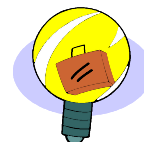




AMENDING BYLAWS

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Municipalities are required to keep their bylaws updated reflecting all amendments and repeals. Read on to find out some practical tips on keeping your bylaws updated...



1 THE MUNICIPAL CODE

[Sections 15\(1\)](#) and [\(2\)](#) of the [Local Government : Municipal Systems Act](#) provides that each Municipality must compile a Municipal Code which constitutes an official record of all the municipality's applicable bylaws.

The Municipal Code should be kept at your municipality's main offices and can be in either of the following formats –

- ☀ loose-leaf format; and



Think it through!

A loose-leaf format requires that the Code be punched and placed in a file. This is handy format because pages may be replaced as and when amendments to bylaws are made. This means that you do not have to replace the entire Code whenever an amendment is made.



- ☀ bound format.





BYLAWS

You are required to provide copies of the Code, or parts thereof, to members of the public, and are entitled to charge for copies made in terms of your tariff of charges.

2 INDEXES

An index to your Municipal Code will make it much easier for users to find their way around the Code.

Please feel free to use or adapt our [Municipal Code Index](#).

You may wish to -

-  give each bylaw in your Code a sequential number; and
-  number and date each bylaw passed.

Please see [Updating Your Bylaws](#) for more information.

3 UPDATING YOUR BYLAWS

The Municipal Code is meant to be an updated record of all **applicable** bylaws.



Think it through!

The Municipal Code must contain only **applicable** bylaws. This means that repealed bylaws should be replaced, and amended bylaws should be amended, so that the Code contains only those bylaws which actually apply.



Handy hint!

You may wish to number and date each bylaw passed by your municipality.



X-ample!

"Water Supply Bylaws, No. 5 of 2006".

This suggests that the Water Supply Bylaws were the 5th bylaw (or amendment to a bylaw) passed by your council in 2006.



4 ANNOTATING YOUR BYLAWS

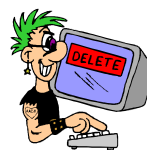
An annotation is a note placed in a bylaw, or part of a bylaw, to explain where that bylaw (or part) came from.

You need four types of annotations, namely:

- deletion of paragraphs;



X-ample!



Section 5 of your Water Supply Bylaws provides that all commercial vehicle washing facilities shall be constructed and operated in such a manner that 50% of the water used is recycled for re-use in the facility.

Your municipality decides to abandon this requirement and the paragraph is deleted.

- amendment;



X-ample!

Your municipality decides that requiring commercial vehicle washing facilities to recycle 50% of water is too onerous. Your municipality amends paragraph 5 to provide that only 40% of water must be recycled.

- substitution; and



X-ample!

Your municipality decides to no longer require commercial vehicle washing facilities to recycle water, but imposes a heavier water tariff on facilities to discourage wastage.

- insertion.





X-ample!

Your municipality decides that commercial vehicle washing facilities should have to recycle water **and** pay a lighter tariff for water consumed. The bylaws are amended to insert a new clause.



Handy hint!

Inserted clauses are often indicated by a capital letter.



X-ample!

- S. Commercial vehicle washing facilities...
- SA. Commercial landscaping services...

Annotations should be made below the affected paragraph in a smaller font.



X-ample!

5 Commercial vehicle washing facilities

All commercial vehicle washing facilities shall be constructed and operated in such a manner that 50% of the water used by such facility is recycled for re-use in the facility.

(paragraph 5 inserted by paragraph 6 of the Water Supply Amendment Bylaw No. 5 of 2006).



X-ample!

5 Commercial vehicle washing facilities



BYLAWS

All commercial vehicle washing facilities shall be constructed and operated in such a manner that 40% of the water used by such facility is recycled for re-use in the facility.

(paragraph 5 amended by paragraph 6 of the Water Supply Amendment Bylaw No. 5 of 2006).

Where a paragraph has been deleted out of a bylaw it makes sense to leave the number and heading in place and simply to note that the paragraph has been deleted.



X-ample!

5 Commercial vehicle washing facilities

... (paragraph 5 deleted by paragraph 6 of the Water Supply Amendment Bylaw No. 5 of 2006).

5 INTERNAL RECORDS

In addition to the Municipal Code, you should consider keeping a full original record of all bylaws passed in their original form.



Think it through

The Municipal Code contains updated bylaws, but it will still be useful for you to keep a full record of each bylaw, as it was **passed**, for internal use.

Please feel free to use our Problem Solver...[How do I...Keep My Bylaws Up To Date?](#)

**Congratulations on completing the
"Amending Bylaws" module!**