structure which existed at the commencement of these By-laws, unless after that date:

- a. The building or temporary structure is rebuilt, altered, extended or its floor layout is changed or;
- b. Ownership or control of the building or structure changes;

Pollution and Prevention

51 (1) No person, owner, occupier or employee of the premises or land shall cause, permit or allow flammable liquids and substances or any other hazardous substances to enter any, pit, borehole sewers, drains, rivers, dams, waste or foul water or storm water drainage whether underground or on the surface;

(2) Any person in charge of the premises, vehicles, land or employee who becomes aware of any escape, whether accidentally or otherwise of any quantity of flammable liquid and substances likely to constitute a fire hazard from such premises or vehicle into any sewer or drain shall report that escape to the Chief Fire Officer;

- (3) A person **in subsection (1)** who performs any activity which causes or likely to cause pollution of a water resource, must take all reasonable measures or steps to prevent any such pollution from occurring, continuing or recurring as contemplated in the National Water Act (Act No. 36 of 1998), National Environmental Management Act (Act No.107 of 1998) and Regulations;
- (4) In an emergency incidents where hazardous substances spilled in rivers, dams, sewer, drains or land the responsible person or any person involved in the incident must as soon as possible and practicable report the incident to the Municipality, Fire Brigade Services, South African Police Services, Department of Water and Sanitation, Department of Environmental Management or other relevant departments;
- (5) A person **in subsection (1)** who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent it from occurring or recurring in terms of National Environmental Management Act (Act No. 107 of 1998);
- (6) No person may dump or spill or allow the dumping or spilling of any flammable substances into any borehole, pit, sewer, drain system, surface water or at any dumping site;
- (7) Person **in subsection (1)** has the responsibility to inform and educate employees about the environmental risks of their work;

Testing and Maintenance of Fire Protection Systems

52

- (1) A fire protection system must be tested and maintained on a regular basis and the owner or person in charge of the premises must keep a detailed record of the test and maintenance of the system;
- (2) A fire protection system designed for detecting, fighting, controlling and extinguishing a fire must be maintained in accordance with the National Building Regulations **(T2)** read in conjunction with a recognized national code or standard, and in the absence of a national code or standard and applicable international code or standard must be used;
- (3) The person carrying out the maintenance of a fire protection system must inform the owner or person in charge of the premises in writing of any defects discovered, maintenance performed or still outstanding and where the person in charge has received such notice, he must without delay inform the owner accordingly;
- (4) The owner or person in charge of the premises must immediately notify the **controlling authority** when the fire protection system, or a component thereof, is rendered inoperable or taken out of service and must notify the **controlling authority** as soon as the system is restored;
- (5) The owner or person in charge of the premises must take all steps deemed necessary by the controlling authority to provide alternative equipment to maintain the level of safety within the premises;
- (6) The owner or a person in charge of any premises in which any fire extinguisher, fire alarm and sprinkler system, fire hydrant and hose reels been installed in terms of National Building Regulations, South African National Standards code and other relevant legislations shall cause all fire systems to be examined **at least once every calendar year** by a trained, competent person registered with accredited institutions or committees as contemplated **in section 16/46 (1) (c)**;
- (7) A comprehensive service record of all fire protection systems, service, installations on the premises is maintained and furnish to the Chief Fire Officer every twelve months or when requested by the fire officer;

- (8) Competent person contemplated in subsection (6) shall issue the owner, person in charge with the certificate of compliance;

Prohibitions for Testing, Maintenance of Fire Protection Systems

- 53 (1) A person may not test a fire protection system before notifying the occupants of the premises concerned of the starting and completion times of the test and where applicable the parties who monitor the fire protection system; or
- (a) The system is activated for the purpose of an emergency evacuation drill or test is performed as contemplated in section 50 of these By-law;
- (2) A fire protection system may not be installed, dismantled, recharged, disconnected, serviced, modified, repaired or tested in any area where such action would create a danger or hazard;

Fire Alarms and Fire Hydrants

- 54 (1) Without compensation to the owner of the premises concerned, the controlling Authority may cause:
- (i) A fire alarm;
- (ii) A transmission instrument for calls of fire or other emergency; or
- (iii) A transmission instrument for warning residents of a fire or other emergency to be affixed to any building, wall, fence, pole or tree;
- (2) Without compensation to the owner of the premise, the controlling authority may cause the position of a fire hydrant and fire alarm or any other fire protection information to be marked on any building, wall fence, pole, tree, road, pavement or hydrant cover with a board, decal metal or painted marker or by any other means;
- (3) The controlling authority may at any time cause a fire alarm, other transmission instrument mentioned in subsection (1), board, decal, metal plate, painted marker to be removed without compensating the owner of the premise concerned;
- (4) An unauthorized person is prohibited from removing, defacing, altering, tempering or damaging a fire alarm, other transmission instrument mentioned in subsection (1), board, decal, metal plate or painted marker;
- (5) A person may not render less effective, inoperative, inaccessible, or tamper and interfere with a fire hydrant;

Displaying of Escape Routes Plan

- 55 (1) The owner, person in charge of hospital, residential institutions, hotel, guest house, hostel, old age homes or other similar occupancies designed or intended for or used by patients, residents or transient persons, irrespective of the population, the escape route plan must be displayed in any room designed for sleeping purposes;

Electrical Fitting, Equipment and Appliance

- 56 (1) No person may cause or allow-
- a. Any electrical supply outlet to be overloaded; or
- b. Any electrical appliance or extension lead to be used in any manner that may pose a fire hazard to any person or property;

Flame-Emitting Devices

- 57 (1) No person may use or cause or allow the use of any flame-emitting device, including but not limited to any candle, lantern or torch, in any manner that may pose a fire hazard to any person or property;

Combustible Materials and Refuse

- 58 (1) No person may store any combustible materials of whatever nature, or have them stored or permit them to be stored in such a manner and in such a position as to likely pose a fire hazard to any human being, animal, building or premises.
- (2) No person may allow grass, weeds, reeds, shrubs, trees or any like vegetation to become overgrown on premises to such an extent that it may pose a fire hazard or a probable fire hazard to any adjacent premises and/or any other person's property;
- (3) Combustible waste and refuse must be properly stored or disposed of to prevent a fire hazard or other threatening danger as prescribed in the Waste Act (Act No.59 of 2008) as amended, National Environmental Management Act (Act No. 107 of 1998) as amended and other applicable legislations, dealing with the storage and disposal of that specific type of combustible waste and refuse or in the absence of applicable legislation as determined by the controlling authority;
- (4) No person may use or allow to be used any sawdust or similar combustible material to soak up any flammable liquids; unless-
- (a) The sawdust or similar combustible material is disposed-off according to Waste Act (Act No. 59 of 2008) as amended or by a registered waste management company;
- (5) No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such a quantities or in any manner that may pose a fire hazard to any person or property;
- (6) Any person who fails to comply with the provisions of this section is guilty of an offence;

Prohibitions of Making Fires

- 59 (1) No person may, subject to provision of the Veld and Forest Fire Act No.101 of 1998 and Environmental Management Act No.107 of 1998, within the area, make an open, uncontrollable or unattended fire or permit a fire to be made in such a place and/or in such a manner as to pose a real or potentially real threat to any human being, animal, building, premises or other property: Provided that this prohibition is not applicable to -
- (a) A fire in an approved, purpose-made stove, fireplace or hearth, which is an integral part of a structure;
- (b) A fire for preparing food on private premises or premises set aside for that purpose; and
- (c) a device for preparing food, which device is heated by means of electricity or liquid petroleum gas and is positioned in such a way that the device poses no threat to life or property on any premises.
- (2) No person may, without the written authority of the Service, burn any refuse, wood, straw or other combustible materials within the area, or have them burnt or permit them to be burnt within the area, unless the refuse, wood, straw or other combustible materials are burnt inside an approved purpose-made incinerator or incinerating device, subject to the

provisions of **subsection (1)**.

- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

Control and Maintenance of Fire-Breaks or Fire-Belt

- 60 (1) The owner or occupier of premises or land in the area may not permit the premises or land to be or become overgrown with grass, weeds, reeds, shrubs and trees to the extent that the grass, weeds, reeds, shrubs and trees may pose a real or potentially real fire hazard to any adjoining premises or other premises or property
- (2) The owner or occupier of -
- (a) An erf, site, stand or premises situated within a proclaimed township in the area must remove the fire hazard or ensure that the fire hazard is removed by -
- (i) Cutting to a maximum height of 150 mm above ground level any grass, reeds and/or weeds which may reasonably be connected with the fire hazard;
 - (ii) Cutting around any shrubs and/or trees, which may be standing in the area being cut;
 - (iii) Pruning, chopping down or sawing off such shrubs and/or trees, as the case may be; and
 - (iv) Removing all chopped and/or sawn off residue from the erf or premises or ensuring that the residue is removed to an approved refuse disposal site; and
- (a) An agricultural holding or farm situated in the area must reduce the potential fire hazard by physically clearing a safety fire belt, at least 5m wide (measured parallel from each boundary line which borders the premises to the inside of the premises) so that no vegetation or residue whatsoever remains on this belt, and the owner or occupier must at all times maintain the belt or ensure that the belt is maintained in such condition: Provided that where obstructions occur within the 5m belt, a 5m belt is also maintained around those obstructions;
- (b) No burning will be approved by the Chief Fire Officer or Fire Protection Officer if the weather conditions and fire index rating is not favourable to allow burning of fire breaks;
- (3) Notwithstanding the above, the provisions of the National Veld and Forest Fire Act, 1998 (Act 101 of 1998), apply *mutatis mutandis* to the application of this section.
- (4) No person may clear or maintain a safety fire break by burning without consulting a Fire Protection Association Officer in the area and prior written permission from the Chief Fire Officer;
- (5) Any person who intends to clear or maintain a safety fire break by burning must:
- a. Apply in writing to the Fire Protection Officer (FPO) for permission, stipulating the property concerned and the proposed date and time of the burning; and
 - b. Unless the burning is to be performed by person or body accredited for this purpose by the council, request the service to provide assistance at the burning against payment of the **prescribed fee**;
- (6) No burning will be approved by the Chief Fire Officer or Fire Protection Officer if the weather conditions and fire index rating is not favourable to allow burning of fire breaks;

- (7) Any person who fails to comply with the provisions of this section is guilty of an offence;

PART V / CHAPTER 5

STORAGE OF DANGEROUS GOODS or F/SUB

Application for storage of DG/Flammable Substances

- 61
- (1) The owner or person in charge of the premises who intend to use, handle or store any flammable substances must complete and submit an application forms provided in Annexure II together with the prescribed fee for the issuing of certificate of registration contemplated in section 62, and certificate will be issued in respect of the specific quantities and appropriate devices on approved premises;
 - (2) The Chief Fire Officer may refuse to issue the certificate of registration if the premises do not comply with the requirements of the National Building Regulations and Building Standard Act, as well as additional requirement set out in this By-law, and where the controlling authority is of an opinion that the non-compliance of the premise can be remedied, he /she must instruct the owner or person in charge of the premise in writing to take all reasonable steps to render the premise safe prior to usage;
 - (3) Any person who has a legal certificate of registration in his/her possession may apply in writing on the prescribed form to have the total quantity of dangerous goods, flammable liquids and number of underground tanks, storerooms, gas installations and other storage areas amended, according to need, and the form must be accompanied by the prescribed fee;
 - (4) If the applicant is not the owner or the person in charge of the premise on which the hazardous substances are to be stored, installed and erected, the applicant must before applying for certificate or permit for such activity, obtain a written consent of the owner of premise or landowner to undertake such activity on the premise or land;
 - (5) No person may commence or continue with any activity on the premises on which is intend to be used to handle, store, install hazardous substances, unless-
 - (a) The competent authority, as the case may be has granted an environmental authority for the activities; or
 - (b) The activities are done in terms of National Environment Management Act (Act No. 107 of 1998) as amendments;
 - (c) A signed on-site emergency plan is submitted to the service;
 - (d) The Department of Labour is notified about the installation;
 - (6) The application form contemplated in subsection (1) shall be submitted to the chief fire officer with the following attachments-
 - (a) A letter from Limpopo Economic Development, Environmental and Tourism (Ledet) to ascertain the Environmental Assessment Impact was done and approved or the premises doesn't need the EAI to be done;
 - (b) The Risk Assessment document from an Approved Inspection Authority registered by the Department of Labour;
 - (7) Material Safety Data Sheet box, as described in Annexure IV shall be installed in a prominent place at the main entrance of the premises

- (8) It is an offence for any person who fails to comply with or contravene section 61 of these By-laws

Annexure IV

APPLICATION FOR STORAGE, HANDLING OF FLAMMABLE SUBSTANCE

Serial No: **WDM/MODI/FLST/05/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for handling, storing and distributing of flammable substances within the jurisdiction of the Municipal area of: _____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____
ERF No : _____ Suburb: _____
Physical Address : _____
Postal Address : _____
Telephone No : _____ Cell No: _____

And I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Safety at Sport and Recreation Event Act of 2010, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from start till the installation is completed and approved;

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued;

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued;

Date of previous inspection: ____/____/20____ and Place: _____

Certificate/Permit is valid for 12 months from the date issued and shall be kept in the premise at all times and maintained in a legible condition.

Receipt No. : _____

Signature: _____
Applicant

Date: ____/____/20____

Issuing of Certificate of Registration

- 62 (1) No person may use, handle or store any dangerous goods or allow such substances to be used, handled or stored on any premises, unless that person is holder of a certificate of registration issued by the Chief Fire Officer in respect of the flammable substances and the premises concerned;
- (2) A certificate of registration contemplated in subsection (1) is not required if flammable substances concerned is of any group and does not exceed the quantity stipulated in Annexure 00 below-

ANNEXURE V

EXEMPTION FROM CERTIFICATE OF REGISTRATION

CLASS	DESCRIPTION	QUANTITY
0	Liquefied Petroleum Gas	Flat- quantity may not exceed 9kg per flat
		Houses or Commercial premises- Total maximum of 19kg inside and total maximum of 100kg on premises
		Industrial premises- Maximum of 19kg per 600m ³ of a building space with a total maximum of 100kg
Flammable Liquids and Combustible Liquids		
1	Liquids that have a closed-cap flash point of below 38°C	Total maximum of 40 litres
2	Liquids that have a closed-cap flash point of 38°C or above, but below 60.5°C	Total quantity of class 2 and class 3A together may not exceed the maximum quantity of 210 litres
3A	Liquids that have a close-cap flash point of 60.5°C or above but below 93°C	

Group I: Explosives

Fireworks No exemption

Group II: Gases

2.1 Flammable gases Total cylinder capacity may not exceed 50 kg

2.2 Non-flammable gases Total cylinder capacity may not exceed 333 kg

2.3 Toxic gases No exemption

Group III: Flammable liquids

3.1 With flash points \geq 18°C Total quantity may not exceed 100 l

3.2	With flashpoints > 18°C but ≤ 23°C	Total quantity may not exceed 420 l
3.3	With flashpoints > 23°C but ≤ 61°C	Total quantity may not exceed 1 100 l
3.4	With flashpoints > 61°C but ≤ 100°C	Total quantity may not exceed 1 100 l

Group IV: Flammable solids

4.1	Flammable solids	Total quantity may not exceed 250 kg
4.2	Pyrophoric substances	No exemption
4.3	Water-reactive substances	No exemption

Group V: Oxidising agents and organic peroxides

5.1	Oxidising agents	Total quantity may not exceed 200 kg
5.2	Group I organic peroxides in packets	No exemption
5.3	Group II organic peroxides in packets	Total quantity may not exceed 200 kg

Group VI: Toxic/infective substances

6.1	Group I toxic substances in packets	Total quantity may not exceed 5 kg
6.2	Group II toxic substances in packets	Total quantity may not exceed 50 kg
6.3	Group III toxic substances in packets	Total quantity may not exceed 500 kg
6.4	Infective substances	No exemption

Group VII: Radioactive materials No exemption

Group VIII: Corrosive/caustic substances

8.1	Group I acids in packets	Total quantity may not exceed 50 kg
8.2	Group II acids in packets	Total quantity may not exceed 200 kg
8.3	Group III acids in packets	Total quantity may not exceed 1 000 kg
8.4	Group I alkaline substances in packets	Total quantity may not exceed 50 kg
8.5	Group II alkaline substances in packets	Total quantity may not exceed 200 kg
8.6	Group III alkaline substances in packets	Total quantity may not exceed 1 000 kg

Group IX: Miscellaneous substances

9.1 Liquids Total quantity may not exceed 210 l

9.2 Solids Total quantity may not exceed 210 kg

Prohibitions in certain circumstances

- 63 (1) No person may, on any unregistered premises, store, use or handle any of the dangerous goods referred to in subsection (1), in respect of which no certificate of registration is required or have them stored, used or handled, or permit them to be stored, used or handled, unless the dangerous goods are stored, used or handled in such place or in such manner as to ensure that -
- (a) No dangerous good or fumes of the substance come into contact or are likely to come into contact with any fire, flame, naked light or other source of ignition that may cause the dangerous good or fumes to catch fire; and
 - (b) The escape of human beings or animals is not hindered or obstructed in the event of a fire or an emergency situation;
 - (c) Is used, handled or stored in a properly and naturally ventilated room that prevents the accumulation of fumes or gas;
 - (d) In a suitable place outdoors that ensures the safe disposal of fumes or gas escape freely;
 - (e) The flammable substance is stored in a strong, gas-tight and label containers,
 - (f) Gas does not collect in the room, but is effectively disposed of;
- (2) Dangerous goods may be stored on unregistered premises only if the dangerous goods are, when not in use, stored in strong, labelled containers that seal tightly.
- (3) No certificate of registration will be issued in respect of premises for the use, handling or storage of dangerous goods, unless all the applicable provisions of these by-laws, South African National Standards, other laws and regulations have been complied with and a written application for registration, on the prescribed form, as described in Annexure II to these by-laws, has been submitted to the Service, together with the fees prescribed in Annexure I to these by-laws.
- (4) The Service may send a holder of a certificate of registration a reminder for renewal of registration. A holder of a certificate who has not received a reminder is not indemnified from possible prosecution.
- (5) The holder of a certificate of registration must ensure that he/she is at all times in possession of a valid certificate of registration.
- (6) Any person who fails to comply with the provisions of this section or who alters a certificate of registration or who attempts to alter the certificate or permits the certificate to be altered is guilty of an offence;

No Authorisation Required for Certain Vehicles Fuel Tank

- 64 (1) No certificate of registration contemplated in section 61 and 62 or any other

Authorisation contemplated in these By-laws is required in respect of-

- (a) flammable liquids are not deemed to be stored, handled or transported whenever the liquids are, for normal use, in the fuel tank of a motor vehicle;
 - (b) flammable liquids are not deemed to be stored, handled or transported if the liquids are in the fuel tank of a stationary engine: Provided that the volume of the fuel tank does not exceed 1 100 \square and the fuel tank is surrounded by a liquid-proof retaining wall filled with -
 - (i) Granite ballast with a nominal diameter of at least 40 mm; or
 - (ii) Quartzite ballast with a nominal diameter of at least 50 mm:Provided further that the fuel tank must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank.
- (0) Any person who fails to comply with the provisions of this section is guilty of an offence.

Contents of Certificate of Registration

65

- (1) When a certificate of registration is issued, the certificate must be endorsed with the following conditions, namely that the certificate -
- (a) must at all times be displayed in a weatherproof container in a conspicuous place on the premises designated by a member of the Service;
 - (b) Must be maintained in a legible condition at all times;
 - (c) Must reflect the groups and the quantities of dangerous goods for which the premises have been registered;
 - (d) Must reflect the number of above-ground and/or underground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility;
 - (e) Must reflect the number of storerooms and the total capacity of each storeroom;
 - (f) Must reflect the number of gas installations, the type of gas installation and the total volume and/or delivery capacity of each installation;
 - (g) Must specify the number of storage facilities for other dangerous goods and reflect the volumes intended for each facility;
 - (h) Must reflect a serial number;
 - (i) Must indicate whether the issue of such certificate is permanent or temporary;
 - (j) must reflect the period of validity and the expiry date of the certificate: Provided that the period of validity will be only twelve calendar months, calculated from the date of issue, and written application for renewal of the certificate reaches the Service at least one calendar month prior to the expiry date;
 - (k) is not transferable from premises to premises;
 - (m) Will not be issued unless the Service is in possession of a set of approved plans as required by section 24/20 of these by-laws; and

Duties of Holder of Certificate of Registration

- 66 (1) Duties of the holder of certificate of registration shall be as contemplated in section 36 of these By-laws;

Renewal of Certificate of Registration

- 67 (1) Any application for the renewal of certificate of registration must be submitted to the Chief Fire Officer as contemplated in section 37 of these By-laws;

Cancellation of Certificate of Registration

- 68 (1) Cancellation of certificate of registration shall be as contemplated in section 38 of these By-laws;

Replacement of Certificate of Registration

- 69 (1) Replacement of certificate of registration shall be as contemplated in section 39 of these By-laws;

Transfer of Certificate of Registration

- 70 (1) Transfer of certificate of registration shall be as contemplated in section 40 of these By-laws;

Amendments of Certificate of Registration

- 71 (1) Amendments of certificate of registration shall be as contemplated in section 41 of these By-law;

Actions Prohibited During Use, Handle and Storage of Flammable Substance

- 31/72 (1) Any person who stores, uses or handles dangerous goods on premises or has them stored, used or handled or permits them to be stored, used or handled on the premises may not -
- (a) Perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably result in or cause a fire or an explosion; and
 - (b) Perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably obstruct the escape to safety of any human being or animal during an emergency situation.
- (2) No person may dump any dangerous good in or spill any dangerous good into any borehole, pit, and sewer, drain system or surface water, or permit any dangerous good to be dumped in or spilled into any borehole, pit, sewer, drain system or surface water.
- (3) No person may discard dangerous good in any manner other than by having the substances removed or permitting the substances to be removed by an organisation that is fully equipped to do so.
- (4) No person may light, bring or use, within 5 m of any area where, to his/her knowledge, dangerous goods are stored, used or handled, any fire or anything else that produces or is capable of producing an open flame or permit the fire to be lit, brought or used within 5 m of such area.

- (5) No person may use any device in connection with dangerous goods in any basement level in a building, excluding a gas welding device and/or gas cutting device for the sole purpose of welding and/or cutting in connection with the maintenance of that building, or have the device used or permit the device to be used in any basement level.
- (6) No person may, while there is another person in or on a bus (except for the driver of the bus, or any other person in charge of the bus), fill the fuel tank of that bus, or have it filled or permit it to be filled, or transport any dangerous good in or on such bus, except in the fuel tank, or have it transported or permit it to be transported.
- (7) Any person who fails to comply with the provisions of this section is guilty of an offence.

Fire Fighting Equipment and Mitigating Agent

- 73
- (1) Notwithstanding anything to the contrary in these by-laws, the person to whom the certificate of registration in terms of section 25/62 of these by-laws and/or spraying permit in terms of section 46/110 (1) of these by-laws has been issued must ensure that all premises to which such certificate of registration and/or spraying permit applies are equipped with -
 - (a) portable fire extinguishers, as specified in SANS 1567 (carbon dioxide type), SANS 810 (dry chemical type), SANS 1573 (foam type) and SANS 1571 (transportable type), of a minimum capacity of 9 kg or 9 l, as the case may be, in a ratio of one fire extinguisher to every 100 m² or part of it: Provided that the Service may specify the type of fire extinguisher to be provided and, if the Service is of the opinion that exceptional hazards or risks necessitate a larger number of fire extinguishers, the Service may require that more fire extinguishers, in a consequential smaller ratio than the ratio stated above, be installed;
 - (b) Fire hose reels, as specified in SANS 543 (hose reels), connected to a water supply as reflected in SANS 10400, enabling each hose reel to maintain a flow of 0,5 l per second at a work pressure of 300 kPa;
 - (c) Fire Hydrants, with couplings as specified in SANS 1128 (Firefighting equipment components of underground and above-ground hydrants system and Couplings), in a ratio of at least one to every 1 000 m² or part of it; and
 - (d) Approved sprinkler systems in accordance with SANS 10087, SANS 10089, and SANS 10131.
 - (2) Fire-fighting equipment must be inspected and maintained by a registered person as contemplated in section 16/46 (1) (c) in accordance with the provisions of SABS 10105 and SANS 1475 at least once every twelve months to the satisfaction of the Service.
 - (3) **If fire-fighting equipment is not positioned prominently, the position of the equipment must be indicated by symbolic safety signs in accordance with the specifications of SANS 1186 and to the satisfaction of the Service.**
 - (4) Notwithstanding the provisions of subsection (1), if the controlling authority believes that there is any exceptional hazard or risk in respect of the premises concerned, he/she may-
 - (i) Specify the type of fire extinguisher to be installed;
 - (ii) Require that a greater number of fire extinguishers be installed; and
 - (iii) Require that a fire detection or warning systems be installed;
 - (5) Any person who fails to comply with the provisions of this section is guilty of an offence.

Supply of Dangerous Goods

- 74 (1) No person shall -
- (a) Supply more dangerous goods than the quantities referred to in section 61(1) and section 62 (1) of these by-laws to any unregistered premises, or have them supplied or permit them to be supplied;
 - (b) Deliver or supply more dangerous goods than the quantity specified in the applicable certificate of registration or dangerous goods of a group other than that specified in such certificate of registration contemplated in section 25/61 and 62 of these By-laws to any premises or person, or have them delivered or supplied or permit them to be delivered or supplied.
- (2) No person shall handle any container containing a dangerous good in a manner that will damage or may damage that container, or permit the container to be damaged;
- (3) A supplier may not supply flammable substances to the owner or person in charge of the premises, unless the owner or person in charge of the premises is in possession of a valid registration certificate issued by the controlling authority;
- (4) Any person that supplies hazardous substances to any storage facilities, hazard installation shall ensure that he or she supplies the substances with Material Safety Data Sheet;
- (5) Any person who fails to comply with the provisions of this section is guilty of an offence.

Delivery of Dangerous Goods

- 30/75 (1) Any person delivering dangerous goods to any supplier or user –
- (a) May not, while delivering, park any delivery vehicle on or across a pavement or on or across a public road;
 - (b) may not, while delivering, let any delivery hose lie on or across a pavement, public road or other premises, or go through or over a building or have it lying there;
 - (c) Must ensure that, while delivering, a 9kg dry chemical fire extinguisher is ready at all times;
 - (d) Must ensure that, during the transferral of dangerous goods, the delivery vehicle is physically earthed with the storage facility to which the dangerous goods are being transferred;
 - (e) Must ensure that, while delivering, the delivery vehicle is in such a position that it can be removed quickly and easily in the event of an emergency situation without exacerbating the situation; an
 - (f) Must ensure that no dangerous good is transferred from a delivery vehicle to a facility that is leaking or broken.
 - (g) Where delivery is done with a road tanker, as defined by the Road Traffic Act provision shall be made as to ensure that the delivery vehicle does not require to reverse in any situation.
- (2) The owner of any device connected with or used for the delivery of a dangerous good must ensure that the device is designed for the specific purpose and is in a safe and good working

condition.

- (3) The person in charge of any delivery process of a dangerous good must take reasonable precautionary measures to ensure that no dangerous good is spilled during delivery on any surface when the substance is transferred from a delivery vehicle to a storage facility.
- (4) No person may transfer any dangerous good to a motor vehicle, Aircraft, vessel, ship or boat while the power source thereof is in operation or permits the substance to be transferred.
- (5) No person may transfer a dangerous good to an aircraft unless and until the aircraft has been earthed with the transferral device by means of an earth cable.
- (6) Any person who fails to comply with the provisions of this section is guilty of an offence.

Installation, Erection, Removal and Demolition of Storage Facilities

- 38/76
- (1) In addition to any other applicable legislation, any person who intends to erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement and floor layout in respect of premises or anything connected with the premises, or have any of the above erected, installed, removed, demolished, extended or changed, must notify the Service of his/her intentions at least ten working days prior to the commencement date and estimated completion date, and this notification must be made on the form described in Annexure II to these by-law;
 - (2) Any person who intends to commence with activities contemplated in subsection (1) shall in writing notify the department of labour, the controlling authority and Limpopo Economic Development Environmental and Tourism prior the commencement of the activities;
 - (3) Any failure to act as contemplated in subsection (1) and (2) will *ipso facto* cancel the certificate of registration and/or spraying permit, as the case may be, in so far as such failure is connected with the matter, as well as any other authorisation, including an exemption granted in terms of these by-laws: Provided that the provisions of this section are not applicable whenever -
 - (a) Anything is removed temporarily for carrying out repairs thereto or in connection therewith;
 - (b) Any above-ground or underground equipment and/or parts of the equipment are replaced; and
 - (c) Any above-ground or underground storage tanks are replaced with tanks of the same capacity.
 - (4) No structure, installation or building may, after completion of the action referred to in subsection (1), be erected again on the premises in question, unless application for the approval of plans, as contemplated in section 24/20 of these by-laws, is made again;
 - (5) After completion of the structure, building or installation, application must be made again for a certificate of compliance, spraying permit and/or certificate of registration in accordance with the provisions of these by-laws.
 - (6) Notwithstanding the provisions of subsection (1) if the removal of any underground tank installation for the storage of a flammable substance will detrimentally affect the stability of the premises concerned, the owner or person in charge of the installation may, with the prior

written permission of the Chief Fire Officer, fill the underground tank with liquid cement slurry.

- (6) Any person who fails to comply with the provisions of this section is guilty of an offence.

Temporary Above-Ground Storage Tanks

- 77
- (1) The Service may grant a temporary certificate of registration if an application forms as contemplated in **section 25/61 and section 62** is completed and accompanied by fees prescribed in **Annexure I** to these by-laws together with the plans as contemplated in **section 24/20**, to be submitted to the Chief Fire Officer;
- (2) Any person who, for bona fide reasons, requires more dangerous goods on the premises than the quantities contemplated in **section 61(1) and section 62** of these by-laws: he/she must ensure that –
- (a) The entire installation complies with SANS 10131, SANS 10089, SANS 10087 and the By-laws;
 - (b) If the dangerous goods are required for, or in connection with, excavations, construction work and road construction, the quantity must be limited to 9 000 ℓ;
 - (c) In respect of small fleet maintenance or research purposes, the volume of the flammable substance does not exceed 4500 litres;
 - (d) The duration of the certificate of registration for temporary storage is valid for a period of not more than six (6) months;
- (3) Any person whose application for a temporary storage tank is approved must ensure that -
- (a) It complies with the applicable South African National Standard;
 - (b) The storage tank is surrounded by a liquid-proof retaining (bund) wall filled with –
 - (i) Granite ballast is prohibited;
 - (c) Provision is made for the run-off of any possible rainwater from the retaining walls or retaining embankments;
 - (d) The storage tank is not erected within 5 m of any erf boundary, building, excavation, road and/or driveway;
 - (e) No source of ignition or potential ignition is brought within 5 m of the storage tank;
 - (f) symbolic safety signs prohibiting smoking and open flames, at least 300 mm x 300 mm in size, are affixed to all sides of the temporary installation; and
 - (h) A minimum of two 9kg dry chemical fire extinguishers are installed within 10 m of the temporary installation;
 - (i) All premises that houses flammable liquids and/or hazardous material shall be furnished with photo-illuminicent symbolic signs contemplated in SANS 1186;
 - (j) HAZMAT signs must be provided on all approachable sides of the installation;
- (4) Any person who applies to the service for a temporary installation shall apply first to the Limpopo Economic Development, Environmental and Tourism for acknowledgement,

exemption or approval to be submitted to chief fire officer;

(5) Any person who fails to comply with the provisions of this section is guilty of an offence.

Annexure VI

APPLICATION FOR THE TEMPORARY STORAGE OF FLAMMABLE SUBSTANCE

Serial No: **WDM/MOD/TEMS/16/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for temporary storage, handling, of flammable liquids within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable substance	Product Name	UN no	Class	Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from the start till the installation is completed and approved.

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded, the prescribed fee must be again before permit/certificate can be issued.

Date of previous inspection: ____/____/20____ and Place: _____

Certificate/ Permit is valid for 6 months and shall be kept on the premise at all Times and be maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____
Applicant

Date: ____/____/20____

Permanent Above and Under Ground Storage Tank/Vessels

- 29/78 (1) Any person, owner who intend to store, handle a larger capacity of an above and under ground storage tank/vessel he/she must submit a plan for approval as contemplated in section 24/20 with an acceptable rational design based on National Building Regulation and Building Standard Act, Act No. 103 of 1977, South African National Standard codes and other relevant laws;
- (2) A person, owner contemplated in subsection (1) shall comply with the requirements contemplated in section 22/61 and 62 of these By-laws;
- (3) The owner or person in charge of any premises used or intended to be used for the handling, storage and distribution of any flammable liquids in bulk must ensure that storage tank, pump, dispenser and pipe work is erected or installed in accordance with SANS 10400, SANS 10089, and SANS 10131;
- (4) A risk assessment shall be carried out on each installation in accordance with the appropriate requirements of the Occupational Health and Safety Act (Act No. 85 of 1993) as amended;
- (5) The owner or person in charge of the premise must ensure that:
- (i) adequate precautions must be taken to prevent spillage during the refill of the tank;
 - (ii) there is sufficient fire extinguishers;
 - (iii) symbolic safety signs are provided that complies with SANS 1186;
 - (iv) the installation is at least 3.5 metres from any erf, boundary, building, excavation, road, driveway or any other flammable substance or combustible materials;
- (6) Any electrical installation associated with the storage tanks must comply SANS 10108 and SANS 10089;

Annexure VII

APPLICATION FOR STORING BULK FLAMMABLE SUBSTANCES

Serial No: **WDM/VWT/FL/05/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for handling, storing and distributing bulk flammable substances within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

And I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from start till the installation is completed and approved.

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Date of the previous inspection: _____ and Place: _____

Permit/ Certificate are valid for 12 months from the date issued and shall be kept on the premise at all times and maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____
Applicant

Date: ____/____/20____

Storage of Liquid Petroleum Gas - Containers

- 79
- (1) Any person or owner of the premises used or intended to be used for the installation of liquid petroleum gas involving gas storage containers of individual water capacity no exceeding 500 litres and a combined water capacity not exceeding 3000 litres per installation must be installed and handled in accordance with SANS 10087, SANS 10400
 - (2) A person contemplated in subsection (1) shall comply with the requirements contemplated in section 24/20 (1), 22/61, 62 and accompanied by the fee prescribed in Annexure 1 of these By-laws;
 - (3) On completion and before commissioning, the installation shall be inspected, tested and approved by a registered commercial or domestic installer;
 - (4) User shall be issued with certificate of conformity for gas installation as contemplated in Occupational Health and Safety Act (Act No. 85 of 1993) Pressure Equipment Regulations 2009 and the copy shall be send to the Chief Fire Officer;
 - (5) Copy of the certificate shall be send to Chief Inspector of Department of Labour and the controlling authority;
 - (6) Liquid petroleum gas containers permanently installed or stored in a building shall be as follows:
 - (i) flat (H3) a maximum of 9kg per flat;
 - (ii) houses (not exceeding two storey) maximum of 19kg;
 - (iii) commercial premises a total maximum of 19 kg per unit, provided that there is a separating element;
 - (iv) industrial premises (class of occupancy D1 to D4): a maximum of 19 kg per 600m³ of the building space with total maximum of 100 kg;
 - (7) No fixed installation shall be allowed in a garage;
 - (8) Liquid petroleum gas containers installed or stored in an outdoor location shall be Located on a firm, clean, well-drained and level base; and-
 - (i) kept clear of combustible material;
 - (ii) protected against tampering by unauthorized persons;
 - (iii) protected against damage and interference by animals and vehicles;
 - (9) Cylinders shall not be installed directly under the eaves of thatched roof;
 - (10) Cylinders shall be not less than 3 m away from eaves of the thatched roof behind a firewall;

Annexure VIII

APPLICATION FOR STORING, HANDLING OF LPG CONTAINERS

Serial No: **WDM/MODI/FGC/03/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for handling and storing of liquid petroleum gas containers within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____
ERF No : _____ Suburb: _____
Physical Address : _____
Postal Address : _____
Telephone No : _____ Cell No: _____

And I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Safety at Sport and Recreation Event Act of 2010, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, **Explosive Act of 1956**, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

For what is the LPG mainly use?

Domestic <input type="checkbox"/>	Commercial <input type="checkbox"/>	Industrial <input type="checkbox"/>
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Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from the start of the installation till is completed and approved.
The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Date of previous inspection: ___/___/20___ Place: _____

Certificate/Permit is valid for 12 months from the date issued and shall always be kept in the premise and maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____

Date: ___/___/20___

Applicant

Liquid Petroleum Gas System in Mobile Unit

- 80 (1) A person or owner of a mobile unit used or intended to be used for the installation of liquid petroleum gas systems in mobile units, including but not limited to caravans, motor homes, park homes and mobile kitchens, must be installed and handled in accordance with SANS 10087;

Bulk Storage Vessel for Liquid Petroleum Gas

- 81 (1) Any person or owner of the premises used or intended to be used for the installation of liquid petroleum gas involving storage vessels of individual water capacity exceeding 500 litres must be installed and handled in accordance with SANS 10087 and National Building Regulations and Building Standard Act;
- (2) A person contemplated in subsection (1) shall submit a plan for approval with an acceptable rational design based on National Building Regulation and Building Standard Act, Act No. 103 of 1977 as amended, South African National Standard code and shall comply with the requirements contemplated in section 24/20 (1), 22/61, 62 and accompanied by the fee prescribed in Annexure 1 of these By-laws;
- (3) A risk assessment shall be carried out on each installation in accordance with the appropriate requirements of the Occupational Health and Safety Act (Act No. 85 of 1993) as amended;
- (4) User shall be issued with certificate of conformity for gas installation as contemplated in Occupational Health and Safety Act (Act No. 85 of 1993) as amended and the copy shall be send to the Chief Fire Officer;
- (5) Copy of the certificate shall be send to Chief Inspector of Department of Labour and The controlling authority;

Annexure IX

APPLICATION FOR STORAGE, HANDLING OF BULK FLAMMABLE GAS

Serial No: **WDM/VWT/FGB/14/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for handling, storage vessels and distribution of liquid petroleum gas within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____
ERF No : _____ Suburb: _____
Physical Address : _____
Postal Address : _____
Telephone No : _____ Cell No: _____

And I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environmental Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

For what is the LPG mainly use?

Domestic	
-----------------	--

Commercial	
-------------------	--

Industrial	
-------------------	--

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from the start of the installation till is completed and approved.
The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Certificate/Permit is valid for 12 months from the date issued and shall always be kept in the premise and maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____
Applicant

Date: ____/____/20____

Storage and Filling Premises for Liquid Petroleum Gas

- 82 (1) Any person or owner of the premises used or intended to be used for the storage and filling of liquid petroleum gas containers with capacity not exceeding 19 kg and the storage of individual gas containers not exceeding 48 kg must be stored, filled and handled in accordance with SANS 10087, SANS 10400, National Building Regulations and Building Standard Act, Act No. 103 of 1977 and other relevant laws;
- (2) A person contemplated in subsection (1) shall submit an application form as contemplated in section 81 (2) of these By-laws;
- (3) A person, owner contemplated in subsection (1) shall comply with the requirements contemplated in section 22/61 and 62 of these By-laws;

Container Handling and Storage

- 83 (1) Any person who store flammable substance containers must ensure that it is;
- (i) kept closed when not in use;
 - (ii) declared gas- or vapour free by a competent person before any modification or repairs takes place;
 - (iii) be manufactured and maintained in such a condition as to be reasonably safe from damage and to prevent leakage of any flammable substance or vapour from the container;
- (2) Every flammable liquid container must be labelled and marked with the words and details indicating the flammable liquid contained in that container, as well as any hazard associated with the flammable liquid;
- (3) No person may extract flammable liquid from a container of a capacity exceeding 200 litres, unless the container is fitted with an adequately sealed pump or tap;
- (4) Any empty container for flammable liquid must be stored in a storeroom;
- (5) Notwithstanding the provisions of subsection (4) the Chief Fire Officer may permit the storage of any empty flammable container in an open air if no storeroom is available and if he/she is satisfied that-
- (i) the storage area is in a position and of sufficient size that a fire hazard or other threatening danger will not be caused;
 - (ii) the storage area is well ventilated and enclosed by a wire mesh fence;
 - (iii) the fence support are of steel and reinforced concrete;
 - (iv) the storage area has an outwards opening gate that kept locked when not in use;
 - (v) the storage area floor is free of vegetation and has a non-combustible, firm and level base;
- (6) A person, owner contemplated in subsection (1) shall comply with the requirements contemplated in section 22/61 and 62 of these By-laws;

- (7) When the floor area exceeds 10m² an additional escape gate is installed and fitted with a sliding bolt or other similar locking device that can be opened from the inside without the use of a key;
- (8) When the quantity of flammable and combustibles liquids to be stored is more than 100 litres of class 1 and or more than 210 litres of class 2 and class 3A combined, such flammable and combustible liquid must be stored in a storeroom;

Access to Storage Tanks for Repairs and Maintenance

- 37/84** (1) No person may enter or permit any other person to enter any storage tank which contained Group III dangerous good, unless that person is wearing an effective suitable breathing apparatus or observer and rescue personnel are stationed at manhole with proper safety gear or until such tank has been de-aerated and made free of gas and fumes, as provided for in SANS 10089;
- (2) No person may enter any storage tank which contained Group III dangerous good unless that person is attached to a rescue rope controlled by a responsible person who is at all times taking appropriate measures to ensure the safety and welfare of all persons involved.
- (3) Any person who intend to enter or permit other person to enter any storage tank for repair or maintenance, shall be carried out in accordance with the requirement of the Occupational Health and Safety Act, Act No. 85 of 1993, General Safety Regulations, regulation 4 and 5;
- (4) No person shall enter, cause or permit any person to enter any storage tank that contain flammable liquids before such tank has been certified by a trained, competent person who can declare and give a gas-free certificate;
- (5) No hot or any other hazardous work shall be started inside a tank/vessel until it has been inspected; and-
- (i) A gas-free certificate have been issued;
 - (ii) All pipelines have been disconnected;
 - (iii) All relevant authorities have been notified;
- (6) Any person who fails to comply with the provisions of this section is guilty of an offence.

Termination of Storage and Use of Flammable Substance

- 36/85** (1) The owner or user of any storage tank and/or related device that has become obsolete must, in accordance with the provisions of **section 38/76 of these by-laws**, remove the tank, installation or device or have the tank or device removed, or fill up the tank with matter approved by the Limpopo Economic Development Environmental and Tourism in order to render the tank safe.
- (2) The person contemplated in **subsection (1)** who is in charge of the premises on which the installation was erected must:
- (i) Within seven (7) days of the cessation, notify the controlling authority in writing thereof;
 - (ii) Within thirty (30) days of the cessation, remove flammable substances from the installation and render it safe by writing a letter to the controlling authority;
 - (iii) Within six (6) months of the cessation, remove the installation including any

associated pipe work, from premises entirely, unless the controlling authority otherwise instruct; and

(iv) To the satisfaction of the controlling authority, restore any public foot path or roadway that has been disturbed by the removal of the installation within a period of seven (7) days of completing such removal;

(3) Notwithstanding the provisions of **subsection (1)** if the removal of any underground tank installation for the storage of flammable substance will detrimentally affect the stability of the premises concerned, the owner or person in charge of the installation may, with the prior written of the controlling authority, fill the underground tank with liquid cement slurry;

(4) Any person who fails to comply with the provisions of this section is guilty of an offence.

Control of fireworks

86 (1) Any person who wishes to use, deal, explode or discharge any fireworks may only do so if he/she is in possession of a permit or certificate authorizing such use, issued by the SAPS Chief Inspector of Explosives in the manner prescribed by the **Explosives Act (Act No. 26 of 1956)**;

(2) The controlling authority does not issue license, permit or certificate to use, deal, discharge or present fireworks display;

Application for the storage and sale of fireworks

(3) Person in **subsection (1)** who wishes to deal, discharge or present a fireworks display must apply to the Chief Fire Officer for the Fire Safety Inspection to be conducted on his/her premises or venue by completing and submitting an application form contemplated **Annexure 00** with the prescribed fee **in Annexure 00**, to enable **the Chief Fire Officer** to issue out a letter contemplated in **Annexure 00** to the Chief Inspector of Explosives confirming to him/her that the premises comply with Municipal By-laws, SANS 10400, National Building Regulations or any other applicable law;

(4) Person in **subsection (1)** must submit his/her application with the following documentations:

(i) Proof of permission for the fireworks display from the Civil Aviation Authority;

(ii) Proof that an application for dealing, discharging and displaying fireworks has been submitted to the Chief Inspector of Explosives;

(iii) A letter of consent from the owner or person responsible for the property on which the fireworks display, discharge and dealing is proposed to be presented; and

(iv) A sketch plan of the proposed venue, shop for the use, deal, discharge and present fireworks display, including the demarcated area for the launching of the fireworks;

(v) Business registration documents;

(5) The application, prescribed fee and accompanying documentation must be submitted to the Chief Fire Officer at least **30 days before** the date proposed for the use, deal, discharge and presentation of fireworks display;

(6) Person **in subsection (1)** shall notify the Chief Fire Officer **48 hours** before opening and commencement of day to day business;

- (7)** The **Chief Fire Officer** may cancel any written letter issued to Chief Inspector of Explosives to deal with fireworks if the holder of the letter contravenes or fail to comply with any provisions of these By-laws or any other applicable law;
- (8) Any person who amends, transfer a letter issued to SAPS chief inspector of explosives is guilty of an offence;
- (9) All fireworks shall be sold to the public, businesses in their original packages;
- (10) Any person who walks around in a street or travels with fireworks that are not in their original sealed packages is guilty of an offence;
- (11) Fireworks shall not be displayed in any window or any other place where such fireworks can be interfered with by the public;
- (12) Every retail dealer shall have affixed-
- (i) To the outside of his/her premises in prominent position adjacent to every entrance, notices reading "Dealer in Fireworks";**
 - (ii) In prominent positions inside the premises "No Smoking" signs in both official languages;**
- (13) Any person, dealer or person employed shall-**
- (i) Take all due precautions for the preventions of accident by fire;**
 - (ii) Prevent unauthorised persons having access to the fireworks;**
 - (iii) Abstain from any act whatsoever which tends to cause fire;**
 - (iv) Not keep all flammable liquids on the same premises together with fireworks;**
 - (vi) Keep matches at least 5 metres away from the fireworks;**
- (14) No person shall smoke in or take naked light or fire into premises where fireworks are kept, handled or stored;**
- (15) Wholesale dealer in fireworks shall at no time have on his/her premises more than 1000 kilograms gross mass of fireworks contained in the original inner packaging as received from manufacturer or other supply magazine;
- (16) Manufacturer or wholesale dealer shall supply fireworks only to a dealer who is in possession of a valid license issued by SAPS Chief Inspector of Explosives;
- (17) A retail dealer in fireworks-
- (a) May keep fireworks on his/her premises not exceeding 500 kilograms gross mass;
 - (b) Shall not interfere with the inner packing of the fireworks, allow or permit it to be interfered with;
 - (c) Shall supply fireworks to the public only in the sealed inner packing as received from the manufacturer or wholesale dealer provided that the packages are still in good condition;
 - (d) Shall not sell, allow or permit to be sold any fireworks to a child under the apparent age of

18 years;

- (e) Shall furnish each employee engaged in selling fireworks with a copy of the chapter 9 of explosives Act (Fireworks Regulations);
- (18) No person shall allow or permit any children under the age of 18 years to handle or use fireworks except under the supervision of an adult person;
- (19) No person under the influence of intoxicating liquor or narcotics shall handle or attempt ,to handle fireworks;
- (20) No fireworks may be sold by a street hawker/Vendor, at a flea market, out of the boot of a vehicle or trailer, bakkie or from a spaza shop;
- (21) Only wholesale and retail dealers licensed in terms of the Explosive Act, and who are in possession of a valid license issued by the Chief Inspector of Explosives may deal in the sale of fireworks;
- (22) Every dealer shall keep all records of fireworks and documents in a manner prescribed to him/her and make them available as may be required by the controlling authority;
- (23) Fireworks shall be packed by the manufacturer or importer in a suitable cartons which shall be sealed ready for sale to the public before dispatch to dealers;

Annexure X

APPLICATION FOR THE STORAGE AND SALE OF FIREWORKS

Serial No: **WDM/MOD/FW/05/08/2015**

I _____
ID No: _____
Hereby wish to apply to the Waterberg District Municipality for a letter or certificate of compliance for storage and sale of fireworks within the jurisdiction of the Municipal area of:

_____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Business : _____

ERF No : _____ Suburb: _____

Business Address : _____

Postal Address : _____

Business Tel : _____ Cell No _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, South African National Standard, Safety at Sport and Recreation Event Act of 2010, Occupational Health and Safety Act of 1993, National Building Regulations and Building Standard Act of 1977, **Explosive Act of 1956**, Hazardous Substances Act of 1973, National Environmental Management Act of 1998 and other relevant legislations.

Type of shop	Quantity	Type of Explosives
Retailer	Max 500kg	
Wholesaler	Max 1000kg	

Take note that Municipality doesn't issue the license, only a letter or certificate of compliance to the Chief Inspector of Explosive.

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer for recommendations before and after receiving license from Chief Inspector of Explosives.

Applicant shall notify Fire Brigade in writing of any upgrade of the premise where fireworks are stored and sold.

Should the applicant want to keep more fireworks than stipulated by restriction, he/she shall have magazine erected and licensed.

The following documents shall be submitted to the Chief Fire Officer-

1. Completed application form from the SAPS.
2. Sketch plan for the Business (e.g. Scale 1:100).
3. A letter of consent from the owner of the premises
4. SA ID or Passport copy (Certified).
5. Proof of residence.
6. Business registration documents.

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Receipt No. : _____

Signature _____

Applicant

Date ____/____/20____

Annexure XI

LETTER OF COMPLIANCE

Serial No: **WDM/MOD/FW/15/O8/2014**

**To: CHIEF INSPECTOR OF EXPLOSIVES
SOUTH AFRICAN POLICE SERVICE
PRETORIA**

Date: ____ / ____ / 20____

Sir/Madam

Re: TRADING IN FIREWORKS

The Fire Brigade Service Division has conducted Fire Safety Inspection at Modi Mall, Kwena Trading cc, Shop No: A 55 on the 15 August 2014 and it is hereby certified that at the time of inspection the premise was found in compliance with all the requirements set forth by the Municipality, By-Laws, Fire Brigade Services Act, National Building Regulation and Building Standard Act, Act no. 103 of 1977, Safety at Sport and Recreation Event Act of 2010 and South African National Standard code.

It is further confirmed that all minimum fire risk are reduced to an acceptable limit and the premise can safely keep, store and handle pyrotechnics of mass not exceeding 500kg in a dry packaging inside a lockable glass display.

No fireworks to be sold to children under the age of 18 years.

The compliance letter is valid for twelve (12) months from the date of issue.

This Division has the right to withdraw certificate if found in contravention with the By-Laws, Fire Brigade Services Act, National Building Regulation and Building Standard Act of 1977, South African National Standard Codes, Safety at Sport and Recreation Event Act of 2010, and other relevant legislations

For further enquiries please feel free to contact us.

You're sincerely

Chief Fire Officer

Application for Authority to present fireworks display

- 87 (1) Person contemplated in section 86(1) must apply to the Controlling Authority for firing fireworks by completing and submitting application form contemplated in Annexure 00 together with subscription fee contemplated in Annexure 00;
- (2) If the council/Municipality decides to approve an application to present a fireworks display, it must provide the applicant with confirmation of its decision and any conditions that it may impose to safeguard persons and property;
- (3) The application must be submitted for processing to the office of the Fire Service at least fourteen (14) working days prior to the display;
- (4) The council / Municipality may require that the fireworks display be presented only on a suitable premises designated by the council ;
- (5) Municipality / council may impose conditions as to the dates on which and or period of time and or hour when such discharge may take place and further may impose conditions as to the manner of discharge;
- (6) No fireworks of any form or kind will be displayed on pavements, hawker's spots and anywhere not regulated by the council;
- (7) Any person who allows, permit a minor to light or ignite fireworks is guilty of an offence;
- (8) Any person who wish or intend to present, operate a public display of fireworks shall be made in writing to the controlling authority and shall set forth-
- (a) The name of the person or organisation sponsoring the display;
 - (b) The name of the person in charge of the firing of the display, who shall be at least 18 years of age and competent for the work;
 - (c) The date and time of the day at which the display is to be held;
 - (d) The exact location planned for the display;
 - (e) A description setting forth the age and qualifications of the person who are to do the actual discharging of fireworks;
 - (f) The numbers and kinds of fireworks to be discharged and the value of the display;
 - (g) The manner and place of storage of such fireworks prior to the display;
 - (h) A diagram of the ground on which the display is to be held showing-
 - (a) The point at which the fireworks are to be discharged which shall be-
 - (i) at least 100 metres from the nearest buildings, road or railway;
 - (iii) at least 30 metres from nearest telephone, telegraph or power line trees or other overhead obstructions;

- (b) The direction in which aerial fireworks, if any are to be fired;
 - (c) The area to be kept clear of persons which shall extend at least 50 metres from the front and to the side of the point at which the fireworks are to be discharged;
 - (d) The area of at least 100 metres to be kept clear of which falling residue from aerial fireworks is expected;
 - (e) The location of all buildings and roads within 200 metres of firing site;
- (9) Presenting of fireworks display shall be performed by a trained Pyrotechnician;
 - (10) Any person who wilfully enter on or remain in the area reserved for receiving falling residue from aerial fireworks shall be guilty of an offence;
 - (11) Any unauthorised person who wilfully proceed beyond the area demarcated by the organisers of the display for spectators shall be guilty of an offence;
 - (12) No person shall use or discharge any explosive or similar device which emits impulsive sound, or allow it to be used or discharged if it may cause a noise nuisance, accept with the prior consent in writing from the controlling authority concerned;
 - (13) A public display of fireworks may only take place after a written permission has been granted by Chief Inspector of Explosives and local authority concerned.
 - (14) The person, company or organisation responsible for the firing, display of fireworks shall supply the Controlling Authority with an indemnity in order to safeguard the members of the public, Controlling Authority and its officials from any claims resulting in a loss of life, injury or damage to property that may result from the public fireworks display.
 - (15) A written permission must be obtained from the South African Police Service (Chief Inspector of Explosives), prior to firing or display of fireworks takes place and copy to be forwarded to the Local Authority.
 - (15) Any person who fails to comply with the provisions of this section is guilty of an offence;

Annexure XII

APPLICATION FOR FIRING, DISPLAY OR EXPLODING OF FIREWORKS

Serial No: **WDM/MOD/FWF: 11/11/2015**

I _____

ID No: _____

Physical Address: _____

ERF No : _____ Suburb: _____

Postal Address: _____

Hereby applying to the Waterberg District Municipality for the firing, display or discharging of fireworks within the Jurisdiction of the Municipal area of: _____

Reason for firing: _____

Day, date, time upon which the firing/discharge will take place: _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, South African National Standard, Occupational Health and Safety Act of 1993, National Building Regulations and Building Standard Act of 1977, Safety at Sport and Recreation Events Act, Act No. 2 of 2010, Explosive Act of 1956, Hazardous Substances Act of 1973, National Environment Management Act of 1998, Waste Act of 2008 and other relevant legislations.

Details of the person who will be discharging fireworks

Full Names : _____

ID No. : _____

Physical Address: _____

ERF No : _____ Suburb: _____

Postal Address: _____

Tel No : _____ Cell No: _____

Take note that Municipality doesn't issue the licence, only a letter of compliance to the Chief Inspector of Explosive. Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer for recommendations before and after receiving licence from Chief Inspector of Explosives.

Fire Brigade Service shall be on standby during firing or discharging of fireworks against the prescribed fee.

The person, company or organisation responsible for the firing, display of fireworks shall supply the Controlling Authority with an indemnity in order to safeguard the members of the public, Controlling Authority and its officials from any claims resulting in a loss of life, injury or damage to property that may result from the public fireworks display.

A written permission must be obtained from the South African Police Service (Chief Inspector of Explosives), prior to firing or display of fireworks takes place and copy to be forwarded to the Local Authority.

The following documents shall be submitted to the Chief Fire Officer-

1. Completed application form from the SAPS Chief Inspector of Explosives.
2. Sketch plan for the venue or premises indicating the firing point, spectator area, safety distances etc.
3. A letter of consent from the owner of the premises
4. SA ID or Passport copy (Certified).
5. Proof of residence.
6. Proof of Authorization from Civil Aviation Authority.

Applicant is granted only 14 working days to make any corrections indicated to him/ her on the checklist without an additional cost, but if the 14 days exceeded, the prescribed fee must be paid again before permit/ certificate can be issued.

Details of Fireworks/ Pyrotechniques to be used

Reason for Display: _____

Date and Time of Display: ____/____/20____ Time from: ____:____ Time to: ____:____

Details of the owner of the premises

Full Names : _____

ID No. : _____

Home Address : _____

ERF No : _____ Suburb: _____

Postal Address : _____

Tel No. : _____ Cell No.: _____

Signature _____
Owner of Premise

Date ____/____/20__

Signature _____
Applicant

Date ____/____/20__

Signature: _____
Pyrotechnician

Date: ____/____/20__

Fireworks display prohibited

- 88** (1) No person may present fireworks display unless-
- (i) Authorised to do so by the council/ Municipality;
 - (ii) Authorised to do by the Civil Aviation Authority;
 - (iii) Authorised by the Chief Inspector of Explosives;
 - (iv) The display is at all times under the supervision of the Chief Inspector of Explosives;
 - (v) The fire Brigade services is on standby at the fireworks display;
 - (vi) An area with radius of 50m is clearly demarcated for launching of fireworks display;
 - (vii) Measures are in place to prevent any person who is not involved In the presentation of fireworks display from entering the area;
- (2) No person may use or explode any fireworks-
- (i) Within 500m of any explosives factory, storage, petro depot and station;
 - (ii) Inside any building or any public thoroughfare;
 - (iii) On any agricultural holding;
 - (iv) At any other public places, resort except with a prior written permission of the controlling authority;
 - (v) At any school, hospital or old age home;

- (vi) In a centre for business district area;
 - (vii) Any place where animals are present;
- (3) Unless so authorised, no person may lite or ignite fireworks on any day or time except-
- a. Christmas Eve from 22:00 to 01:00;
 - b. New Year Eve from 22:00 to 01:00;
 - c. Hindu New Year Day from 19:00 to 22:00
 - d. Lag b'omer from 19:00 to 22:00;
 - e. Chinese New Year from 19:00 to 22:00;
 - f. Human Rights Day from 19:00 to 22:00;
 - g. Freedom Day from 19:00 to 22:00;
 - h. Guy Fawkes Day from 19:00 to 22:00;
 - i. Divali from 19:00 to 22:00;
 - j. Day of Goodwill from 19:00 to 22:00;

Symbolic Safety Signs

- 89** (1) The owner of a building must, in areas where flammable and/or explosive dangerous good are used, stored and handled, display symbolic signs prohibiting smoking and open flames, as the case may be. These signs must conform with **SANS 1186** and be of the appropriate size as specified by the Service and must be displayed prominently in appropriate places.
- (2) Any owner who fails to comply with the provisions of subsection (1) is guilty of an offence.
- (3) Any person who disregards the prohibition in subsection (1) or permits the prohibition to be disregarded is guilty of an offence.

Reporting of Fires, Accidents and Dumping

- 90** (1) The occupier of any premises must immediately report any fire, accident or dumping involving dangerous good on the premises that has caused damage to property, the ecology of the environment or injury to human beings or animals to the Service.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence

Sampling

- 91** (1) Whenever a member inspects any premises and suspects that a substance on the premises is hazardous, the member may have a sample taken, by a suitably authorized person or company, of any relevant substance for analysis: Provided that-
- (a) Any sample so taken must be taken in the presence of the owner or occupier or any other third party;

- (b) Any sample must be divided into two equal parts and be sealed in similar suitable containers with the following information on the containers:
 - (i) The address and the location of the premises
 - (ii) The trade name of the premises or concern
 - (iii) The name and signature of the persons who are present, as contemplated in subsection (1) (a)
 - (iv) The date on which and time at which the sample was taken
 - (v) A description of the exact location on the premises where the sample was taken; and
- (c) any sample so taken must, at the expense of the owner of the premises, be taken immediately to an accredited institution as determined by the Service for an analysis and a report: Provided further that the results of the analysis may, subject to the rules of the law of evidence, be used as evidence in any potential legal steps that the Service may consider and/or deem necessary, as the case may be. The taking of the sample shall also be for the cost of the owner.

Group I Dangerous Goods

- 92** (1) All Group I dangerous goods (explosives) must be handled, used, stored and transported in accordance with the provisions of SANS 10228, 10229, 10232 and 10263, the Explosives Act, 1956, and the Hazardous Substances Act, 1973, and any regulations made under these Acts, as the case may be.

Group II Dangerous Goods

Portable containers

- 93** (1) All portable metal containers and related devices for Group II dangerous goods must be manufactured, marked, maintained, filled and stored in accordance with the provisions of SABS 019, SANS 10228, SNBS 10229 and SABS 0238, as the case may be.
- (2) All portable metal containers for liquid petroleum gas must be stored, filled and/or installed in accordance with the provisions of SANS 10228, SANS 10229, SABS 0238, SABS 019 and SANS 10087, Parts I to VIII, as the case may be.
- (1) All portable containers for Group II dangerous goods must at all-time be transported, stored and/or installed in a vertical position.

Bulk containers

- (4) All bulk containers for Group II dangerous goods must be designed, manufactured, maintained and installed in terms of the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), and any regulations made under the Act; SABS 019; SANS 10087; and the provisions of the National Building Regulations and Building Standards Act, 1977, and any regulations made under the Act, as the case may be.

Manifold installations

- (5) No Group II dangerous good may, for any reason whatsoever, be used, stored, handled or installed indoors in any manifold installation or otherwise on any premises.
- (6) The provisions of this section are not applicable to the storage, use, handling or installation of a portable liquid petroleum gas container of a maximum water capacity of 45 \square inside a detached private dwelling-house (H4 occupancy classification in terms of Regulation A20 of

the National Building Regulations), on condition that-

- (i) the container is used solely for bona fide residential purposes;
 - (ii) that liquid petroleum gas will only be permitted indoors on condition that the prospective user is capable of furnishing the Service with scientifically based proof that there is sufficient natural ventilation from the room to the outdoors to ensure that any gas concentration in the room that may be caused by a leakage or potential leakage of the gas and/or by a negligent action in respect of the use of the gas will be so neutralised as not to be within the recognised explosive limits for the gas;
 - (iii) Scientifically based detailed calculations and tests must be the basis of such proof;
- (7) Any person who furnishes proof, as contemplated in **subsection (6) (i) (ii) (iii)**, must be approved by professional engineer or other registered competent person and, in terms of Regulation A19 of the National Building Regulations, be appointed by the owner or occupier of the building in question.
- (8) No person may, without the permission of the Chief Fire Officer, use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices and/or hydrogen balloons indoors, for whatever purpose.
- (9) In enforcing this subsection, the concept of "hydrogen gas" includes any gas compound containing hydrogen gas, unless the non-flammable nature and/or non-explosiveness of the gas compound can be certified scientifically.
- (10) The provisions of section **40/94(6) (i) (ii) (iii) of these By-laws** are applicable mutatis mutandis to this subsection;
- (11) Whenever any person uses acetylene welding devices and/or cutting devices indoors, the devices must be used strictly in accordance with the requirements of **SABS 0238**: Provided that-
- (i) the Chief Fire Officer may prescribe fire protection requirements concerning the installation, storage and use of the devices;
- (12) The installation within the area of underground pipelines for any Group II dangerous good, and branches or manifolds of pipelines, as the case may be, is *mutatis mutandis*+ subject to the provisions of **sections 23, 22, 63, 75, 39, 76 and 94 of these by-laws/**

Underground pipelines

- (13) Any underground pipeline for a Group II dangerous good must comply with the following requirements:
- (a) The owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1 600 l per minute at a work pressure of 300 kPa, and
 - (b) Fire hydrants must be parallel to the pipeline at every pump station within the area. The owner must maintain the fire hydrants in a working condition at all times;
 - (c) The owner of the pipeline must provide sufficient cathodic protection for the pipeline and maintain the cathodic protection in a working condition at all times.
 - (d) The pipeline must be marked with markers approved by the Chief Fire Officer and must be maintained in a functional condition at all times by the owner of the pipeline.
 - (e) The installation and extension of the pipeline and/or branches to consumer's

premises, and the maintenance of the pipeline within the area, must *in toto* be done according to a recognised standard approved by the Chief Fire Officer.

- (f) No construction work above or below the ground may be done within 16 m of the pipeline reserve, unless the construction company is in possession of written authorisation to do so, which authorisation has been issued by the controlling authority and the owner of the pipeline.
- (14) Any person who fails to comply with the provisions of this section is guilty of an offence.

GROUP III DANGEROUS GOODS

Tank manufacture

- 94** (1) No person may install, use or utilise or attempt to install, use or utilise any storage tank for the underground storage of Group III dangerous goods, unless the tank has been manufactured in accordance with the provisions of SABS 1535.
- (2) Any person who installs uses or utilises or attempts to install, use or utilise any underground storage tank, which does not comply with the requirements of SABS 1535, is guilty of an offence.

Installation of Storage Tanks NB

- 95** (1) Any storage tank for Group III dangerous goods must be installed in accordance with the provisions of SANS 10400; SANS 10089, SANS 10131, SABS 0108 and SABS 086, as the case may be: Provided that -
- (a) All storage tanks installed indoors must be installed in accordance with the provisions of SABS 10131 as the case may be;
- (b) All pumps and filling devices installed indoors must be in purpose-built, registered premises;
- (c) All installations, as contemplated in subsection (1)(a) and (b), as the case may be, are subject *mutatis mutandis* to the provisions of section 23 and section 24 of these by-laws, as the case may be; and
- (d) Temporary installations must be approved and for not more than six months;
- (e) No aboveground tanks classification as Class II and III in SANS 10131 Part I will be allowed in urban areas, except if it is a bulk depot according to SANS 10089 Part I;
- (f) No aboveground tank with classification as Class II will be allowed in rural areas unless it has been approved by the existing zoning of the land used in terms of the Town planning scheme for resale purposes, or where a rational fire design (described in SANS 10400, Regulation T1 (2) (a) or (b) of Act 103 of 1977 in terms of Regulation A19 (1) of the said Act,) drawn up by a competent engineer using other national or international standards for the aboveground storage of inflammable liquids is submitted and approved by the Chief Fire Officer;
- (g) A maximum of three BTF tanks will be allowed, as contemplated in subsection (1) (e);

- (h) Additional safety distances for aboveground tanks classification class III according SANS 10131 for diesel in rural area (farms) will be 5 meter for tanks 2200 litres and 15 meter for tanks greater than 2200 litres, from any boundary fencing, building, open flames and any other inflammable liquid stores; and for no resale purposes;
- (2) The installation within the area of underground pipelines for any Group III dangerous goods, and branches or manifolds of pipelines, as the case may be, is mutatis mutandis subject to the provisions of sections 20, 23, 63, 75, 39, 76 and 90 of these by-laws;
- (3) No aboveground tank used to store diesel in rural areas may be used for resale purposes. If used for diesel resale it will be deemed a filling station and must comply with SANS 10089, Part 3.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

PART VI / CHAPTER 6

TRANSPORTATION OF DANGEROUS GOODS

Transport Permit

- 96**
- (1) The owner/operator/consignor of any vehicle designed and used for transportation of dangerous goods may not operate such a vehicle in the jurisdiction of the controlling authority, unless the vehicle is registered and categorised as Dangerous Goods (D/G) or Goods (G) by department of transport and/or local traffic;
 - (2) The person contemplated in subsection (1) must ensure that he/she obtain a dangerous goods transport permit issued by a Chief Fire Officer in terms of the South African National Standard code 10228, 10229, 10231, 10232, 10233, 1157 and 1518 for transportation of dangerous goods by road which are an integral part of the Dangerous Goods Regulations of the National Road Traffic Act, 1996;
 - (3) Each vehicle for which such a permit has been issued must comply with the provisions of section 97 of these by-laws and the South African National Standard codes, 10087 and 10089;
 - (4) Any vehicle designed to be used for the transportation of explosives including ammonium nitrate shall be licensed for that purpose by SAPS Chief Inspector of Explosives;
- Application for Transport Permit**
- 97**
- (1) Any person mentioned in section 43/96 (1), must submit an application form provided for in Annexure II to these by-laws and obtainable from this service and must be completed correctly and in full.
 - (2) The application form must be accompanied by:
 - a. Certified copy of the vehicle's registration certificate;
 - b. Certified copy of the identity document of the owner of the vehicle;
 - c. Proof of payment of fee as determined in terms of these By-law;
 - c. Certified copy of the existing Dangerous Goods transport permit;
 - e. Certified copy from SAPS for conversion and licensing of vehicle for road transportation of explosives;

- (3) The application must be submitted for processing to the registration office of the Service at **least five days** (excluding Saturdays, Sundays and public holidays) prior to the proposed test or assessment date;
- (4) The person contemplated in **section 43/96 (1)** shall ensure that the vehicle is brought to the service to enable the Controlling Authority to examine or inspect the vehicle before the transport permit can be issued;
- (5) The **controlling authority** may request additional information from the applicant;
- (6) The Controlling Authority may refuse to issue the Dangerous Goods Transport Permit if a vehicle does not comply with the requirement in **section 43/96 (1)** and where the Controlling Authority is of the opinion that the non-compliance of a vehicle can be remedied, he/she must instruct an operator of a vehicle in writing to take all reasonable steps to remedy the default prior to the use of the vehicle in accordance **with section 43/96 (1)**;
- (7) If at any time, **the Chief Fire Officer** becomes aware that the usage of a vehicle is not in accordance with dangerous goods transport permit, he/she must act in terms **of section 9 (2), section 10 and 11 of this By-law**;
- (8) A transport permit contemplated in section 96 is not required for the transportation of dangerous goods of the type and exceeding the quantity stipulated in **Annexure 00**;
- (9) Once the vehicle is licensed and registered to transport any dangerous goods, the owner or person in charge shall immediately submit the documents to the Chief Fire Officer;

Annexure XIII

APPLICATION FOR DANGEROUS GOODS TRANSPORT PERMIT

Serial no : **WDM/MOD/TDG/45/02/2015**

I _____
 ID No: _____

Hereby wish to apply to the Waterberg District Municipality for permit to transport dangerous goods within the jurisdiction of the Municipal area of: _____ and _____

I declare I'm the owner or responsible person for the said premises and vehicle stated below:

Name of Premise : _____
 ERF No : _____ Suburb: _____
 Physical Address : _____
 Postal Address : _____
 Telephone No : _____ Cell No: _____

Details of transportation/ Vehicle Requiring Certificate of Registration

Make : _____ Description: _____ Reg no: _____
 VIN no. : _____ Tare _____ kg GVM: _____
 Number of Tanks : _____ Tanks Capacity: _____
 Year Tank Manufactured: _____ DG Registration No: _____

Quantity of Flammable Substances to be conveyed

Flammable liquids:	Solids:	Gases:
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I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, South African National Standard, National Road Traffic Act of 1996 and Regulations, Occupational Health and Safety Act of 1993, Explosive Act of 2003, Hazardous Substances Act of 1973 and other relevant legislations.

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer for approval.

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/ her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued.

Date of previous inspection : ___/___/20___ Place: _____

Receipt No. : _____ Amount R _____

Certificate/Permit is valid for 12 months from the date issued and must always be kept in the vehicle and be maintained in a legible condition.

Signature: _____ Date: ___/___/20___
Applicant (Operator)

Requirement for Transport Permit

- 98
- (1) The Chief Fire Officer may not issue a Dangerous Goods Transport Permit for a Period longer than twelve (12) months;
 - (2) The original dangerous goods transport permit must be kept in the designated space of the vehicle mentioned in section 43/96 (3) together with other dangerous goods documents prescribed in terms of any other legislations for inspection at all times;
 - (3) The controlling authority must keep records of all vehicles in respect of which a dangerous goods transport permit has been issued, amended and renewed;

Contents for Transport Permit

- 99
- (1) When a dangerous goods transport permit is issued, the certificate must be endorsed with the following conditions, namely that the certificate-
 - (a) Indicate the date of issue and the date of expiry;
 - (b) Be valid for a period of twelve months from the date of issue;
 - (c) Indicate the name, in block letters, of the issuing officer and bear the officer's signature;
 - (d) Indicate a year-linked serial number;
 - (e) Indicate the group and quantity of dangerous goods to be transported;
 - (f) Indicate the registration number of the vehicle in question;

Prohibition for Transport of Dangerous Goods

- 100
- (1) No person may use or allow any vehicle to transport dangerous goods in excess of the permissible amount without a valid Dangerous Goods transport permit issued by the Controlling Authority or unless the vehicle meet with the requirements contemplated in section 43/96, 97 and 98;
 - (2) A consignor may not supply dangerous goods to an operator of a vehicle mentioned in section 43/96 (1), unless the operator is in possession of a valid dangerous goods transport permit issued by the controlling authority;
 - (3) A consignee may not receive dangerous goods from an operator of a vehicle mentioned in

section 43/96 (1), unless the operator meets the requirement in section 43/97;

- (4) No person, driver of the dangerous goods vehicle may use or be allowed:
- (i) To stop or park overnight in a centre for business district area;
 - (ii) To left the vehicle unattended, unless for the purpose of buying food;
 - (iii) To operate, park or drive in a residential, hospitals, schools and old age home area, unless for the purpose of delivery;
 - (iv) To take more than one trip per day to transport explosive only in exceptional circumstances with permission from the Chief Inspector of Explosives;

ANNEXURE XIV

EXEMPTION FROM TRANSPORT PERMIT

GROUP	DESCRIPTION	QUANTITY
1	Explosives	No Exemption
2	Gases	
	Flammable Gases	Total cylinder capacity may not exceed 50kg
	Non-Flammable Gases	Total cylinder capacity may not exceed 333kg
	Toxic Gases	No Exemption
3	Flammable Liquids	
	With flash point >18°C	Total quantity may not exceed 100 litres
	With flash points >18° but <23°C	Total quantity may not exceed 420 litres
	With flash points >23°C but <61°C	Total quantity may not exceed 1100 litres
	With flash points >61°C but <100°C	Total quantity may not exceed 1100 litres
4	Flammable Solids	
	Flammable solids	Total quantity may not exceed 250kg
	Pyrophoric substances	No Exemption
	Water-reactive substances	No Exemption
5	Oxidising Agents and Organic Peroxides	
	Oxidising Agents	Total quantity may not exceed 200kg
	Group 1 Organic Peroxides in packets	No Exemption
	Group 2 Organic Peroxides in packets	Total quantity may not exceed 200kg
6	Toxic or Infective Substances	
	Group 1 Toxic Substances in packets	Total quantity may not exceed 5kg
	Group 2 Toxic Substances in packets	Total quantity may not exceed 50kg
	Group 3 Toxic Substances in packets	Total quantity may not exceed 500kg
	Infective Substances	No Exemption
7	Radioactive Material	No Exemption
8	Corrosive or Caustic Substances	
	Group 1 Acids in packets	Total quantity may not exceed 50kg
	Group 2 Acids in packets	Total quantity may not exceed 200kg
	Group 3 Acids in packets	Total quantity may not exceed 1000kg
	Group 1 Alkaline Substances in packets	Total quantity may not exceed 50kg
	Group 2 Alkaline Substances in packets	Total quantity may not exceed 200kg
	Group 3 Alkaline Substances in packets	Total quantity may not exceed 1000kg
9	Miscellaneous Substances	
	Liquids	Total quantity may not exceed 210 litres
	Solids	Total quantity may not exceed 210kg

Route Plan for Dangerous Goods Transport

- 101 (1) The operator shall inform the controlling authority of the areas through which the vehicle will pass;
- (2) Person **in sub-section (1)** shall provide the controlling authority with-
- (i) Full information regarding the product to be transported;
 - (ii) Nature of the hazard present by the product;
 - (iii) Intended route to be used;
- (3) The **controlling authority** may require the operator to use alternative route to reach his/her destination if the controlling authority has a concern about a particular product
- (4) The operator shall inform the **controlling authority** at the start of the operation only;
- (5) The operator shall inform the **controlling authority** of the discontinuation of such operation;

Duties of Holder of Dangerous Goods Transport Permit

- 102 (1) Duties of the holder of dangerous goods transport permit shall be as contemplated in section 36 of these By-laws;

Renewal of Dangerous Goods Transport Permit

- 103 (1) Any application for the renewal of dangerous goods transport permit must be submitted to the Chief Fire Officer as contemplated in section 37 of these By-laws;

Cancellation of Dangerous Goods Transport Permit

- 104 (1) Cancellation of dangerous goods transport permit shall be as contemplated in section 38 of these By-laws;

Replacement of a Dangerous Goods Transport Permit

- 105 (1) Replacement of dangerous goods transport permit shall be as contemplated in section 39 of these By-laws;

Transfer of a dangerous goods transport permit

- 106 (1) Transfer of dangerous goods transport permit shall be as contemplated in section 40 of these By-laws;

Amendments of dangerous goods transport permit

- 107 (1) Amendments of dangerous goods transport permit shall be as contemplated in section 41;

CHAPTER 7

STOREROOMS FOR DANGEROUS GOODS

REQUIREMENTS FOR STOREROOMS

Capacity

- 44/108 (1)** The certificate of registration issued for any storeroom for dangerous goods as contemplated in **section 25/61 of these by-laws** must indicate the group and the largest quantity of dangerous goods which may be kept in the storeroom.

Symbolic Safety Signs in storeroom

- (2)** No person may use any storeroom or permit any storeroom to be used for Group III dangerous goods, unless -
- (a) Symbolic safety signs prohibiting open flames and smoking, at least 290 mm x 290 mm in extent, manufactured in accordance with the provisions of SANS 1186, are affixed at the storeroom; and
 - (b) The groups of flammable substances and their corresponding quantities which may be stored in the storeroom are indicated on the outside of every door to the storeroom in red letters at least 75mm high, against a white background;

Display of Certificate of Registration

- (3)** The certificate of registration for a storeroom, with the contents of the certificate clearly visible, must be kept and maintained in a legible condition in a weatherproof container on the outside of a door normally used as the entrance to the storeroom.

Construction of Flammable Liquid Storerooms

- (4)** The construction of any storeroom must be in accordance with the National Building Regulations (T1) read in conjunction with SANS 10400 and the requirements of the General Safety Regulations of the Occupational Health and Safety Act and the following requirements:
- (a) The storeroom floor must consist of concrete;
 - (b) The storeroom walls must consist of material that has a fire resistance of at least 120 minutes;
 - (c) The storeroom roof must consist of-
 - (i) Reinforced concrete with a fire resistance of at least 120 minutes; or
 - (ii) Any other non-combustible material, if the storeroom-
 - (aa) is not situated within 5 meters of any adjacent building or boundary of the premises; or
 - (bb) adjoins a higher wall with no opening within 10 meters above and 5 meters on either side of the storeroom.

Doors

- (5)** Any storeroom must be equipped with Class B-type fire doors manufactured and installed in accordance with **SANS 1253**: Provided that -
- (a) The said doors must open to the outside and have a lock or locks as are approved by the Chief Fire Officer;

- (b) whenever the distance to be covered from any storeroom is 4 m or more, the storeroom must have at least two Class B-type fire doors, which doors must be installed as far from each other as is practicable; and
- (c) Fire door contemplated in **subsection (5)** and **(5) (a)** must be installed on:
 - (i) External walls, be class **B** fire door; and
 - (ii) Internal walls in communication within a building, be **D** class doors;
- (d) Any door providing access to a storeroom must at all times be capable of being opened easily from the inside without the use of a key.

Windows

- (6)** All window frames must be manufactured of steel and must -
 - (a) Be fitted with wire glass with a minimum thickness of 8 mm; and
 - (b) Have window panels with a maximum size of 450 mm x 450 mm:
 - (c) Provided that no window must be capable of being opened.
 - (d) Every storeroom window must be fitted to the external wall of the building;

Catch pit

- (7)** Any storeroom must be designed and constructed so that the floor of the storeroom is recessed below the level of the door sill to form a catch pit: Provided that -
 - (a) The catch pit formed by such recessed floor or sill must have a capacity capable of accommodating the total quantity of dangerous goods able to be stored in the storeroom, plus 10%, with a maximum height of 450mm;
 - (b) if required by the Chief Fire Officer the catch pit must be covered at door sill level with a strong, stable, non-combustible and oxidation-free grill, which grill must serve as a floor on which corrosion-free shelves and/or the contents of the storeroom must be placed and an access hatch for cleaning purposes must be placed in a suitable position on the grill floor; and
 - (c) The catch pit must, at its lowest level, have a non-corrosive drainage valve for cleaning purposes and for product recovery.

Ventilation

- (8)** Any storeroom must be so designed and constructed to ensure that the collection of fumes of flammable liquids is effectively ventilated, whether naturally or mechanically, in all parts of the storeroom. The fumes must be released into the open air at a place or places where the fumes are not likely to come into contact with any source of ignition, which may ignite such fumes.

Natural Ventilation

- (9)** The owner or person in charge of any storeroom must effectively ventilate the storeroom at a minimum cycle of 30 total air changes per hour by installing non-combustible airbricks, at least 140 mm x 215 mm in extent, with non-corrosive gauze wire of which the nominal opening diameter must be at least 0,5 mm: Provided that the airbricks are -

- (a) Provided in at least three external walls; and
- (b) Positioned 100 mm above the level of the sill and 100 mm below the roof and not more than 450 mm apart.

Mechanical Ventilation

(10) Whenever natural ventilation as contemplated in subsection (9) cannot be effected and the depth of the sill level exceeds 300 mm, the owner or the person in charge of a storeroom must equip the storeroom with a mechanical inlet and outlet ventilation system designed and installed for this purpose: Provided that -

- (a) The capacity of the system must be able to change the cubic air content in the storeroom at least 30 times an hour;
- (b) The vanes of the system must be manufactured from a static-free material;
- (c) The fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
- (d) All ventilators must be attached firmly to the inside of the walls;
- (e) The bottom ventilators must be affixed as close as possible to the level of the sill; and
- (f) All ventilation openings and/or air duct openings must be installed in the opposite wall, 100 mm above the level of the sill to ensure cross-ventilation in conjunction with the said mechanical ventilator.

Electrical Equipment

(11) The owner or person in charge of a storeroom must ensure that -

- (a) All electrical apparatus, fittings and switchgear used or installed in any storeroom are protected and installed in accordance with the equipment of the appropriate classification for the particular area in terms of the provisions of SANS 10108;
- (b) all switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside the storeroom and positioned so as not to come into contact or possibly come into contact with fumes escaping from the storeroom;
- (c) All metal parts and electrical fittings and any device in or in connection with a storeroom are earthed effectively with each other and the ground;
- (d) Switches actuating any mechanical ventilation system are situated outside the storeroom;
- (e) any mechanical ventilation system is on at all times during occupation, except whenever the system is switched off for repairs and/or replacement purposes: Provided that if the mechanical ventilation system breaks down, the system must be repaired without delay, and if the system breaks down irreparably, the system must be replaced without delay; and
- (f) Whenever any storeroom is not staffed, all electrical apparatus and fittings, with the exception of the mechanical ventilation system, are switched off.

Electrical Installations Installed by Qualified Electricians

- (12) All electrical installations must be installed and certified by a qualified electrician and the certificate of compliance (COC) must be submitted to the Service for record purposes of that installation immediately after completion.

Storerooms Constructed from other, Non-Combustible Materials

- (13) Notwithstanding the provisions of this section, a storeroom may be constructed from other, non-combustible materials: Provided that -
- (a) The storeroom is not constructed within 3 m of any other building and/or the boundary of premises;
 - (b) The storeroom is surrounded with liquid-proof retaining walls or embankments that are capable of accommodating the quantity of dangerous goods able to be stored in the storeroom, plus 10%; and
 - (i) The floor of or space within these retaining walls or embankments is also liquid-proof to prevent ecological contamination; and
 - (ii) Where the storage is effected outside a flammable liquid storeroom, this is allowed when the storage is not within 15m of any ignition source.

Unauthorised Access

- (14) No person may enter, have any other person enter or permit any other person to enter any storeroom without the express permission of the occupier or any other responsible person who is in charge of such storeroom.

Abuse of a Storeroom

- (15) No person may -
- (a) Use any storeroom, or have the storeroom used or permit the storeroom to be used for any purpose other than for the storage, use or handling of dangerous goods in the storeroom;
 - (b) Employ any other person in any storeroom or permit the person to work in the storeroom unless all the doors of the storeroom are wide open and/or the mechanical ventilation system is on; and
 - (c) Place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the passages or in front of any door(s) of any storeroom.
- (16) Any person who uses a storeroom or permits a storeroom to be used and does not comply with the provisions of this section is guilty of an offence.

Foam Inlet for Certain Storeroom

- (17) The owner or person in charge of a storeroom that is used or intended to be used for storing more than 5000 litres of flammable substance must ensure-
- (i) That the storeroom is provided with a foam inlet consisting of a 65mm male instantaneous coupling and mild steel pipe work leading to the inside thereof; and

- (ii) That the foam inlet is identified by a sign in block letters at least 100mm high displaying the words foam inlet;

Keeping and Handling Dangerous Goods in a Storeroom

- 45/109** (1) No person may store or allow the storage of any flammable substances in any Storeroom unless-
- (i) The owner, person in charge has the certificate of registration contemplated in **section 25/61** of these By-laws;
 - (ii) The storeroom complies with the requirement of this By-law and any other applicable law;
- (2) Any storeroom referred to **in section 44/108** of these by-laws may be used for keeping any grouped dangerous good, with the exception of Group I dangerous goods (explosives), as defined in **section 2(1) of the Dangerous goods Act, 1973**:
Provided that-
- (i) all chemically reactive dangerous goods must be separated from each other by means of compartmental liquid-proof fire partition walls to the satisfaction of the Service, which fire partition walls must extend from the bottom of the catch pit to 1 m above the highest stack of each group inside the storeroom.
- (3) **Notwithstanding** the provisions of **section 44/108 of these by-laws**, any grouped dangerous good contemplated in this section, with the exception of Group I dangerous goods (explosives), may also be stored, and kept in terms of SANS 10263: Provided that any storeroom will be subject *mutatis mutandis* to the **provisions of sections 20, 23 and 61 of these by-laws**, as the case may be.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

Annexure XV

APPLICATION FOR STOREROOM OF FLAMMABLE SUBSTANCE

Serial No: **WDM/MOD/TEMS/16/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for storeroom of flammable substance within the jurisdiction of the Municipal area of: _____ and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____

ERF No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environment Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES TO BE STORED

Flammable Substance	Product Name	UN no	Class	Packaging Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from the start till the installation is completed and approved.

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/ her on the checklist without additional cost, but if the 14 days exceeded, the prescribed fee must be again before permit/ certificate can be issued.

Date of previous inspection: ____/____/20____ and Place: _____

Certificate/ Permit is valid for 6 months and shall be kept on the premise at all times and be maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____
Applicant

Date: ____/____/20____

CHAPTER 8

SPRAY-PAINTING MATTERS AND SPRAYING PERMITS

Registration of Spray-Painting Rooms

46/110

- (1) No person may spray, coat, plate or epoxy-coat any vehicle, or parts of a vehicle, or any other articles, objects or buildings, or parts thereof, or permit them to be sprayed, coated, plated or epoxy-coated, whether indoors or outdoors, with a Group III dangerous good or with liquid compounds of a Group III dangerous good, or with any other dangerous good-
- (i) unless such person is in possession of a spraying permit contemplated in section 46/110(1) of these by-laws;
- (ii) unless the spraying, coating, plating or epoxy-coating as the case may be is conducted in a room approved by the Chief Fire Officer on premises registered for that purpose;
- (2) If circumstances require it, any motor vehicle, article or object, or any parts thereof, may be sprayed in any place other than in an approved spraying room and/or spraying booth by any person who possesses a spraying permit for the premises in question, provided that there is little likelihood of the proposed activities' posing a real danger or causing an emergency situation for any human being, animal or property.

Application for Spray-Painting Permit

- 111 (1) Any person mentioned in section 46/110 (1), must submit an application form provided for in Annexure II to these by-laws and obtainable from this service and must be completed correctly and in full.
- (2) The application form must be accompanied by the fees prescribed in Annexure I to these by-laws; and
- (3) The application must be submitted for processing to the registration office of the Service at least five days (excluding Saturdays, Sundays and public holidays) prior to the proposed test date;
- (4) The person contemplated in section 46/110 (1) shall ensure that the Chief Fire Officer is invited to the premises for inspection before the spray-painting permit can be issued;
- (5) The controlling authority may request additional information from the applicant;
- (6) The Chief Fire Officer may refuse to issue the spray-painting permit if the premises does not comply with the requirement in section 112 and where the Chief Fire Officer is of the opinion that the non-compliance of the premises can be remedied, he/she must instruct the person contemplated in section 112 in writing to take all reasonable steps to remedy the default prior to the use of the spray-painting room or booth;
- (7) If at any time, the Chief Fire Officer becomes aware that the usage of the premises is not in accordance with the spray-painting permit, he/she must act in terms of section 8, 9 (2), 10, 11 and 12 of this By-law;

Annexure XVI

APPLICATION FOR THE SPRAYING BOOTH AND DECANTING ROOM

Serial No: **WDM/MOD/TEMS/16/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for the fire registration certificate for spraying booth and decanting room within the jurisdiction of the Municipal area of: _____

and I declare I'm the owner or responsible person for the premises stated below:

Name of Premise : _____

Erf No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973, National Environment Management Act of 1998, Waste Act of 2008 and other relevant legislations.

FLAMMABLE SUBSTANCES ON THE PREMISES

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from the start till the installation is completed and approved.

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued.

Applicant is granted only 14 working days to make any corrections indicated to him/ her on the checklist without additional cost, but if the 14 days exceeded, the prescribed fee must be again before permit/certificate can be issued.

Date of previous inspection: ____/____/20__ and Place: _____

Certificate/ Permit is valid for 12 months and shall be kept on the premise at all times and be maintained in a legible condition.

Receipt No. : _____

Amount R _____

Signature: _____
Applicant

Date: ____/____/20__

Contents of Spray-Painting Permit

- 112 (1) When a spray-painting permit is issued, the permit must be endorsed with the following conditions, namely that the certificate-
- (a) Indicate the date of issue and the date of expiry;
 - (b) Be valid for a period of twelve months from the date of issue;
 - (c) Indicate the name, in block letters, of the issuing officer and bear the officer's signature;
 - (d) Indicate a year-linked serial number;
 - (e) Indicate the group and quantity of dangerous goods to be transported;
 - (f) Indicate the registration number of the vehicle in question;
 - (g) The number of spraying rooms and/or spraying booths must be indicated on the spraying permit.
 - (h) A serial number must be indicated on the spraying permit.
 - (i) The spraying permit must reflect the period of validity and the date of expiry: Provided that the period of validity will, be from the date of issue for a period of twelve months.

Duties of Holder of Spray-Painting Permit

- 113 (1) Duties of the holder of certificate of registration shall be as contemplated in section 36 of these By-laws;

Renewal of Spray-Painting Permit

- 114 (1) Any application for the renewal of certificate of registration must be submitted to the Chief Fire Officer as contemplated in section 37 of these By-laws;

Cancellation of Spray-Painting Permit

- 115 (1) Cancellation of certificate of registration shall be as contemplated in section 38 of these By-laws;

Replacement of Spray-Painting Permit

- 116 (1) Replacement of certificate of registration shall be as contemplated in section 39 of these By-laws;

Transfer of Spray-Painting Permit

- 117 (1) Transfer of certificate of registration shall be as contemplated in section 40 of these By-laws;

Amendment of spray-painting permit

- 118 (1) Amendments of a spray-painting permit shall be as contemplated in section 41 of these By-laws;

Prohibition of Certain Actions

- 119 (1) No person may use or handle dangerous goods, or permit dangerous goods to be used or handled, on unregistered premises, unless a member is satisfied that the dangerous goods will be used or handled in a place and in a manner that will ensure

that -

- (a) no dangerous good or fumes come or are able to come into contact with any fire, flame or naked light, or any other source of ignition which is likely to set the dangerous good or fumes alight; and
- (b) The escape of human beings or animals is not hampered or hindered in the event of a fire or an emergency situation.
- (c) No person may enter spraying room without the authority of the owner, occupier, or person in control of the spraying room;
- (d) No person may use spraying room or allow any spraying room to be used for any purpose other than spray painting or related activities;
- (e) No person will be allowed to enter spraying room, unless the mechanical ventilation system is operating;

Display and Conditions of Spraying Permit

- 120** (1) A spraying permit is issued on the following conditions:
- (a) The spraying permit must at all times be displayed prominently in a weatherproof container on the premises in a place designated by a member.
 - (b) The spraying permit must be maintained and be legible at all times.
- (2) Any person who fails to comply with the provisions of this section, or who alters a spraying permit or attempts to alter a spraying permit or permits a spraying permit to be altered is guilty of an offence.

Construction and Design of Spray-Painting Rooms

- 47/121** (1) the construction of a spraying room and/or spraying booth must be in accordance with the following requirements:
- (a) The floor must be of concrete.
 - (b) The walls must be of brick and/or concrete.
 - (c) The roof must be of reinforced concrete.
 - (d) The doors must be Class B-type fire doors as contemplated in **SABS 1253**.
 - (e) The window frames must be of steel and have window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm.
- (2) The provisions **of subsection (1)** are not applicable to the erection of a spraying room and/or spraying booth if, in terms of the design thereof, the room or booth complies with the following requirements:
- (a) The framework of the entire structure, including the door assemblies, must have a sturdy steel profile with a minimum wall thickness of 2, 5 mm.
 - (b) The framework, including any doors, must be clad on both sides with sheet metal with a minimum thickness of 1, 3 mm.

- (c) If the sheet metal is joined, the joins and/or joints of the sheet metal so joined, including any door assembly forming an integral part of the whole, must be fume-, flame- and liquid-proof.
 - (d) The floor must be of concrete or metal.
 - (e) The window frames must be of steel with window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm.
 - (f) All materials used must have a fire integrity grading of at least 60 minutes.
- (3) The unit formed through the combination of components referred to in subsections (1) and (2), including any services constituting an integral part of the unit or required in the unit, must be constructed, installed and finished so that all surfaces are smooth to prevent any furring which may hamper the ventilation, washing and cleaning processes.
- (4) A prefabricated unit is suitable only if such a unit is evaluated by the SANS or CSIR and is found to be suitable for the particular intended purpose.

Access to a Spraying Room

- (5) (a) Notwithstanding the door(s) granting access for motor vehicles or other objects to be sprayed in any spraying room, a spraying room must have at least two hinged doors for the purposes of escaping, which doors must –
- (i) open to the outside;
 - (ii) Be at least 800 mm x 2 000 mm in extent;
 - (iii) Be positioned in opposite sides, provided that, whenever there is any object in the spraying room for processing, the distance to be covered to any of the doors may not exceed 4 m; and
 - (vi) Be fitted with locking mechanisms that can be opened easily from the inside without the use of a key;

Location of Spraying Room

- (6) The owner, occupier or person in charge of a spraying room must ensure that it is located so that it is at all times separated from other activities and/or areas by means of an escape opening of-
- (i) At least 1 200 mm wide,
 - (ii) An escape opening must at all times be kept free of any obstruction, refuse or combustible materials.
- (a) If any activity and/or process which is operated adjacent to a spraying room may pose a probable fire danger to the spraying room, as contemplated in sub-section (1) (i) must be identified by fire partition walls with-
- (i) A fire resistance of at least 60 minutes, and
 - (ii) The height of these walls must be at least 300 mm higher than the roof of the spraying room.

- (b) Any spraying room contemplated in subsection (2) may be erected indoors and outdoors against firewalls: Provided that not more than two sides of the spraying room may border the firewalls.

Water Floors for Spraying Room

- (7) A spraying room may have a sunken water-filled floor covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free grill that is capable of bearing the weight of the heaviest object in the spraying room.
- (a) The water in the sunken floor must be circulated through an effective non-combustible and cleanable filtering system by means of a closed-circuit pump circulation system of non-corrosive metal pipes with a suitable diameter and wall thickness.

Electrical Equipment

- (8) All electrical apparatus, lights, fittings and switchgear used or installed in any spraying room must be protected and installed in accordance with the provisions for equipment of the appropriate type for the particular area in terms of SANS 10108.
- (9) All switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside the spraying room and positioned so as not to come into contact or possibly come into contact with fumes escaping from the spraying room.
- (10) Switches actuating any mechanical ventilation system must be situated outside the spraying room.
- (11) All metal parts and electrical fittings and any device in or in connection with a spraying room must be earthed effectively with each other and the ground.
- (12) All electrical installations must be installed and certified by a qualified electrician and the certificate of compliance (COC) must be submitted to the Service for record purposes of that installation immediately after completion.

Mechanical Ventilation

- (13) (a) Any spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed for this purpose: Provided that -
- (i) The capacity of the system must be able to change the cubic air content in the spraying room at least 30 times an hour or at a flow rate of 0,5m/s;
 - (ii) The vanes of the system must be manufactured from static-free materials;
 - (iii) The fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
 - (iv) All ventilators must be attached firmly to the inside of the walls;
 - (v) The bottom ventilators must be affixed as close as possible to the level of the floor l; and
 - (vi) All ventilation openings and/or air duct openings must be installed in the opposite wall, door(s) or roof to ensure cross-ventilation in conjunction with the said mechanical ventilation system.

- (vii) Every spray room shall have at least one of its doors fitted with an unopenable strengthened, shatterproof glass inspection window no larger than 450mm x 450mm.
- (viii) With ducting material that is fitted with a fire damper and covering of at least 120 minutes fire resistance where the ducting material exists the spraying room, ducting material is installed external to the spraying room in communication with the remainder of the building concerned;

Fire dampers, Fire Detectors and Fire Alarms in Spraying Rooms

- (14) A fire damper must be affixed in front of any air purification filter, or any part of a filter forming an integral part of the ventilation system, on the inside of the spraying room, which fire damper must be manufactured and installed in accordance with the provisions of **SANS 193**. Provided that the fire damper must –
- (i) Close automatically by means of a sensor that is suitably located and actuated by a rise of more than 10 °C in the predetermined working temperature;
 - (ii) Be so installed that the damper will remain in position even if the air duct distorts during a fire; and
 - (iii) Be provided with an overriding fusible link.
- (a) The sensor contemplated in **subsection (14) (i)** must also -
- (i) be capable of turning off the ventilation system and any heating device used in connection with the spraying room in the event of a fire or whenever there is a rise of more than 10 °C in the predetermined working temperature inside the spraying room; and
 - (ii) Activate a visual and audible alarm inside and outside the spraying room;

Positioning of Ventilation Outlets

- (15) All outlet openings must be designed and positioned so as to release all fumes into the open air at a place at least 1 m above a roof or 4 m above the ground level and at least 5 m from any opening of a building.
- (16) The ventilation system must function whenever any activities related to spray-painting take place in the spraying room.

Display of Signs Prohibiting Open Flames and Smoking

- (17) No person may use any spraying room or permit any spraying room to be used, unless and until symbolic signs prohibiting open flames and smoking, at least 290 mm x 290 mm in extent, manufactured and installed in accordance with the provisions of SANS 1186, are affixed to the inside and outside of all doors of the spraying room.

Maintenance of Spraying Rooms

- (18) All spraying rooms must be maintained at all times in accordance with the provisions of this section and the manufacturer's specifications. Proof of such maintenance must be provided upon request from a member.

Unauthorised Access

- (19) No person may enter a spraying room or permit any other person to enter a spraying room without the express permission of the owner and/or occupier or any other responsible person in charge of the spraying room.

Abuse of Spraying Room

- (20) No person may -
- (a) use any spraying room or permit any spraying room to be used for any purpose other than for practising or exercising activities related to spray-painting in the spraying room;
 - (b) Employ any other person in a spraying room or permit any other person to work in the spraying room unless the mechanical ventilation system is on; and
 - (c) Place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the escape openings or in front of any doors of the spraying room.

Provision of Fire-Fighting Equipment

- (21) (a) Any spraying room must have a 9kg dry chemical fire extinguisher on the outside, which extinguisher must be installed in positions determined by the Chief Fire Officer.
- (b) At least one 9 kg dry chemical extinguisher installed on the inside of the spraying room;
- (c) **All spraying rooms must be protected by a fire hose reel referred to in section 33 (1) (b) of these by-laws.**

Drying Kiln/Heating Devices

- (22) Whenever any manifold installation of a Group II dangerous good forms an integral part of the heating of a spraying room, the manifold installation must be in accordance with the provisions of SANS 10087, and the relevant provisions of these by-laws will apply *mutatis mutandis* in the application of this section.
- (23) Any person who fails to comply with the provisions of this section is guilty of an offence.

CHAPTER 9

DRY-CLEANING ROOMS

Registration of Dry-Cleaning Room

- 122 (1) No person may use any dry-cleaning room on any premises unless-
- (a) The dry-cleaning room as the case may be is conducted in a room approved by the Chief Fire Officer;
 - (b) That person is in possession of a dry-cleaning permit issued by the Chief Fire Officer;

Application of a Dry-Cleaning Permit

- 123 (1) A person mentioned in section 122 (1) must apply to the Controlling Authority by completing

and submitting an application form contemplated in Annexure 00 together with subscription fee contemplated in Annexure 00 to these By-laws;

- (2) The application form must be accompanied by a fee prescribed in Annexure I to these By-law; and
- (3) The application must be submitted for processing to the registration office of the service at least five (5) days (excluding Saturdays, Sundays and Puublic holidays) prior to the proposed test date;
- (4) The Controlling Authority may request additional information from the applicant;
- (5) The person contemplated in section 122 (1) shall ensure that the Chief Fire Officer is invited to the premises for inspection before the dry-cleaning permit can be issued;
- (6) The Chief Fire Officer may refuse to issue the spray-painting permit if the premises does not comply with the requirement in section 123 and where the Chief Fire Officer is of the opinion that the non-compliance of the premises can be remedied, he/she must instruct the person contemplated in section 123 in writing to take all reasonable steps to remedy the default prior to the use of the spray-painting room or booth;

Annexure XVII

APPLICATION FOR DRY-CLEANING PERMIT

Serial No: **WDM/MODI/DCP/05/02/2015**

I _____

ID No: _____

Hereby wish to apply to the Waterberg District Municipality for dry-cleaning permit within the jurisdiction of the Municipal area of: _____ and I declare I'm the owner or

responsible person for the premises stated below:

Name of Premise : _____

Erf No : _____ Suburb: _____

Physical Address : _____

Postal Address : _____

Telephone No : _____ Cell No: _____

And I also undertake to comply with the requirements as stipulated in the Municipal By-Laws, Fire Brigade Services Act 1987, National Building Regulations and Building Standard Act of 1977, South African National Standard code, Safety at Sport and Recreation Event Act of 2010, Occupational Health and Safety Act of 1993, Trade Metrology Act of 1973, Mine Health and Safety Act of 1996, Explosive Act of 2003, Hazardous Substances Act of 1973 and other relevant legislations.

FLAMMABLE SUBSTANCE ON THE PREMISE

Flammable Substance	Product Name	UN no	Class	Group	Total Quantity

Fire Safety Inspection shall be conducted by Chief Fire Officer or his/her designated officer from start till the installation is completed and approved;

The authority reserves the right to upon any other defects not mentioned herein being rectified before permit can be issued;

Applicant is granted only 14 working days to make any corrections indicated to him/her on the checklist without additional cost, but if the 14 days exceeded the prescribed fee must be paid again before permit/certificate can be issued;

Date of previous inspection: ____/____/20____ and Place: _____

Certificate/Permit is valid for 12 months from the date issued and shall be kept in the premise at all times and maintained in a legible condition.

Receipt No. : _____

Signature: _____
Applicant

Date: ____/____/20____

Construction of Dry-Cleaning Room Using Class 1 Flammable Liquids

- 124 (1) Every dry-cleaning room in which class 1 flammable liquids are used shall be constructed and maintained in accordance with the following requirements-
- (a) the walls shall be constructed of brick or concrete or similar Non-Combustible material, the floor of concrete or other impervious material and the roof of reinforced concrete;
 - (b) all windows shall be glazed with wire-woven shatterproof glass and shall be of the closed or fixed type;
 - (c) all doors shall be hardwood, suitably covered with metal of not less than 1mm in thickness and shall be carried on metal door frame and fitted with automatic closing device;
 - (d) a sill of concrete at **least 150 mm** in height shall be erected across all door openings at surface level or the floor of the room shall be **150 mm** below the adjacent surface level;
 - (e) the Dry Cleaning Room shall be situated not closer **than 1,5m** to any public thoroughfare or adjacent Building unless the wall or walls which face such thoroughfare or Building are constructed without openings whether glazed or otherwise; provided, however, that not more than two sides of any Dry Cleaning Room shall be without such openings;
 - (f) there shall be provided at least two (2) doors opening outwards directly into the open air. Such doors shall be so situated and at such a distance from each other as to allow the free and unimpeded escape of Persons within the Dry Cleaning Room through either of such doors in the case of fire or other danger;
 - (g) No Dry Cleaning Room shall have any opening into any other room or Building, provided, however, that, subject to compliance with the conditions hereunder set out, any room used or intended to be used solely for the purposes of drying garments or materials which have been cleaned or treated with Flammable Liquid may have direct access to the Dry Cleaning Room:
 - (i) Such drying room shall be separated from the Dry Cleaning Room by a wall constructed of Non-Combustible material; and
 - (ii) The entrance to such drying room shall be provided with a door of hardwood which is covered with metal of not less **than 1 mm** in thickness and which is carried on a metal door frame and fitted with an automatic closing device.

Ventilation of dry-cleaning Room Using Class 1 Flammable Liquids

- 125 (1) Every Dry Cleaning Room in which Class I Flammable Liquids are used shall be ventilated with a mechanical system of exhaust and inlet ventilation of such design, construction and capacity as will remove Flammable Liquid vapour from such room and discharge such vapour into the open air at a point which is above the roof of such room and more than 5 m from any opening to any Building.
- (2) Such system of ventilation shall cause the air in the Dry Cleaning Room to be changed at least thirty (30) times in every hour;
 - (3) The blades of all ventilating fans shall be made of non-ferrous metal;
 - (4) All exhaust ventilation ducts shall be of Non-Combustible material and shall be installed—
 - (a) as near ground level as practicable; provided, however, that where any such duct or any portion thereof is situated at a level which is less than **150 mm** above the level of the Dry Cleaning Room floor adequate provision shall be made to prevent the escape of Flammable Liquid therefrom in the case of fire or otherwise;

- (b) As near as practicable to the parts of the dry-cleaning machinery from which the Flammable Liquid vapour is emitted.
- (5) Any Person discovering a fire in any Dry Cleaning Room shall immediately take all reasonably possible steps to shut down the exhaust ventilating system;

Construction of Dry-Cleaning Room Using Class 2 Flammable Liquids

- 126 (1) Every Dry Cleaning Room in which Class II Flammable Liquids are used shall be constructed and maintained in accordance with the following requirements:
- (a) The walls shall be constructed of brick or concrete or other similar Non-Combustible material and the floor of concrete or other impervious material and the room of Non-Combustible material.
 - (b) A sill of concrete at least 150 mm in height shall be erected across all door openings at floor surface level or the floor of the room shall be 150 mm below the adjacent surface level.
 - (c) There shall be provided at least two (2) doors opening outwards one of which shall lead directly into the open air. Such doors shall be so situated and at such a distance from each other as to allow free and unimpeded escape of Persons within the Dry Cleaning **Room** through either of such doors in the case of fire or other danger.
 - (d) No Dry Cleaning Room shall be situated below or above any other room or other part of the Building; provided, however, that a room or Building may be constructed above a Dry Cleaning Room if such room or Building is not used as a Habitable room and is provided with adequate means of escape to the satisfaction of the Chief Fire Officer;

Ventilation of dry-cleaning Room Using Class 2 Flammable Liquids

- 127 (1) Every Dry Cleaning Room in which Class II Flammable Liquids are used shall be ventilated by a system of ventilation of such design, construction and capacity as will adequately prevent the accumulation of Flammable Liquid vapours within any portion of such room and will discharge such vapour into the open air at a point or points where such vapour is not likely to come into contact with any fire, flame, open light or other agency likely to ignite such vapour; provided, however, that where for any reason such ventilation can only be secured by means of a mechanical system of ventilation, such mechanical system shall conform to and comply with the provisions of **section 124**.

Contents of Dry-Cleaning Permit

- 128 (1) When a spray-painting permit is issued, the permit must be endorsed with the following conditions, namely that the permit-
- (a) Indicate the date of issue and the date of expiry;
 - (b) Be valid for a period of twelve months from the date of issue;
 - (c) Indicate the name, in block letters, of the issuing officer and bear the officer's signature;
 - (d) Indicate a year-linked serial number;
 - (e) Indicate the group and quantity of dangerous goods to be transported;
 - (f) Indicate the registration number of the vehicle in question;

- (c) The number of dry-cleaning rooms must be indicated on the dry-cleaning permit.
- (d) A serial number must be indicated on the spraying permit.
- (c) The dry-cleaning permit must reflect the period of validity and the date of expiry: Provided that the period of validity will, be from the date of issue for a period of twelve months.

Display and Conditions of Dry-Cleaning Permit

- 129 (1) A spraying permit is issued on the following conditions:
- (a) A dry-cleaning permit must at all times be displayed prominently in a weatherproof container on the premises in a place designated by a member.
 - (b) A dry-cleaning permit must be maintained and be legible at all times.
- (2) Any person who fails to comply with the provisions of this section, or who alters a spraying permit or attempts to alter a spraying permit or permits a spraying permit to be altered is guilty of an offence.

Access and Notice of Danger to Dry-Cleaning Room

- 130 (1) No Person other than a Person lawfully employed on the Premises or a Fire Official shall enter any Dry Cleaning Room without the express permission of the Occupier or Person in charge.
- (2) No Person shall commit any act which is liable or calculated to cause fire, explosion or other danger to a Dry Cleaning Room or its contents or any Person therein;
- (3) The Person having charge or control of the business conducted on the Premises shall cause all Persons employed in the dry-cleaning room to be thoroughly instructed as to the hazards involved in the use of Flammable Liquids and in the handling and method or usage of all Fire Fighting Equipment required by this Code to be on the Premises, and shall repeat such instructions quarterly.
- (4) Approved signs prohibiting smoking and naked flames or signs conforming to prohibitory signs PV1 and PV2 as described in SANS specification 1186: Symbolic Safety Signs shall be prominently displayed at each entrance to a dry cleaning Room and within such room to the satisfaction of the Chief Fire Officer

Position of Machinery and Power Shaft

- 131 (1) All dry-cleaning machinery shall be situated as near as reasonably possible to the exhaust ventilation ducts required by section 125.
- (2) Where any machinery is driven by means of a power shaft from motive power outside the dry-cleaning room, the driving shaft shall pass through a gas-proof wall box which shall be installed at the point where such shafting enters such dry cleaning room;
- (3) All dry-cleaning machinery on or above floor level shall be drained immediately after the termination of cleaning operations each day;

Steam Pipes

- 132 (1) Every Dry Cleaning Room in which Class I Flammable Liquids are used shall be

fitted with at least one steam pipe not less than 25 mm in diameter. Every such pipe shall be provided with—

- (a) perforation or jets of at least 6,3 mm in diameter and so spaced as to give as near as practicable an equal distribution of steam in such a manner that such room can immediately be flooded with steam in case of fire;
 - (b) A steam trap or other effective means of preventing the accumulation of water within such pipe.
- (2) A steam supply for such pipe or pipes shall be maintained continuously while any Flammable Liquid is contained in any dry-cleaning machinery.
 - (3) Such steam supply system shall be provided with a valve placed in the service line and situated outside the building in any easily accessible position; provided that the Chief Fire Officer may authorise the installation of alternative Fire Fighting Equipment where in his opinion the circumstances warrant it.

Electrical Equipment Installations

- 133**
- (1) No Person shall install or cause or permit to be installed in or near a dry-cleaning room or in any position which comes or is likely to come into contact with Flammable Liquid or its vapour any electrical equipment other than—
 - (a) An incandescent electric light enclosed in a Flame and Vapour Proof or other Approved fitting;
 - (b) electric wires protected throughout by seamless metal tubes, the junctions of which are screwed together, or armoured or lead-covered cable provided, however, that, with the written permission of the Local Council concerned, other types of cables may be installed where the use of such cable is unlikely to cause danger to Persons or property from fire;
 - (c) one electrical push button switch of Flame and Vapour Proof construction which is designed for use to stop all machinery in an emergency and which is situated not less than 1 35 m above the level of the floor;
 - (d) Electric motors of Flame and Vapour Proof construction;
 - (2) No person shall take or cause, allow, permit or suffer to be taken any flash lamp or any other light or lamp into any dry-cleaning room except an incandescent electrical light or safety lamp which has been fitted with an outer flame and vapour proof fitting, and no
 - (3) No person shall use any hand truck or any trolley for the conveyance of any material, clothing or liquid unless it is equipped with hard rubber tyres and non-ferrous edges, so as to prevent sparks arising from accidental contact with any other metal surface;
 - (4) No person shall install or cause or permit to be installed any dry-cleaning machinery elsewhere than in a dry-cleaning room.
 - (a) All machinery shall be properly electrically earthed.
 - (b) All electrical earth connections shall be examined and entered in a log book.

Handling of Flammable Liquid

- 134**
- (1) The storage tank shall be connected to the dry-cleaning machinery and no flammable Flammable Liquid shall be handled during any cleaning process; provided, however, that a total quantity not exceeding 101 at any time may be handled in one or more containers for the purpose of hand washing or spotting;

Boilers

- 135 (1) No boiler or chimney of a boiler shall be installed within 6 m of a dry-cleaning room; provided, however, that a boiler may be installed not nearer than 3 m to a dry-cleaning room where there is an unbroken brick or concrete wall between such boiler or its chimney and such room of a height of not less than 450 mm above the top of the boiler and its chimney and of not less than 2 m above the floor of the dry- Cleaning Room;

Cleaning, Scouring or Brushing Table and Garments

- 136 (1) Every table used for washing or brushing any material with flammable liquid shall—
- (a) Be provided with a liquid-tight top with a curb on all sides not less than 25 mm high;
 - (b) have a top which is so pitched as to ensure thorough draining by a pipe of not less than 25 mm diameter directly connected to an underground tank trough a trap preventing the return of vapour and which, in the case of a metal top, is electrically earthed;
 - (c) Be secured to the floor or wall so as not to disturb the electrical earth and drain connections;
- (2) No Person shall dry-clean or cause, allow, permit or suffer to be dry-cleaned any article of clothing or other textiles unless and until such article has been thoroughly examined and all object such as matches, metallic substances, metal buttons and other items which are liable to cause sparks have been removed therefrom;

CHAPTER 10

ANIMALS

Handling Animals During Emergencies

- 137 (1) Provision must be made for the professional handling of animals during an emergency on any premises, but particularly at zoological gardens, feedlots, stables, research institutions, veterinary practices and/or places of veterinary science study: Provided that the Service may
- (a) Authorise a suitably qualified person to handle and/or put down the animals during an emergency situation, as the case may be; and
 - (b) Recover all costs involved in the matter from the owner or the institution responsible for the care of the animals.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

CHAPTER 11

PENALTIES

Penalties for Contraventions

- 138 (1) Any person who-
- (i) contravenes or fails to comply with any provision of these by-laws, including any condition or requirement for all certificates and permits, or
 - (ii) fails to comply with any notice issued or displayed in terms of these By-law;
 - (iii) obstructs or hinders, or improperly influences or attempt to do so, any authorised representative or employee of council in execution of his/her duties or performance of

his/her powers or functions under this By-law;

- (iv) fails to comply with any instruction by a member of the Service,
- (2) Person contemplated in subsection (1) is guilty of an offence and on conviction liable to a fine not exceeding R5 000, 00 or, in default of contravening with subsection (1) (i) (ii) (iii) and (iv) or payment is liable to imprisonment for a period not exceeding six months.

CHAPTER 12

GENERAL

OPERATION OF THESE BY-LAWS IN RELATION TO OTHER LAWS

- 139(1)** The provisions of these by-laws are in addition to and not a substitution for any other law which is not in conflict or inconsistent with these by-laws.
- (2) Cognisance is also taken of the existing municipal fire service by-laws as contained in the following publications:
- a. Administrator's Notice 1687 of 17 November 1982: Pietersburg Municipality: Adoption of Standard By-Laws relating to Fire Brigade Services.
 - b. These by-laws were published in terms of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), and its predecessor, the Local Government Ordinance of 1913.

REPEAL OF BY-LAWS

- 63/140(1)** The following by-laws are hereby repealed:
- a. The Transvaal Peri-Urban Fire Brigade By-Laws published under Administrator's Notice 1116 of 11 July 1984, as amended, in so far as they apply to the area.

SHORT TITLE

- 64/141(1)** These by-laws are called the Emergency Services By-laws. Their provisions come into operation on a date fixed by proclamation in the *Government Gazette*.

BY-LAWS BIND STATE

- 142** (1) This By-law binds any organ of state and any person in the service of any organ of state as defined in **Section 239 of the Constitution, 1996;**

CHAPTER 13

TARIFFS

FEEES FOR EMERGENCY SERVICES

- 143** (1) **All fees shall be as determined in terms of Section 80B of the Local Government Ordinance 1939, read with Section 7 of the Rationalisation of Local Government Affairs Act, Act 10 of 1998 and section 74 and 75 of the Local Government Municipal System Act, Act 32 of 2000 and as published in the Government Gazette;**

FEES PAYABLE TO THE SERVICE IN TERMS OF SECTION 10 OF THE FIRE BRIGADE SERVICES ACT, 1987 (ACT 99 OF 1987) AS AMENDED, FOR PROVIDING EMERGENCY SERVICES

- 144 (1) A controlling authority may, subject to any condition contemplated in section 11 (2) (a) of the Fire Brigade Services Act, Act 99 of 1987, determine the fees payable by a person on whose behalf the service of the controlling authority is applied –
- (a) For the attendance of the service;
 - (b) For the use of the service and equipment; or
 - (c) For any material consumed.
- (2) A person on whose behalf, in the opinion of the Chief Fire Officer concerned, a service of a controlling authority has been employed, may in writing be assessed by that Chief Fire Officer for the payment of the fees referred to in subsection (1) or any portion thereof;
- (3) The prescribed fees payable to the Service as determined in to these By-laws;
- (4) Any person who feels aggrieved by an assessment contemplated in subsection (2) may within 14 days after receipt of that assessment object in writing against that assessment as such or the amount thereof to the controlling authority concerned;
- (5) As soon as an objection contemplated in subsection (4) is received, that Chief Fire Officer of the controlling authority concerned shall without delay obtain written comment thereon and submit it together with the objection to the controlling authority, which may confirm, alter or revoke the assessment;
- (6) A certificate purporting to be signed by a Chief Fire Officer and in which it is certified that the assessment specified therein was made under subsection (2), shall on production thereof in a court of law be prima facie proof of the amount payable by the person mentioned therein;

Annexure XVIII

TARIFF OR CHARGES

Personnel Charges

No	DESCRIPTION	FEES
1	For each Fire Officer, per hour or part thereof	R55.00
2	For each Firefighter, per hour or part thereof	R33.00

Use of Vehicles Per Hour or Part Thereof

NO	DESCRIPTION	FEES
1	Hydraulic Platform	R110.00
2	Heavy Duty Pump Unit	R82.50
3	Medium Duty Pump Unit	R66.00
4	Light Duty Pump	R55.00
5	Rescue Unit	R66.00
6	Water Tanker	R77.00
7	Service Vehicle	R33.00
8	Mobile Control Unit	R99.00

9	Portable Equipment	R22.00
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- a. Vehicle call out fees will be charged per hour per Vehicle, and
- b. R5.50 for each kilometer traveled;
- c. Use of chemicals, equipment and other means: The actual cost plus 10%
- d. Use of water: The water tariff as determined by the Council from time to time by Special Resolution in terms of the Water Supply By-laws.
- e. Special services per hour or part thereof, per vehicle: In terms of section 3(a) to 3(d).
- f. Refill of oxygen-and diving cylinders: per Cylinder **R22.00**.

Plan Approval for Flammable Substances

NO	DESCRIPTION	FEES
1	Liquefied Petroleum Gas	R500.00
2	Flammable Liquids	R500.00
3	Flammable Liquids Store, Spray Booth and Dry Clean	R500.00

Tariffs for Inspection and Issuing of Certificates and Permits

NO	DESCRIPTIONS	FEES
1	Building Compliance Certificate	R500.00
2	Event Safety Compliance Certificate	R500.00
3	Spray Booth/Room Permit	R275.00
4	Dry Cleaners Permit	R275.00
5	Handling of Hazardous Substances	
5.1	Bulk Depot Certificate of Registration	R500.50
5.2	Storage and/or use of LPG Containers	R500.00
6	Fireworks Compliance Letter	
6.1	Dealing in Fireworks (500kg)	R500.00
6.2	Dealing in Fireworks (1000kg)	R500.00
6.3	Display of Fireworks	R500.00

Fines for Transgressing Activities

NO	DESCRIPTION	FEES
1	1 st transgression	R 253.00
2	2 nd transgression	R 506.00
3	Thereafter	R 1518.00

GENERAL DIRECTIVES FOR THE PAYMENT OF THE FEES

- 145** (1) All certificates of registration, certificates of compliance and transport or spraying permits will be valid for twelve calendar months. A written application for the renewal of the certificate or permit must reach the Service at least one calendar month prior to the expiry thereof.
- (2) When application is made for registration, the appropriate application form, correctly completed in full, must be accompanied by the prescribed fees.

- (3) All the appropriate application forms are available from the Service and must be completed in full and, where applicable, be duly signed.
- (4) If, for whatever reason, the Service rejects an application for any certificate of registration, certificate of compliance or any permit, the applicant must, within 14 days (excluding weekends and public holidays) of the date of rejection, take corrective steps to ensure that the document in question is issued at no additional cost, failing which the applicant must pay the prescribed fees again.
- (5) If there are different divisions and/or affiliates within a business and/or company situated on the same premises but each division and/or affiliate is managed separately, each division and/or affiliate is liable to registration separately.

EXEMPTION FROM PAYMENT OF CHARGES

- 146 (1) No Charges shall be payable where –
- a. false alarm has been given in good faith;
 - b. the services were required as a result of civil commotion, riot or major incident/natural disaster;
 - c. the services were rendered in the interest of public safety;
- (4) The Chief Fire Officer is of the opinion that the services were of purely humanitarian nature or were rendered solely for saving life;

CHAPTER 14

OFFICIAL DOCUMENTS

GENERAL

- 147 (1) The Service must design and draw up all official documents in connection with these by-laws in accordance with the prevailing policy and the documents must comply with the specific needs and requirements of the Service and the controlling authority, but must not detract from the directives and provisions of these by-laws;

STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS

- 148 (1) The following must be indicated in all documents:
- a. The logo of the Service and/or controlling authority.
 - b. The full name of the premises in question.
 - c. The name of the suburb in question.
 - d. The street address of the premises in question, in full.
 - e. The postal address of the premises in question, in full, including the postcode (on all application forms).

- f. Full particulars of the occupier of the premises or the firm on the premises.
 - g. The telephone and fax numbers of the business in question (on all application forms).
 - h. The signature of the issuing officer.
 - i. The date on which the document was issued.
 - j. The expiry date of the document.
- (2) The type of document, such as:
- a. "Application for a bulk depot certificate of registration" or "Bulk depot certificate of registration".
 - b. "Application for a certificate of compliance".
 - c. "Application for a certificate of registration/spraying permits" or "Certificate of registration/Spraying permits".
 - d. "Application for a transport permit" or "Transport permits".
 - e. "Application for approval of plans" or "Application for inspection for the issuing of a certificate of occupancy".
- (3) Any other relevant information, such as:
- a. The groups and subgroups of dangerous goods for which registration is required.
 - b. The required quantity of each group of dangerous good.
- (4) The manner in which the substances are to be stored, for example -
- (a) In an underground storage tank;
 - (b) In an above-ground storage tank;
 - (c) In a dangerous good store; or
 - (d) In a manifold installation
- (5) An indication of all spray-painting rooms and submersion tanks, as the case may be.
- a. A serial number (on all permits and certificates).
 - b. A receipt number (on all permits and certificates).
 - c. The official stamp of the Service.

APPLICATION FORMS

- 149 (1) The purpose for which application forms are to be used must appear at the top of all application forms.
- (2) (a) All application forms must have all the administrative information as contemplated in Section 148;

- (b) On all application forms, space must be left in which the correct application fee, as contained in Annexure I to these by-laws, can be indicated prominently in red figures.
- (c) A warning must appear below the space for the application fee to the effect that the applicant is granted only 14 working days (weekends and public holidays excluded) to make any corrections that may be indicated on the checklist, without any additional cost, but that if the said period of 14 days is exceeded, the prescribed fee must be paid again before any permit or certificate will be issued;

(3) A suitable checklist must form part of each application form and must be drawn up chronologically in accordance with the appropriate requirements contained in these by-laws and/or relevant SANS codes of practice and/or specifications, as the case may be;

(4) At the top of each checklist -

- (a) It must be stated that the checklist is **for office use only**;
- (b) Space must be set aside for **the date, time and place** of the appointment for an inspection; and
- (c) Space must be set aside for **particulars of the contact person** who will represent the applicant during the inspection.

(5) At the end of each checklist, space must be set aside for -

- (a) The signature of the member of the Service who completed the checklist;
- (b) The date on which the checklist was completed; and
- (c) An indication of whether or not the application is successful.

(6) Provision must also be made on each application form for -

- (a) Full particulars of the registration officer who received the application fee;
- (b) The method of payment, for example cash, postal order or cheque; and
- (c) An official receipt number.

PERMITS AND CERTIFICATES

150 (1) The purpose for which permits and certificates are to be used, as contemplated in **Annexure II paragraph A.1 (DESCRIPTION OF SERVICE)** in Annexure I to these by-laws must appear at the top of all permits and certificates.

(2) All permits and certificates must have all the applicable administrative information as contemplated in **Section 148** and must form part of the official documentation of the Service in the case of transport permits:

TRANSPORT PERMIT

151 (1) In addition to the contents in terms of the administrative provisions as contemplated in Section 148 **in a round disc** with the following information;

- (1) The registration number of the vehicle in question;
- (2) The chassis number of the vehicle in question;
- (3) The type of vehicle, for example a semi-trailer, trailer, flat-deck truck or tanker;
- (4) The gross vehicle mass of the vehicle in question;
- (5) The tare of the vehicle in question;
- (6) The type of load to be transported, for example a single load or a multiple load, and the quantity to be transported in litres or kilograms, as the case may be;
- (7) The group of dangerous good(s) to be transported, for example Group I, II or III, or a combination of them, as the case may be;
- (8) Where applicable, the make of the vehicle;
- (9) The date of issue of the permit;
- (10) The date of expiry of the permit;
- (11) The signature of the issuing officer;
- (12) A serial number;
- (13) A watermark.

ANNEXURE XIX

GUIDELINES FOR EMERGENCY EVACUATION PLANS

IMPLEMENTATION OF EMERGENCY EVACUATION PLANS

- 1 The emergency evacuation plan must be drawn up so that any sensitive information that may appear in the document can easily be removed to make it available to specific persons in the emergency management team;
- 2 Any emergency evacuation plan must contain at least the following information under the headings listed below.

THE CONTENT OF AN EMERGENCY EVACUATION PLAN

- 3 **Any emergency evacuation plan must contain the following:**
 - (a) Emergency telephone numbers
 - (b) The address of the premises in question
 - (c) The nature of the activities on the premises
 - (d) The number of staff members present on the premises at any time
 - (e) An indication of whether or not there is a control room on the premises

- (f) An indication of whether or not there is an alarm system on the premises
 - (g) Particulars of contact persons
- 4 **An area study with the following information:**
- (a) History of incidents on the premises in question
 - (b) Important features/landmarks with regard to the location of the premises
 - (c) Key information of adjacent premises
 - (d) Particulars regarding socio-economic or other threats and the potential impact of these threats on premises
- 5 **Particulars of the following equipment available on the premises:**
- (a) Equipment in the control room
 - (b) Fire-fighting and first-aid equipment throughout the premises
 - (c) Any other equipment
- 6 **The following information on manpower:**
- (a) Emergency management
 - (b) Continuity officers
 - (c) Fire teams
 - (d) First-aid teams

BUILDING PLANS LAYOUT AND MAPS

- 7 Plans of the layout of the premises and escape routes must be put up permanently at all exits and strategic points on the premises.

EMERGENCY TELEPHONE NUMBERS AND BOMB THREAT QUESTIONNAIRE

- 8 Emergency telephone numbers must be on hand at all telephones on the premises and the bomb threat questionnaire must be on hand at all designated telephones on the premises.

THE EMERGENCY EVACUATION PLAN IN ITS ENTIRETY

- 9 The entire emergency evacuation plan must be made available to every member of the emergency management team and i.e
- (a) Management
 - (b) First aid and Fire teams
 - (c) A number of copies must be kept in a safe in the control room.

DUTIES AND RESPONSIBILITIES OF EMERGENCY TEAM MEMBERS

- 10 All staff members involved must be informed in writing of their particular duties and

responsibilities in this regard.

TRAINING OF STAFF MEMBERS

- 11 Designated staff members must be trained in the following:
- a. First aid and/or fire fighting
 - b. Emergency aid
 - c. Emergency evacuation procedures
 - d. Emergency management techniques

(Drills of the emergency evacuation plan are an excellent training programme and offer the opportunity for the improvement of the plan.)

ACTION PLANS AND EMERGENCY PROCEDURES

- 12 Action plans must be available to all staff members to ensure that every staff member knows exactly what to do in an emergency.

EMERGENCY EVACUATION AWARENESS

- 13 All staff members of an employer must be aware of the emergency evacuation plan of the employer. Whenever an emergency evacuation plan is updated, the designated person responsible must collect and destroy all old plans that the emergency management members have in their possession to eliminate confusion as to the validity and accuracy of the emergency evacuation plan.

EMERGENCY EVACUATION DRILLS

14. **All emergency evacuation plans must be drilled at least annually, and all the staff members** must participate. The employer must also ensure that all the disciplines involved are notified in writing of an emergency evacuation plan drill at least 21 calendar days prior to the proposed date of the drill;

EMERGENCY PLAN REGISTER

- 15 The plan must include-
- (a) An updated register of the emergency evacuation plan;
 - (b) An updated drill registers for the emergency evacuation plan;
 - (c) A bomb threat questionnaire;

REVIEW OF EMERGENCY EVACUATION PLAN

- 16 All emergency evacuation plans must be updated at least once a year or, alternatively, whenever the key staff member referred to in the plan leaves the employ of the employer;
- Whenever an emergency evacuation plan is reviewed and updated, the owner or occupier of the premises concerned must ensure that all old plans on the premise or that in possession of the emergency management team are collected and destroyed in order to eliminate any confusion regarding the validity and accuracy of the evacuation plan;

ANNEXURE III

MATERIAL SAFETY DATA SHEET

- a) Material Safety Data Sheets and sample package labels for each substance in the warehouse/transportation.
- b) NOTE Material Safety Data Sheets with sixteen sections cover:

1. Product and Company Identification
2. Hazards Identification
3. Composition, Information on Ingredients
4. First Aid Measures
5. Fire Fighting Measures
6. Accidental Release Measures
7. Handling And Storage
8. Exposure Controls, Personal Protection
9. Physical and Chemical Properties
10. Stability And Reactivity
11. Toxicological Information
12. Ecological Information
13. Disposal Considerations
14. Transport Information
15. Regulatory Information
16. Other Information

PROCEDURES AND DUTIES DURING AN EMERGENCY SITUATION

- 152 (1) The Chief Fire Officer or a member of service who is in charge of an emergency situation must, in respect of every emergency situation in which he/she is in charge, ensure that
- (a) Adequate manpower and the appropriate apparatus and equipment are made available and are used without delay;
 - (b) The emergency situation is assessed on arrival at the premises in question and that additional equipment and/or assistance that he/she may deem necessary is sent for without delay, where applicable, as agreed upon in and subject to the agreement as referred to in **section 2 (3)** of these bylaws, and
 - (c) All pertinent information, including information about places and times and relevant particulars, is recorded during the emergency situation or as soon as possible after the emergency situation, and that the recorded information is preserved in accordance with

the provisions of the National Archives of South Africa Act, 1996 (Act 43 of 1996), and any regulations made under the Act;

- (2) All persons and/or bodies, including any State Department as contemplated in section 17 of the Fire Brigade Services Act, 1987, the South African Police Service and the Department of Justice, who wish to inspect any information referred to in subsection (1) (c) must send a written application to the Chief Fire Officer, accompanied by the fees prescribed in Annexure I to these by-laws, together with an appropriate substantiation as to why the information is required.
- (3) Any press release concerning emergency situations or any matter connected with an emergency situation must be in accordance with the policy guidelines determined by the controlling authority.

ANNEXURE XX

NORMATIVE REFERENCE LIST

1. NATIONAL LEGISLATION

Where reference is made in these by - laws to a National Act, the reference relates to the latest amended version of an Act bearing the number and title indicated in the following table:

No	Act No	Title of the Act
1	99 of 1987	Fire Brigade Service Act 1987
2	103 of 1977	National Building Regulation and Building Standards Act, 1977
3	101 of 1998	National Veld and Forest Fire Act, 1998
4	63 of 1977	Health Act 1977
5	32 of 2000	Municipal systems Act, 2000
6	117 of 1998	Municipal Structures Act, 1998
7	101 of 1998	National Veld and Forest Fire Act, 1998
8	10 of 1998	Rationalization of Local Government Affairs Act, 1988
9	15 of 1973	Hazardous Substance Act, 1973
10	85 of 1993	Occupational Health and Safety Act, 1985
11	93 of 1996	National Road Traffic Act, 1996
12	93 of 1999	National Road Traffic Regulation, 1999
13	68 of 1995	South African Police Service Act, 1995
14	32 of 1944	Magistrate Courts Act, 1944
15	26 of 1956	Explosives Act, 1956
16	43 of 1996	National Archives of South Africa Act, 1996
17	107 of 1998	National Environmental Management Act, 1998
18	103 of 1987	Criminal Procedures Act, 1987
19	36 of 1998	National Water Act, 1998
20	59 of 2008	Waste Act, 2008
21	108 of 1997	Water Services Act, 1997

NORMATIVE REFERENCES

Where reference is made in these by-laws to an SANS number, the reference relates to a document bearing the number and title indicated in the following table:

NO	SANS CODES	TITLE
1	SANS 310	Storage tank facilities for hazardous chemicals: Above-ground storage tank

		facilities for flammable, combustible and non-flammable chemicals
2	SANS 10400	
3	SANS 1128:1	Firefighting Equipment: Components of Underground and Above-ground Hydrant Systems
4	SANS 1156:1	Hose for Liquefied Petroleum Gas: Hose used in Road and Rail Transport
5	SANS 1157	Transport of dangerous goods: Inspection requirements of road vehicles for the issue of municipal dangerous goods transport permits
6	SANS 1518	Transport of dangerous goods: Design construction, testing, approval and maintenance of road vehicles and portable tanks
7	SANS 1186	Symbolic Safety Signs
8	SANS 193	Fire Dampers
9	SANS 1253	Fire Doors and Fire Shutters
10	SANS 1475:1	The Production of Reconditioned Firefighting Equipment: Portable and Wheeled (Mobile) Rechargeable Fire Extinguishers
11	SANS 1475:2	The Production of Reconditioned Firefighting Equipment: Fire Hose Reels and Above-ground Hydrants
12	SANS 1543	Fire Hose Reels
13	SANS 1910	Portable Rechargeable Fire Extinguishers Dry Chemical Powder, Water and Foam Type
14	SANS 10082	Timber Frame Buildings
15	SANS 10087:1	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial, and industrial installations Part 1: Liquefied petroleum gas installations involving gas storage containers of individual water capacity not exceeding 500 L and a combined water capacity not exceeding 3 000 L per installation
16	SANS 10087:2	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial, and industrial installations Part 2: Installation of LPG systems in mobile units, including but not limited to caravans, motor homes, park homes and mobile kitchens
17	SANS 10087:3	
18	SANS 10087:4	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial and industrial installations Part 4: The transportation of LP gas including the design, construction, inspection, fittings, filling, maintenance and repair of LP gas bulk vehicles and rail tank cars
19	SANS 10087:6	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial, and industrial installations Amdt 1 Part 6: The application of liquefied petroleum and compressed natural gases as engine fuels for internal combustion engines
20	SANS 10087:7	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial, and industrial installations Part 7: Storage and filling premises for refillable liquefied petroleum gas (LPG) containers of gas capacity not exceeding 19 kg and the storage of individual gas containers not exceeding 2148 kg
21	SANS 10087:8	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial and industrial installations Part 8: The fuelling of fork lift trucks and other LP gas operated vehicles
22	SANS 10087:10	The handling, storage, distribution and maintenance of liquefied petroleum gas in domestic, commercial and industrial installations Amdt 1 Part 10: Mobile filling stations for refillable liquefied petroleum gas (LPG) containers of capacity not exceeding 9 kg
23	SANS 10089:1	The petroleum industry Part 1: Storage and distribution of petroleum products in above-ground bulk installations
24	SANS 10089:2	The petroleum industry Part 2: Electrical and other installations in the distribution and marketing sector
25	SANS 10089:3	The petroleum industry Part 3: The installation, modification, and decommissioning of underground storage tanks, pumps/dispensers and pipework

		at service stations and consumer installations
26	SANS 10090	Community Protection Against Fire
27	SANS 10105:2	The use and control of fire-fighting equipment: Fire Hose Reels and above-ground Hydrants
28	SANS 10131	Above-ground storage tanks for petroleum products
29	SANS 10072	The Safe Handling of Pesticides
30	SANS 10187:8	Load Securement on Vehicles Part 8: Dangerous Goods
31	SANS 10206	The handling, storage and disposal of pesticides
32	SANS 10400	
33	SANS 10405	Transport of Dangerous Goods by Rail- Operational and Design Requirement and Emergency Preparedness
34	SANS 11014	Transport of Dangerous Goods by Rail- The processing of Previously Certified Packaging
35	SANS 10139	Fire Detection and Alarm Systems for Buildings: Systems Design, Installation and Servicing
36	SANS 10228	The identification and classification of dangerous goods for transport by road and rail modes
37	SANS 10229:1	Transport of dangerous goods — Packaging and large packaging for road and rail transport Part 1: Packaging
38	SANS 10229:2	Transport of dangerous goods — Packaging and large packaging for road and rail transport Part 2: Large packaging Transport of dangerous goods — Packaging and large packaging for road and rail transport Part 2: Large packaging
39	SANS 10231	Transport of dangerous goods by road — Operational requirements
40	SANS 10232:1	Transport of dangerous goods —Emergency information systems Part 1: Emergency information system for road transport
41	SANS 10232:3	Transport of dangerous goods — Emergency information systems Part 3: Emergency response guides
42	SANS 10232:4	Transport of dangerous goods — Emergency information systems Part 4: Transport emergency card
43	SANS 10233	Transport of dangerous goods — Intermediate bulk containers for road and rail transport
44	SANS 10234	Globally Harmonized System of classification and labelling of chemicals (GHS) Warning — Can only be used in conjunction with the Supplement to SANS 10234
45	SANS 10252:1	Water Supply and Drainage for Buildings: Water Supply Installations for Buildings
46	SANS 10263:0	The warehousing of dangerous goods Part 0: General requirements
47	SANS 10263:2	The warehousing of dangerous goods Part 2: The storage and handling of gas cylinders
48	SANS 10263:5	The warehousing of dangerous goods Part 5: The storage and handling of oxidizing substances
49	SANS 10263:8	The warehousing of dangerous goods Part 8: The storage and handling of corrosive substances
50	SANS 10304:1	The classification of pesticides and stock remedies for sale and handling in South Africa Part 1: The classification of pesticides
51	SANS 10313	Protection Against Lightning: Physical Damage to Structures and Life Hazard
52	SANS 10366	Health and Safety at Events: Requirements
53	SANS 10368	Transport of low-hazard goods in bulk —Emergency information for road vehicles

ANNEXURE XXI

FINES

OFFENCE CODE	SECTION CONTRAVENED	DESCRIPTION OF OFFENCE	FINE
	9(3)(a) to (d)	Failing to comply with the remedial action set forth by controlling authority.	R5000
	9(4)	Failing to bear the cost.	
	10(1)	Failure to allow controlling authority to conduct an investigations.	R5000
	11	Failure to comply with a notice issued by the controlling authority.	R5000
	15(1)	Failure to report any fire hazards and other threatening danger to the service.	R5000
	16(1)(2)	Illegitimate wearing of fire services uniform or any other way masquerade as a member of the fire services. (impersonating to be a member of the services)	R5000
	17(1)	Illegitimate use of Identification certificate of a member.	R5000
	18(3)	Failure to allow member of service to seal off any building, closing street for public safety or effective firefighting.	R5000
	18(4)(b)(i) to (v)	Failure to allow member of service to exercise his or her powers as set forth in the Criminal Procedure Act (Act No 51 of 1977) as amended.	R5000
	20(1)	Failure to submit building plans for approval.	R5000
	20(2)	Failure to pay prescribed fee for the approval of the plan.	R5000
	20(4)	Commencing with construction work on site without an approved plan.	R5000
	20(4)	Failing to avail approved plans on the site for the duration of constructions for inspection by the service.	R5000
	21(1)	Failing to comply with the requirement of the existing premises.	R5000
	21(2)(a)(b)	Making addition, alterations on an existing premises without an approved plan.	R5000
	22(2)	Failing to design and construct building to allow drainage of water used during fire extinguishing.	R5000
	22(3)(a)(b)	Building or erecting a Low or High voltage transformer room on any level other than ground level.	R5000
	22(4)	Installing sprinkler system without a plan, design, following the guidelines and not consulting the service.	R5000
	23(1)	Failing to comply with the minimum engineering requirements.	R5000
	23(2)(a)(b)(c)	Failing to consult with the relevant departments before designing and construction of landfill site.	R5000
	24(1)(2)(3)	Failing to apply to the service for the erection of a temporary structure or tent for event or public gathering.	R5000
	24(4)	Using the certificate for an extended duration of the event or gathering.	R5000
	24(6)	Using the certificate for other premises or structure rather than the one was issued for.	R5000
	24(8)(a)(b)(c)(d)	Failing to submit an application to the service for fire safety inspection.	R5000
	24(9)(a)(i)(ii)(iii)(iv) (b)(i)(ii)(iii)(iv)	Failing to submit an application with the required documents.	R5000
	24(10)	Failing to use flame resistant or flame retardant materials.	R5000
	24(11)	Failing to arrange an inspection with the controlling authority after the structure has been erected.	R5000
	24(11)(i)(ii)(iii)	Failing to submit additional documents after completing the structure.	R5000

	24(12)(a)(b)	Failing to provide a clear safety distance required by this By-law.	R5000
	24(12)(c)(i)(ii)(iii)(iv)	Failing to comply with National Building Regulation T1.	R5000
	24(12)(d)	Population density of the structure not complying with National Building Regulation A21.	R5000
	24(12)(e)(f)	Allowing cooking and open fire in a tent.	R5000
	24(12)(g)	Failing to ensure that no open flame or fire is permitted as required by these By-law.	R5000
	24(12)(h)	Failing to place symbolic safety signs in a tent.	R5000
	24(12)(h)	Allowing people to smoke in a tent.	R5000
	24(12)(i)	Failing to install lighting and wiring according to the required standard.	R5000
	24(13)	Failing to supply controlling authority with additional requirement.	R5000
	25(1)(a) to (e)	Failing to comply with the requirement for the design and construction of structures stipulated in these By-law.	R5000
	25(1)(f)	Failing to comply with the requirements to design and construct a rational design as contemplated by the National Building Regulations.	R5000
	25(2)(a)(b)(c)(d)	Failing to design and construct hangars or halipads to drain, channel any liquid as required by these By-law.	R5000
	26(1)	Failing to comply with the relevant legislations.	R5000
	26(2)	Failing to consult with the relevant departments.	R5000
	27(1)	Failing to maintain a fire door and assemblies in accordance with the requirements.	R5000
	27(2)	Keeping the fire door open without automatic releasing hold-open-device.	R5000
	27(3)(a)(b)(c)(d)(e)(f)	Rendering or causing a fire door and assembly less effective.	R5000
	28(1)	Failing to comply with the requirements of emergency exit and escape routes.	R5000
	28(2)	Failing to fit a locking device approved by the controlling authority.	R5000
	28(3)	Failing to indicate an escape routes and doors with clear and approved symbolic safety signs.	R5000
	28(4)(a)(b)	Failing to ensure that escape door is fitted with the required hinges and locking devices.	R5000
	28(5)(a)(b)	Failing to comply with the requirements for doors in a feeder route.	R5000
	28(6)	Failing to provide an alternative means of escape when feeder route is locked.	R5000
	28(7)	Failing to ensure that escape routes are not obstructed.	R5000
	29(1)	Failing to comply with the requirements to design, construct and install extractor fans.	R5000
	29(2)	Failing to maintain an extractor fan system in accordance with the requirements.	R5000
	29(3)	Failing to ensure that installed extractor fans does not pose fire hazards to any property.	R5000
	30(1)	Failing to design and install sprinkler system in accordance with the requirements.	R5000
	30(2)(a)(b)	Failing to comply with the design, construction or installation requirements of a sprinkler system.	R5000
	31(1)	Failing to provide and install portable fire extinguisher on premises or buildings.	R5000
	31(2)	Authorizing a person without a permit or certificate to do maintenance on portable fire extinguishers.	R5000
	31(3)	Failing to comply with the instruction of the controlling authority to have appliance tested and inspected.	R5000
	31(4)	Failure to ensuring that you're issued with a certificate of compliance.	R5000
	32(1)	Failing to ensure that sufficient water supply for fire-fighting	R5000

		purposes is designed when developing a township.	
	32(3)	Failing to ensure that fire hydrants are plotted on a plan in accordance with the requirements when developing a township.	R5000
	32(4)	Failing to adapt water reticulation from any risk area to high risk category.	R5000
	32(5)	Failing to ensure that fire protection plans for the premises to be connected are approved by the controlling authority.	R5000
	32(5)(a)	Failing to calculate and design water supply for each sprinkler installation and size, delivery pressure and flow must be calculated by the responsible engineer.	R5000
	32(5)(b)	Failure to provide the premises with larger water supply for fire-fighting equipment in accordance with the requirements.	R5000
	32(5)(c)	Failing to ensure that size, work pressure and flow are calculated and designed in accordance with the requirements.	R5000
	32(5)(d)	Obtaining water connection to water reticulation system without fire protection plan been approved.	R5000
	32(6)(i)	Failing to ensure that storage capacity and rate of replenish of reservoir supplying water to the township is sufficient for fire-fighting purposes.	R5000
	32(6)(ii)	Failing to ensure that water supply to any area in the township can be provided from more than one direction.	R5000
	32(6)(iii)	Failing to install double supply main and double pumps.	R5000
	33(1)(a)(b)	Failing to apply for certificate of compliance for erecting any public building or temporary structure.	R5000
	36(2)	Failing to keep the certificate on the premises for inspection.	R5000
	36(3)	Failing to notify the service in writing of the change of the premises trade name.	R5000
	36(4)(a)(b)(c)(d)(e)	Failing to comply with the provisions of certificate or permit.	R5000
	37(1)	Failing to renew a certificate or permit.	R5000
	38(1)(c)	Giving false information on an application form.	R5000
	38(1)(d)	Making an incorrect or false statement in placards affixed.	R5000
	38(1)(f)	Performing any act or duty under these By-law in a negligent manner.	R5000
	38(1)(h)	Causing a severe breach of a permit or certificate issued to an operator.	R5000
	38(1)(g)	Changing anything relating or in connection with the premises for which a certificate or permit has been issued.	R5000
	39(1)	Failing to apply for the replacement of certificate or permit.	R5000
	40(3)	Failing to apply for a transfer of certificate.	R5000
	41(1)	Failing to apply for amendments of certificate or permit.	R5000
	42(1)(a)(b)(c)	Failing to plan, design and construct access to premises for fire and rescue appliances for fire-fighting and rescue purposes.	R5000
	42(2)(a)(b)	Failing to comply with the requirements for easy identification of premises number and maintenance thereof.	R5000
	43(1)(a)(b)	Failing to remove all combustible material, lock, and barricade or secure windows of vacant building.	R5000
	44(1)	Denying a member of service an access to the premises for inspection.	R5000
	44(2)(3)(4)	Failing to adhere to notice, orders, instructions and directives of a member to reduce fire risk or remedy the situation.	R5000
	44(5)	Failing to inform the chief fire officer about the measures he or she intends to take to rectify the condition.	R5000
	44(6)	Failing to meet the deadline set forth by the chief fire	R5000

		officer.	
	45(1)	Failing to make access to firefighting equipment and mitigating agent.	R5000
	46(1)(a)(b)(c)(d)(e)(f)(g)	Failing to ensure that all fire-fighting equipment and mitigating agent are serviced and maintained.	R5000
	46(2)(a)	Failing to certify in writing the functionality of the installed, repaired fire fighting equipment.	R5000
	46(2)(b)	Failing to furnish the owner of the premises with certificate of compliance.	R5000
	46(2)(c)	Failing to notify the service in writing about the fire equipment that can't be repaired to its functional state.	R5000
	46(3)	Failing to keep a comprehensive service record of all fire-fighting equipment.	R5000
	46(3)	Failing to keep a comprehensive service record of all fire-fighting equipment.	R5000
	46(4)	Removing or interfering with any fire-fighting or service installation at any premises.	R5000
	46(5)	Altering, damaging or render ineffective any fire-fighting equipment at any premises.	R5000
	47(1)(2)	Allowing a juristic natural person and without a permit or certificate to maintain firefighting equipment.	R5000
	47(3)(6)	Removing fire extinguisher for servicing without a replacement of a similar appliance.	R5000
	47(4) 53(2)	Servicing fire extinguisher and fire protection systems on an unsafe area.	R5000
	47(5)	Altering with fire-fighting equipment.	R5000
	48(1)(a)(b)(c)	Failing to formulate an emergency evacuation plan for the premises.	R5000
	48(1)(c)(i)	Failure to revise and update emergency evacuation plan as when there are changes on the premises.	R5000
	48(1)(c)(ii)	Failing to keep and maintain documents for emergency evacuation plan.	R5000
	48(1)(c)(iii)	Failing to avail emergency evacuation plan and relevant documents in the control room for inspection by the service.	R5000
	48(1)(d)	Failing to identify a predetermined place of safety (assembly point) outside.	R5000
	48(1)(e)	Failing to test and keep records of emergency evacuation plan.	R5000
	48(1)(g)	Failing to install emergency evacuation plan box in a prominent position at the main entrance.	R5000
	49(1)	Failing to submit a plan for approval.	R5000
	49(4)	Failing to comply with the instructions from the service for remedial action in regard to non-compliance of the premises.	R5000
	49(5)	Failing to comply with the requirements of a compliance certificate issued for the premises.	R5000
	49(6)	Failing to display a compliance certificate on the premises.	R5000
	49(7)	Failing to prevent overcrowding during public gathering.	R5000
	50(1)	Holding a public gathering on temporary structure or building without compliance certificate.	R5000
	51(1)	Allowing hazardous substances to pollute the environment	R5000
	51(2)	Failing to report a spill or escape of any hazardous substances.	R5000
	51(3)	Failing to take measures to prevent pollution from occurring, continuing or recurring.	R5000
	51(4)	Failing to report hazardous substances incident to relevant department or authorities.	R5000
	51(5)	Failing to prevent hazardous substances to pollute or degradation of environment from occurring or recurring.	R5000
	51(6)	Dumping or spilling of flammable substances in	R5000

	72(2)	unauthorized places.	
	51(7)	Failing to inform and educate employees about the environmental risks.	R5000
	52(1)(2)	Failing to test and maintain fire protection systems.	R5000
	52(3)	Failing to inform the owner or person in charge in writing of any defect discovered.	R5000
	52(4)	Failure of the owner or person in charge to notify the controlling authority.	R5000
	52(5)	Failure of the owner or person in charge to provide alternative equipment to maintain the level of safety.	R5000
	52(6)	Failures of the owner or person in charge to let fire protection systems are examine or serviced.	
	52(7)	Failing to furnish the chief fire officer with a service record of fire protection systems.	R5000
	52(8)	Failing to issue the owner or person in charge with the certificate of compliance.	R5000
	53(1)(a)	Failing to notify the occupants of the testing of fire protection systems.	R5000
	54(4)(5)	Unauthorized removal, defacing, altering, tempering, damaging, render less effective of fire alarms and hydrant.	R5000
	55(1)	Failure of the owner or person in charge to display escape routes plan in an occupancy.	R5000
	56(1)(a)(b)	Overloading and incorrect use of all electrical appliances.	R5000
	57(1)	Using of flame emitting devices that may pose a fire hazard.	R5000
	58(1)	Storing combustible materials in a manner that will pose a fire hazard.	R5000
	58(2) 60(1)(2)(a)(i)(ii) (iii)(iv)(b)	Overgrowing of vegetation on a premises to an extend that it may pose a fire hazard.	R5000
	58(3)	Failing to properly store and dispose combustible materials and refuse.	R5000
	58(4)(a)	Using sawdust to soak any flammable liquids.	R5000
	58(5)	Allowing soot or combustible materials to accumulate in chimney, flue or duct.	R5000
	59(1)	Making fire in a manner in which it poses a potential threat to any human being, environment and properties.	R5000
	59(1)(a)(b)(c)	Failing to use or making fire in an approved devices.	R5000
	59(2)	Burning of combustible materials and refuse without the permission from the service.	R5000
	60(4)(5)(a)(b)	Making fire breaks by burning without notifying Fire Protection Association Officer.	R5000
	61(1)	Failing to submit an application to the service for certificate of registration.	R5000
	61(4)(a)(b)(c)	Commencing and continuing with any activities on the premises intend to store, install hazardous substances.	R5000
	61(5)(a)(b)	Failing to submit an application to the chief fire officer without relevant documents.	R5000
	61(6)	Failing to install Material Safety Data Sheet in a prominent place on the premises.	R5000
	62(1)	Storing, use, handle any dangerous goods without a registration certificate issued by chief fire officer.	R5000
	63(1)	Storing, handle of any dangerous goods on unregistered premises.	R5000
	63(1)(a)	Allowing dangerous goods or fumes of substances to come in contact with any fire, lames or naked light.	R5000
	63(1)(b)	Obstructing the escape of human being and animals.	R5000
	63(1)(c)(d)(e)	Failing to comply with the safety precautions of storing and handling of dangerous goods.	R5000
	72(1)(a)(b)	Performing any act that may cause fire, explosion and obstruct the escape to safety of human beings and	R5000

		animals.	
	72(2)	Dumping of any dangerous substances into rivers, sewer, drains and borehole.	R5000
	72(4)	Failing to comply with the safety distance.	R5000
	72(5)	Failing to comply with the use of dangerous goods in any basement level in the building.	R5000
	72(6)	Failing to comply with the requirement of the filling of a bus tank fuel and transport of any dangerous goods.	R5000
	73(1)(a)	Failing to comply with the requirement for equipping premises with portable fire extinguishers.	R5000
	73(1)(b)	Failing to comply with the requirement for equipping premises with fire hose reels.	R5000
	73(1)(c)	Failing to comply with the requirement for equipping premises with fire hydrants.	R5000
	73(1)(d)	Failing to comply with the requirements for equipping premises with sprinkler systems.	R5000
	73(3)	Failing to indicate fire-fighting equipment with a symbolic safety signs.	R5000
	73(4)(i)(ii)(iii)	Failing to supply extra fire-fighting equipment as requested by the controlling authority.	R5000
	74(1)(a)	Supplying of more quantity of dangerous goods to any unregistered premises.	R5000
	74(1)(b)	Delivering and supplying more dangerous goods than the quantity specified in the certificate of registration.	R5000
	74(2)	Failing to comply with the requirements of handling containers containing dangerous goods.	R5000
	74(3)	Supplying flammable substances to the premises that are not in possession of certificate of registration.	R5000
	74(4)	Failing to issue Material Safety Data Sheet to the storage facilities that are supplied with hazardous substances.	R5000
	75(1)(a)(b)(c)(d)(e)(f)(g)	Failing to comply with the requirements of delivering dangerous goods to a supplier.	5000
	75(2)	Failing to use a device that is designed for the specific purpose and in good working condition.	R5000
	75(3)	Failing to take reasonable precautionary measures to avoid spillage of dangerous goods during delivery	R5000
	75(4)	Failing to comply with the requirements of transferring dangerous goods from one vehicle, ship, and boat to another.	R5000
	75(5)	Failing to comply with the requirements of transferring dangerous goods to an aircraft.	R5000
	76(1)(2)	Failing to notify the service and relevant departments about the changes you intend to make on the premises.	R5000
	76(4)	Erecting a new structure on the premises after demolition took place without an approved plan.	R5000
	76(5)	Failing to apply for certificate of compliance and registration certificate for a new structure on the premises.	R5000
	77(1)	Failing to submit a plan with an application for a temporary certificate of registration to the service.	R5000
	77(2)(a)(b)(c)(d)	Failing to comply with the requirements of requiring more quantity of dangerous goods on the premises.	R5000
	77(3)(a)(i)(ii)(b)(c)(d)(e)(f)	Failure to comply with the requirements of an approved application for temporary storage tank.	R5000
	78(1)	Failure to submit a plan for approval for permanent above and underground storage tanks.	R5000
	78(3)	Failure to ensure that storage tanks pumps, dispenser and pipework comply with the relevant codes.	R5000
	78(4)	Failure to ensure that a risk assessment is conducted.	R5000
	78(5)(i)(ii)(iii)(iv)	Failing to ensure that all safety precautions are put in place for the premises.	R5000
	79(1)	Failing to comply with the requirements to store, handle	R5000

		and install and liquid petroleum gas.	
	79(3)	Failing to inspect and test the installation.	R5000
	79(4)	Failure to send a copy of certificate of conformity to the chief fire officer or the service.	R5000
	79(6)(i) (ii)(iii)(iv)	Failing to comply with the requirement of installing liquid petroleum gas in a building.	R5000
	79(7)	Placing fixed liquid petroleum gas installation in a garage.	R5000
	79(8)(i) (ii)(iii)	Failing to comply with the requirement for outdoor installation of liquid petroleum gas.	R5000
	79(9)	Installing liquid petroleum gas directly under the eaves of thatched roof.	R5000
	79(10)	Failing to comply with the safety distance for installing liquid petroleum gas.	R5000
	80(1)	Failing to comply with the requirements to, store, install and handle liquid petroleum gas in mobile units.	R5000
	81(1)	Failing to comply the requirements with store, install and handle bulk storage vessel for liquid petroleum gas.	R5000
	81(2)	Failure to submit a plan for approval for the installation.	R5000
	81(3)	Failure to ensure that risk assessment is conducted.	R5000
	81(4)	Failure to send a copy of conformity certificate to the chief fire officer or the service.	R5000
	82(1)	Failing to comply with the requirements for storage and filling premises for liquid petroleum gas.	R5000
	82(2)	Failing to submit an application forms.	R5000
	83(1)(i) (ii)(iii)	Failing to comply with the requirements of container handling and storage safety precautions.	R5000
	83(2)	Failing to label and mark the container containing flammable substances.	R5000
	83(3)	Failing to comply with the requirements to extract flammable liquids from a container.	R5000
	83(4)	Failing to store empty flammable liquid in a storeroom.	R5000
	83(5)(i)(ii) (iii)(iv)(v)	Failing to comply with the requirements for open air storage of any empty flammable containers.	R5000
	83(6)	Failure to comply with the requirement contemplated in section 61 and 62 of the By-laws.	R5000
	83(7)	Failure to make provision of additional escape gate fitted with a sliding bolt or similar locking device.	R5000
	83(8)		
	84(1)	Entering storage tank containing group III dangerous goods without wearing an effective suitable breathing apparatus.	R5000
	84(2)	Entering storage tank containing group III dangerous goods without a person attached to a rescue rope controlled by a responsible person.	R5000
	84(4)	Entering any storage tank containing flammable liquids without tank being declared gas-free.	R5000
	84(5)(i) (ii)(iii)	Performing hot-work inside the tank before the tank is inspected.	R5000
	85(1)	Failing to comply with section 76 of these By-laws.	R5000
	85(2)(i) (ii)(iii)(iv)	Failing to notify relevant Authorities within specified period of time of the cessation.	R5000
	85(3)	Failing to fill the underground tank with liquid cement slurry.	R5000
	86(1)	Using, dealing or discharging of fireworks without permit or certificate issued by the SAPS Chief Inspector of explosives.	R5000
	86(3)	Failing to apply to the chief fire officer or the service to use, deal or discharge any fireworks.	R5000
	86(4)(i)(ii)(iii)(iv)(v)	Failing to submit application with the required supporting documents.	R5000
	63(5)	Failing to submit application to the chief fire officer before time period set forth by the service.	R5000

	86(6)	Failing to notify the chief fire officer before opening and commence with fireworks day to day business.	R5000
	86(7)	Failing to comply with the conditions as indicated on the letter issued to the chief inspector of explosives.	R5000
	86(8)	Amending and transferring a letter issued to SAPS chief inspector of explosives.	R5000
	86(9)	Failing to sell fireworks in their original packages.	R5000
	86(10)	Walking around or traveling with fireworks not in their sealed original package.	R5000
	86(11)	Displaying fireworks on windows or any other place where fireworks can be interfered with by the public.	R5000
	86(12)(i)	Failure of the dealer to affixed notice reading "Dealer in Fireworks" at every entrance.	R5000
	86(12)(ii)	Failure of the dealer to affixed notice reading "No Smoking" inside the premises.	R5000
	86(13)(i)	Failing to take all precautions to prevent accident by fire.	R5000
	86(13)(ii)	Failing to prevent unauthorized persons to have access to fireworks.	R5000
	86(13)(iii)	Failing to abstain from any act that may cause fire.	R5000
	86(13)(iv)	Keeping flammable liquids together with fireworks.	R5000
	86(13)(v)	Failing to store fireworks 5 meters away from matches.	R5000
	86(14)	Smoking or taking naked light in the premises where fireworks are kept, handled or stored.	R5000
	86(15)	Wholesale dealers keeping, handle and store more than 1000 kg gross mass of fireworks on the premises.	R5000
	86(16)	Supplying fireworks to unlicensed dealer by a manufacturer or wholesale dealer.	R5000
	86(17)(a)	Retail dealers keeping, handle and store more than 500 kg gross mass of fireworks on the premises.	R5000
	86(17)(b)	Retail dealer interferes with inner packing of fireworks or allow, permit to be interfered with.	R5000
	86(17)(c)	Fail to supply fireworks to the public in sealed inner packing as received from manufacturer or wholesale dealer.	R500
	86(17)(d)	Sell fireworks to a child or person under the age of 16 years .	R5000
	86(17)(e)	Failing to furnish each employee with a copy of chapter 9 of explosive Act (Fireworks Regulations).	R5000
	86(18)	Allows a child or person under the age of 16 years to handle or use fireworks without adult supervision.	R5000
	86(19)	Handling or attempt to handle fireworks while under the influence of intoxicating liquor or narcotics.	R5000
	86(20)	Selling of fireworks by street hawker/vendor or out of vehicle or from spaza shop.	R5000
	86(21)	Dealing in fireworks without a license issued by the Chief Inspector of Explosives.	R5000
	86(22)	Failing to keep records as prescribed.	R5000
	86(23)	Fireworks not packed and sealed as received from manufacturer or supplier.	R5000
	87(1)	Failing to apply to the controlling authority for firing fireworks.	R5000
	87(2)	Failing to submit application on time.	R5000
	87(3)	Firing, displaying fireworks without a confirmation letter from the council.	R5000
	87(4)	Presenting fireworks display in a premises not designated by the council.	R5000
	87(5)	Failing to comply with the terms and conditions of fireworks display permission.	R5000
	87(6)	Displaying fireworks on pavements, hawkers' spot.	R5000
	87(7)	Allowing or permitting a minor to light or ignite fireworks.	R5000

	87(8)	Failing to inform to the controlling authority of the public display of fireworks.	R5000
	87(8)(b)	Allowing any person under the age of 18 years and incompetent to use or firing fireworks.	R5000
	87(8)(c)	Failing to inform the controlling authority with the date and time of the display of fireworks.	R5000
	87(8)(d)	Failing to inform the controlling authority of the exact location planned for the display.	R5000
	87(8)(e)	Failing to disclose the age and qualification of the person to do the actual discharging of fireworks.	R5000
	87(8)(f)	Failure to disclose the number, kind and the value of fireworks to be discharge.	R5000
	87(8)(g)	Failing to inform the controlling authority of the manner and place of storage of fireworks prior to the display.	R5000
	87(8)(h)(1) (i)(ii)(2) (3)(4)(5)	Failing to indicate to the controlling authority the diagram of the ground with safety measures on which the display is to be held.	R5000
	87(9)	Allowing a non pyrotechnician to present fireworks display.	R5000
	87(10)	Willfully entering on or remain in the area reserved for receiving falling residue from aerial fireworks.	R5000
	87(11)	Willfully proceed beyond the area demarcated by the organizers.	R5000
	87(12)	Using or discharging of any explosive or similar devise that may cause a noise nuisance.	R5000
	87(13)	Displaying fireworks without a written permission from Chief Inspector of Explosives and local authority concerned.	R5000
	87(14)	Failing to supply the controlling authority with an indemnity to safeguard the public and the officials.	R5000
	87(15)	Failing to obtain a written permission from SAPS and send a copy to the local authority.	R5000
	88(1)(i)(ii)(iii) (vi)	Presenting fireworks display without authorization from relevant authorities.	R5000
	88(1)(iv)	Displaying fireworks without a supervision of a chief inspector of explosives.	R5000
	88(1)(v)	Displaying fireworks without the Fire Brigade services for standby.	R5000
	88(1)(vi)	Failing to comply with the minimum safety distance for launching of fireworks display.	R5000
	88(1)(vii)	Failing to ensure that no person is entering the fireworks display area.	R5000
	88(2)(i)	Displaying fireworks within 500 meters of explosive factory, petrol depot, storage or station.	R5000
	88(2)(ii)	Using, displaying or explode fireworks in any building or public thoroughfare.	R5000
	88(2)(iii)	Displaying fireworks on an agricultural holding.	R5000
	88(2)(iv)	Displaying fireworks on any public place.	R5000
	88(2)(v)	Displaying fireworks at any school, hospital, old age homes.	R5000
	88(2)(vi)	Displaying fireworks in a business district area.	R5000
	88(2)(vii)	Light or ignites fireworks at a place where animals are present.	R5000
	88(3)(a) to (j)	Failing to comply with the times and period of the day set forth by the controlling authority to display, lite or ignite fireworks.	R5000
	89(1)	Failing to place or provide symbolic safety signs to the storage of dangerous goods.	R5000
	90(1)	Failing to report any fire, accident or dumping of dangerous goods on unauthorized places.	R5000
	91(1)(a)	Failing to allow a member of service together with authorized person or company to take material or	R5000

		substances for sampling.	
	91(1)(c)	Failing to pay the expenses incurred after taking samples.	R5000
	92(1)	Failing to handle, use, store and transport all group I dangerous goods in accordance with the relevant SANS code and other legislations.	R5000
	93(1)(2)	Failing to comply with the requirement to manufacture, mark, fill and storing of group II portable containers.	R5000
	93(3)	Failing to comply with the requirement for transporting group II portable containers.	R5000
	93(4)	Failing to comply with the requirement for designing, manufacturing of group II bulk containers.	R5000
	93(5)	Installing group II manifold indoor on any premises.	R5000
	93(6)(i)(ii)(iii)		
	93(8)	Failing to obtain permission from the chief fire officer to use, handle, display or apply any hydrogen-filled portable containers.	R5000
	93(11)(i)	Using acetylene welding devices indoor.	R5000
	93(13)(a)	Failing to supply fire hydrant with the required water supply.	R5000
	93(13)(b)	Failing to plot fire hydrant in parallel to pipeline at every pump station and keep them maintained.	R5000
	93(13)(c)	Failing to provide sufficient cathodic protection for the pipeline and keep it maintained.	R5000
	93(13)(d)	Failing to mark the pipeline and keep maintained.	R5000
	93(13)(e)	Failing to comply with the requirements of pipeline installation and extension.	R5000
	93(13)(f)	Failing to comply with the requirements of a pipeline construction.	R5000
	94(1)(2)	Failing to comply with the requirement to manufacture storage tanks.	R5000
	95(1)(b) to (h)		
	95(1)(a)		
	96(1)	Using any vehicle to transport dangerous goods without registering the vehicle as such.	R5000
	96(2)	Failing to comply with the requirements to obtain a permit for the transportation of dangerous goods.	R5000
	97(1)	Failing to submit an application for the transportation of dangerous goods.	R5000
	97(2)	Application submitted without the required documents.	R5000
	97(4)	Failing to bring the vehicle to the service for inspection to obtain permit.	R5000
	97(5)	Failing to submit additional information requested by the controlling authority.	R5000
	97(8)	Failing to submit registration documents to the Chief Fire Officer.	R5000
	98(1)	Failing to keep the dangerous goods transport permit and other dangerous goods document in a vehicle.	R5000
	100(1)	Allowing any vehicle to transport dangerous goods in excess of the permissible amount.	R5000
	100(2)	Supplying dangerous goods to an operator of a vehicle without a valid dangerous goods transport permit.	R5000
	100(4)(i)	Stopping and parking dangerous goods vehicle overnight in a business district area.	R5000
	100(4)(ii)	Left a dangerous goods transport vehicle unattended.	R5000
	100(4)(iii)	Operating, parking or driving in a residential, hospital' schools and old age home area.	R5000
	100(4)(iv)	Taking to trips with explosives without a permission from SAPS Chief Inspector of Explosives.	R5000
	101(1)	Failing to inform the controlling authority of the areas which	R5000

		the vehicle will pass.	
	101(2)(i)	Failing to provide the information regarding the product to be transported.	R5000
	101(2)(ii)	Failing to provide information on the nature of the hazard present by the product.	R5000
	101(2)(iii)	Failing to inform the service of the intended route to be used.	R5000
	101(3)	Failing to comply with the alternative route recommended by the controlling authority.	R5000
	101(4)	Failing to inform the controlling authority at the start of the operation.	R5000
	101(5)	Failing to inform the controlling authority of discontinuation of the operation.	R5000
	108(2)(a)	Failing to provide storeroom of dangerous goods with symbolic safety signs.	R5000
	108(2)(b)	Failing to indicate flammable substance group and their corresponding quantities outside the door.	R5000
	108(3)	Failing to comply with the conditions on the registration certificate.	R5000
	108(4)(a)(b) (c)(i)(ii)(aa)(bb)	Failing to comply with the requirements of the construction of any storeroom.	R5000
	108(5)	Failing to equip a storeroom with a fire door.	R5000
	108(5)(a)	Failing to comply with the requirement of the opening of the door and locking mechanism.	R5000
	108(5)(c)(i)(ii)(d)	Failing to comply with the requirement of the type of fire doors to be installed.	R5000
	108(6)(a)(b)(c)(d)	Failing to comply with the requirement of a window frame to be installed.	R5000
	108(7)(a)(b)(c)(d)	Failing to comply with the requirement to design and construction of a catch pit in the storeroom.	R5000
	108(8)(9)(10)	Failing to comply with the requirement to design and construct ventilation for the storeroom.	R5000
	108(9)(a)(b)	Failing to effectively naturally ventilate a storeroom as required by this subsection.	R5000
	108(10)(a)(b) (c)(d)(f)	Failing to install mechanism ventilation in accordance with the requirement of this subsection.	R5000
	108(11)(a)	Failing to protect and install all electrical apparatus, fittings and switchgear in any storeroom in accordance with SANS code.	R5000
	108(11)(b)	Failing to install all electrical equipment that does not comply with the provisions of SANS code outside the storeroom.	R5000
	108(11)(c)	Failing to effectively earth all metal parts and electrical fittings connected to the storeroom.	R5000
	108(11)(d)	Failing to place switches actuating any mechanical ventilation system outside the storeroom.	R5000
	108(11)(e)	Failing to switch on any mechanical ventilation system at all times during occupation.	R5000
	108(11)(f)	Failing to switch off all electrical apparatus and fittings.	R5000
	108(12)	Failing to submit a certificate of compliance from a suitably qualified electrician to the chief fire officer.	R5000
	108(14)	Entering storeroom of dangerous goods without a permission from the person in charge.	R5000
	108(15)(a)	Using storeroom of dangerous goods for any purpose other than storing hazardous substances.	R5000
	108(15)(b)	Failing to comply with the requirement of performing any work in the storeroom.	R5000
	108(15)(c)	Storing or handling dangerous goods that obstruct the escape of persons and or animals during an emergency.	
	108(17)(i)(ii)	Failing to provide a storeroom with foam inlet and equipment	R5000

	109(1)(i)(ii)	Failing to comply with the requirement of storing any flammable substances.	R5000
	110(1)(i)(ii)	Failing to comply with the requirement of a use of a spray-painting room.	R5000
	111(1)	Failing to submit an application to the service for approval.	R5000
	111(3)	Failing to submit an application time and period set forth by the service.	R5000
	111(4)	Failing to invite the chief fire officer to the premises to conduct an inspection.	R5000
	111(5)	Failing to submit additional information requested by the controlling authority.	R5000
	111(7)	Failing to comply with conditions as indicated on the application.	R5000
	119(1)	Using or handle dangerous goods on an unregistered premises or spray-painting room.	R5000
	119(1)(a)	Failing to ensure dangerous goods fumes does not come into contact fire, flames or other source of ignition.	R5000
	119(1)(b)	Failing to ensure that escape routes are not hampered hindered in the event of fire or an emergency.	R5000
	119(1)(c)	Entering spray-painting room without authority from the owner, occupier or person in control.	R5000
	119(1)(d)	Using spray-painting room for any purpose other than spray-painting.	R5000
	119(1)(e)	Allowing any person to enter spry-painting room with mechanical ventilation system not operating.	R5000
	120(1)(a)	Failing to display permit, certificate for spray-painting room prominently in a weatherproof container on the premises.	R5000
	120(1)(b)	Failing to maintain and keep permit, certificate for spray-painting room legible at all times.	R5000
	121(1)(a)	Failing to construct a concrete floor of a spray-painting room.	R5000
	121(1)(b)	Failing to construct a wall of a spray-painting room with bricks and/or concrete.	R5000
	121(1)(c)	Failing to construct a reinforced concrete roof of a spray-painting room.	R5000
	121(1)(d)	Failing to provide a spray-painting room with the required fire door.	R5000
	121(1)(e)	Failing to provide a spray-painting room with the required window panels.	R5000
	121(5)(a) (i)(ii)(iii)	Failing to comply with the requirements of the doors to be provided for spray-painting room.	R5000
	121(5)(iv)	Failing to provide a door with the required locking mechanism.	R5000
	121(6)(i)(ii)	Failing to ensure that spray-painting room is located separately from other activities.	R5000
	121(6)(a) (i)(ii)(iii)	Failing to ensure that any activity, processes posing fire danger adjacent to spray-painting room is prevented.	R5000
	121(6)(b)	Failing to comply with the requirements of constructing or erecting spray-painting room indoors or outdoors.	R5000
	121(7)(a)	Failing to comply with the requirement of water floors for spray-painting room.	R5000
	121(8) to (12)	Failing to comply with the requirements for installing all electrical apparatus, lights, fittings in accordance with SANS code.	R5000
	121(9)	Failing to comply with the requirements of all electrical switchgear, distribution boxes that are not in compliance with the provisions with SANS codes.	R5000
	121(10)	Failing to ensure that all switches actuating any mechanical ventilation system are situated outside spray-painting room.	R5000
	121(11)	Failing to earth all metal parts, electrical fittings and any	R5000

		device connected to spray-painting room.	
	121(12)	Failing to submit a certificate of compliance for all electrical installation from a qualified and accredited electrician.	R5000
	121(13)(i)(ii)(iii)	Failing to equip spray-painting room with mechanical inlet and outlet ventilation system.	R5000
	121(13)(iv)	Failing to attach all ventilators firmly to the inside of the wall.	R5000
	121(13)(v)	Failing to affix bottom ventilators as close as possible to the level of the floor.	R5000
	121(13)(vi)	Failing to install all ventilation openings, air duct in the opposite wall, door or floor.	R5000
	121(13)(vii)	Failing to ensure that every spray-painting room is fitted with un-openable strengthen, shatterproof glass.	R5000
	121(14)(i)(ii)(iii)	Failing to comply with the requirements of a fire damper as indicated or provided in this section.	R5000
	121(14)(a)(i)(ii)	Failing to comply with the requirements of a sensor contemplated in this section.	R5000
	121(15)	Failing to comply with the requirements of positioning of ventilation outlet.	R5000
	121(16)	Failing to ensure that ventilation system is functioning whenever any activity takes place in a spray-painting room.	R5000
	121(17)	Spray-painting room not provided with symbolic safety signs.	R5000
	121(18)	Failure to maintain spray-painting room.	R5000
	121(19)	Entering spray-painting room without the express permission.	R5000
	121(20)(a)	Failing to ensure that spray-painting room is not abused.	R5000
	121(20)(b)	Allowing or permitting any person to work in a spray-painting room with mechanical ventilation system off.	R5000
	121(20)(c)	Placing any obstructions, hindrance in the escape openings or in front of any door of a spray-painting room.	R5000
	121(21)(a)(b)(c)	Failing to provide firefighting equipment on the spray-painting room	R5000
	122(1)(a)(b)	Failing to comply with the requirements of the use of any dry-cleaning room.	R5000
	123(1)	Failing to apply to the controlling authority for dry-cleaning permit.	R5000
	123(3)	Failing to submit application to the service before time and period set forth by the controlling authority.	R5000
	123(4)	Failing to submit additional information requested by the controlling authority.	R5000
	123(5)	Failing to invite chief fire officer for inspection before dry-cleaning permit or certificate can be issued.	R5000
	124(1)(a)	Failing to construct a dry-cleaning room using class 1 flammable liquids with bricks, concrete or similar non-combustible materials.	R5000
	124(1)(b)	Failing to ensure that all windows are glazed with wire-woven shatterproof glass.	R5000
	124(1)(c)	Failing to comply with the requirements of the doors to be fitted on dry-cleaning room using class 1 flammable liquids.	R5000
	124(1)(d)	Failing to comply with the requirements of a sill of a concrete to be fitted on dry-cleaning room using class 1 flammable liquids.	R5000
	124(1)(e)	Failing to comply with the minimum safety distance when constructing a dry-cleaning room.	R5000
	124(1)(f)	Failing to comply with the requirements of the doors to be fitted on a dry-cleaning room.	R5000
	124(1)(g)(i)(ii)	Failing to ensure that from a dry-cleaning room there is no opening into any other room or buildings.	R5000
	125(1)	Failing to comply with the requirements of constructing ventilation of dry-cleaning room using class I flammable	R5000

		liquids.	
	125(4)(a)(b)	Failing to comply with the requirements of all exhaust ventilation ducts.	R5000
	125(5)	Failing to shut down the exhaust ventilating system after discovering a fire in a dry-cleaning room.	R5000
	126(1)(a)	Failing to construct a dry-cleaning room using class II flammable liquids with bricks, concrete or other non-combustible materials.	R5000
	126(1)(b)	Failing to comply with the requirements to erect a still of concrete for dry-cleaning room using flammable liquids.	R5000
	126(1)(c)	Failing to provide doors as required by this section.	R5000
	126(1)(d)	Constructing a dry-cleaning room below or above any other room or part of the building.	R5000
	127(1)	Failing to comply with the requirements of ventilation of dry-cleaning room using class 2 flammable liquids.	R5000
	129(1)(a)	Failing to display permit, certificate for dry-cleaning room prominently in a weatherproof container on the premises.	R5000
	129(1)(b)	Failing to maintain and keep permit, certificate for dry-cleaning room legible at all times.	R5000
	130(1)	Entering a dry-cleaning room without permission from the person in charge.	R5000
	130(3)	Failing to thoroughly instruct or give induction to all employees on hazards involve in the use of flammable liquids.	R5000
	130(4)	Failing to provide a dry-cleaning room with an approved symbolic safety signs.	R5000
	131(1)	Failing to place machinery near to the exhaust ventilation duct in accordance with these By-law	R5000
	131(2)	Failing to comply with the requirements any machinery driven by a power shaft from motive power outside dry-cleaning room.	R5000
	131(3)	Failing to drain all dry-cleaning machinery on or above floor level.	R5000
	132(1)(a)(b)	Failing to comply with the requirement of fitting a dry-cleaning room steam pipe.	R5000
	132(2)	Failing to maintain a steam pipe.	R5000
	132(3)	Failing to comply with the requirements of steam supply system of a dry-cleaning room.	R5000
	133(1)(a) (b)(c)(d)	Failing to comply with electrical equipment installation to the dry-cleaning room.	R5000
	133(2)	Failing to use the safe or the required light, lamp when entering any dry-cleaning room.	R5000
	133(3)	Failing to ensure that the correct hand truck or trolley is used to convey any material or clothing.	R5000
	133(4)	Failing to comply with the requirement to install dry-cleaning machinery.	R5000
	134(1)	Failing to comply with the requirements storage tank connected to the dry-cleaning machinery.	R5000
	135(1)	Failing to comply with the requirement of installing boilers.	R5000
	136(1)(a)(b)	Failing to comply with the requirements of washing or brushing any material	R5000
	136(2)	Failing to examine any clothing or textile for article or objects like matches, metallic substances and items that can course sparks.	R5000