
outside the boundary of his or her premises, or such agreed position inside or outside his or her premises where the connection is required, for the Council or its authorized agent to connect to such installation.

3. A Council or its authorized agent may at the request of any person agree, subject to such conditions as he or she may impose, to a connection to a main other than that which is most readily available for the provision of water supply to the premises, provided that the applicant shall be responsible for any extension of the installation to the connecting point designated by the Council or its authorized agent and for obtaining at his or her cost, such servitudes over other premises as may be necessary.

4. An owner must pay the prescribed connection charge.

30. Provision of Single Connection for Supply to Several Consumers on Same Premises

30. (1) Notwithstanding the provisions of section 29 only one connection pipe to the water supply system may be provided for the supply of water to any premises, irrespective of the number of accommodation units, business units or consumers located on such premises.
- (2) The owner of premises meant in subsection (1) must install for each such accommodation unit, business unit or consumer located on such premises:

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- (a) a separate measuring device; and
 - (b) an isolating valve.
- (3) The owner will be liable to the Council or its authorized agent for the tariffs and charges for all water supplied to the premises through a single measuring device, irrespective of the different qualities consumed by the different consumers served by separate measuring devices.
 - (4) Notwithstanding subsection (1), the Council or its authorized agent may authorize that more than one connection pipe on the water supply system for the water to any premises comprising sectional title units or if, in the opinion of the Council or its authorized agent, undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connection pipe.
 - (5) Where the provision of more than one connection pipe is authorized by the Council or its agent under subsection (4) the tariffs and charges for the provision of a connection pipe is payable in respect of each water connection so provided.

31. Interconnection Between Premises or Water Installations

- 31. An owner of premises shall ensure that no interconnection exists between-

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- (a) the water installation on his or her premises and the water installation on other premises; or
 - (b) where several accommodation units are situated on the same premises, the water installations of the accommodation units; unless he or she has obtained the prior written consent of the Council or its authorized agent, and complies with any condition that it have imposed.

32. Disconnection of Water Installation from Connection Pipe

32. The Council or its authorized agent may disconnect a water installation from the connection pipe and remove the connection pipe if-

- (a) the agreement for supply has been terminated in terms of section 13 and it has not received an application for a subsequent supply of water to the premises served by the pipe within a period of 90 days of such termination; or
- (b) the building on the premises concerned has been demolished.

CHAPTER 9

COMMUNAL WATER SERVICES WORKS

33. Provision of a Water Services Work for Water Supply to Several Consumers

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33. (1) A council or its authorized agent may install a communal water services work for the provision of water services to several consumers at a location it deems appropriate, provided that the consumers to whom water services will be provided through that water services work has been consulted in respect of the level of services, tariff that will be payable and location of the work..

CHAPTER 10

TEMPORARY SUPPLY

34. Water Supplied from a Hydrant

34. (1) The Council or its authorized agent may authorize a temporary supply of water to be taken from one or more fire hydrants specified by it, subject to such conditions and period as may be prescribed by it.
- (2) A person who desires a temporary supply of water referred to in subsection (1) must apply for such water services in terms of section 2.
- (3) The supply of water in terms of subsection (1) must be measured.
- (4) The Council or its authorized agent may for purposes of measuring

provide a portable water meter to be returned to the Council or its authorized agent on termination of the temporary supply, which portable meter and all other fittings and apparatus used for the connection of the portable water meter to a hydrant, shall remain the property of the Council or its authorized agent and will be provided subject to any conditions imposed by the council or its authorized agent.

CHAPTER 11

STANDARDS AND GENERAL CONDITION OF SUPPLY

35. Quantity, Quality and Pressure

Water supply services provided by the Council or its authorized agent will comply with the minimum standards set for the provision of water supply services in terms of section 9 of the Act.

36. General Conditions of Supply

36. (1) The Council or its authorized agent may specify the maximum height to which water will be supplied from the water supply system. Where a consumer requires water to be supplied at a greater height or pressure the consumer will be responsible therefore.

(2) The council or its authorized agent may, in an emergency, interrupt

the supply of water to any premises without prior notice.

- (3) If in the opinion of the Council or its authorized agent the consumption of water by a consumer adversely affects the supply of water to another consumer, it may apply such restrictions as it may deem fit to the supply of water to the first mentioned in order to ensure a reasonable supply of water to the other consumer and will inform that consumer of such restrictions.

CHAPTER 12

MEASUREMENT OF WATER SUPPLY SERVICES

37. Measuring Quantity of Water Supplied

37. (1) The Council or its authorized agent will measure the quantity of water supplied at regular intervals.
- (2) Any measuring device through which water is supplied to a consumer by the Council or its authorized agent and its associated apparatus shall be provided and installed by the Council or its authorized agent, shall remain its property, and may be changed and maintained by the Council or its authorized agent when deemed necessary by it.

(3) The Council or its authorized agent may install a measuring device, and its associated apparatus, on premises at any point on the service pipe.

(4) If the Council or its authorized agent installs a measuring device on a service pipe in terms of subsection (3), it may install a section of pipe and associated fitting between the end of its connection pipe and the meter, and such section shall be deemed to form part of the water supply system.

(5) If the Council or its authorized agent installs a measuring device together with its associated apparatus on a service pipe in terms of subsection (3), the owner shall –

(a) provide a place satisfactory to the Council or its authorized agent in which to install it;

(b) ensure that unrestricted access is available to it at all times;

(c) be responsible for its protection and be liable for the costs

arising from damage thereto, excluding damage arising from normal fair wear and tear;

(d) ensure that no connection is made to the pipe in which the measuring device is installed, between the measuring device and the connection pipe servicing the installation; and

- ~~Water and Sanitation By-Laws 2005~~ -
- (e) make provision for the drainage of water which may be discharged, from the pipe in which the measuring device is installed, in the course of work done by the Council or its authorized agent on the measuring device.
 - (6) No person other than an authorized agent shall –
 - (a) disconnect a measuring device and its associated apparatus from the pipe in which they are installed;
 - (b) break a seal which the Council or its authorized agent has placed on a meter; or
 - (c) in any other way interfere with a measuring device and its associated apparatus.
 - (6) If the Council or its authorized agent considers that, in the even of the measuring device being a meter that the size of a meter is unsuitable by reason of the quantity of water supplied to premises, it may install a meter of such size as it may deem necessary, and may recover from the owner of the premises concerned the prescribed charge for the installation of the meter.
 - (8) The Council or its authorized agent may require the installation, at the owner's expense, of a measuring device to each dwelling unit, in separate occupancy, on any premises, for use in determining quantity of water supplied to each such unit; provided that where

~~Water and Sanitation By-Laws 2005~~ Municipality -
fixed quantity water delivery systems are used, a single measuring device may be used to supply more than one unit.

38. Quantity of Water Supplied to Consumer

38. (1) For purpose of assessing the quantity of water measured by a measuring device installed by the Council or its authorized agent on the premises of a consumer or, where applicable, estimated or determined by the Council or its authorized agent in the terms of any provision of these by-laws, it will, for the purposes of these by-laws, be deemed, unless the contrary can be proved, that –
- (a) the quantity is represented by the difference between measurements taken at the beginning and end of such period;
 - (b) the measuring device was accurate during such period;
 - (c) the entries in the records of the Council or its authorized agent were correctly made; and
 - (d) provided that if water is supplied to, or taken by, a consumer without its passing through a measuring device, the estimate by the Council or its authorized agent of the quantity of such water shall be deemed to be correct.
- (2) Where water supplied by the Council or its authorized agent to any premises is in any way taken by the consumer without such water

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passing through an measuring device provided by the Council or its authorized agent, the Council or its authorized agent may for the purpose of rendering an account estimate, in accordance with subsection (3), the quantity of water supplied to the consumer during the period from the last previous reading of the water meter until the date it is discovered that water is so taken by the consumer.

- (3) For the purposes of subsection (2), an estimate of the quantity of water supplied to a consumer shall be based on, as the Council or its authorized agent may decide —
- (a) the average monthly consumption of water on the premises during any three consecutive measuring periods during the twelve months' period prior to the date on which the taking of water in the manner mentioned in subsection (2) was discovered; or
 - (b) the average monthly consumption on the premises registered over three succeeding measuring periods after the date referred to in subsection (3) (a).
- (4) Nothing in these regulations shall be construed as imposing on the Council or its authorized agent an obligation to cause any measuring device installed by the Council or its authorized agent on any premises to be measured at the end of every month or any other fixed period, and the Council or its authorized agent may estimate the quantity of water supplied over any period during the interval

~~Water and Sanitation By-Laws 2005~~ -

between successive measurements of the measuring device and render an account to a consumer for the quantity of water so estimated.

- (5) The Council or its authorized agent must, on receipt from the consumer of written notice of not less than 7 (seven) days and subject to payment of the prescribed charge, measure the quantity of water supplied to consumer at a time or on a day other than that upon which it would normally be measured.
- (6) If contravention of subsection 36 (6) occurs, the consumer shall pay to the Council or its authorized agent the cost of such quantity of water as in the Council or its authorized agent's opinion was supplied to him or her.
- (7) Until such time a measuring device have been installed in respect of water supplied to a consumer the estimated or assumed consumption of that consumer must be based on the average consumption of water supplied to the specific zone within which the consumer's premises is situated, during a specific period.
- (8) When in the opinion of the Council or its authorized agent it is not reasonably possible or cost effective to measure water supplied to each consumer within a determined zone, the Council or its authorized agent may determine a basic tariff or charge to be paid by each consumer within that zone irrespective of actual consumption.

- (9) A tariff or charge determined in terms of subsection (8) will be based on the estimated average consumption of water supplied to that zone.
- (10) Where water supply services are provided through a communal water services work the amount due and payable by consumers gaining access to water supply services through that communal water services work must be based on the estimated average consumption of water supplied to that water services work.

39. Defective Measurement

39. (1) If a consumer has reason to believe that a measuring device, used for measuring water, which was supplied to him or her by the Council or its authorized agent is defective he or she may, against payment of the prescribed charge, make application in writing for the measuring device to be tested.
- (2) The provisions of section 10 (8) to 10 (12) will mutatis mutandis apply to such an application.

40. Special Measurement

40. (1) If the Council or its authorized agent wishes, for purpose other than charging for water consumed, to ascertain the quantity of water which is used in apart of a water installation, it may by written notice advise the owner concerned of its intention to install a

measuring device at such point in the water installation as it may specify.

- (2) The installation of a measuring device referred to in subsection (1), its removal, and the restoration of the water installation after such removal shall be carried out at the expense of the Council or its authorized agent.
- (3) The provisions of sections 37 (5) and 37 (6) shall apply insofar as they may be applicable in respect of a measuring device installed in terms of subsection (1).

41. No Reduction of Amount Payable for Water Wasted

A consumer shall not be entitled to a reduction of the amount payable for water wasted or water losses in a water installation.

42. Adjustment of Quantity of Water Supplied Through Defective Measuring Device

42. (1) If a measuring device is found to be defective in terms of section 10 (11), the Council or its authorized agent may estimate the quantity of water supplied to the consumer concerned during the period in which, in its opinion, such measuring device was defective, on the basis of the average daily quantity of water supplied to him or her over:

- (a) a period between two successive measurements subsequent to the replacement of the measuring device; or
 - (b) a period in the previous year corresponding to the period in which the measuring device was defective; or
 - (c) the period between three successive measurements prior to the measuring device becoming defective; whichever it considers the most appropriate.
- (2) if the quantity of water supplied to a consumer during the period when his or her measuring device was defective cannot be estimated in terms of subsection (1), the Council or its authorized agent may estimate the quantity on any basis that is available to it.

CHAPTER 13

INSTALLATION WORK

43. Approval of Installation Work

If an owner wishes to have installation work done, he or she must first obtain the Council or its authorized agent's written approval; provided that approval shall not be required in the case of water installations in dwelling units or installations where no fire installation is required in terms of SABS Code 0400 or for the repair or replacement of an existing pipe or

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water fitting other than a fixed water heater and its associated protected devices.

44. Application for Approval

- (1) Application for the approval referred to in section (43) shall be made on the prescribed form and shall be accompanied by-
 - (a) the prescribed charge, if applicable;
 - (b) copies of the drawings as prescribed by the Council or its authorized agent, giving information in the form required by Clause 4.1.1 of SABS Code 0252: Part 1; and
 - (c) a certificate certifying that the installation has been designed in accordance with SABS Code 0252: Part1 or has been designed on a rational basis.
- (2) The provisions of subsections (1) and (2) shall not apply to a qualified plumber who replaces a fixed water heater or its associated protective devices.
- (3) Authority given in terms of subsection (1) shall lapse at the expiry of a period of twenty- four months after the first day of the month succeeding the month in which the authority is given.

- (4) A complete set of approved drawings of installation work shall be available at the site of the work at all times until such work has been completed, where approval was required in terms of subsection 1.
- (5) If installation work has been done in contravention of subsection (1) or (2), the Council or authorized agent may by written notice require the owner of the premises concerned to-
 - (a) comply with that regulation within a specified period;
 - (b) if work is in progress, to cease the work; and
 - (c) to remove all such work which does not comply with these by-laws

- (5) If installation work has been done in contravention of subsection (1) or (2), the Council or authorized agent may by written notice require the owner of the premises concerned to-

- (a) comply with that regulation within a specified period;
- (b) if work is in progress, to cease the work; and
- (c) to remove all such work which does not comply with these by-laws

45. Persons Permitted to do Installation and Other Work Provision and Maintenance of Water Installations

45. (1) An owner must provide and maintain his or her water installation at his or her own cost, and, where permitted in terms of subsection (2), must ensure that the installation is situated within the boundary of his or her premises.
- (2) Before doing work in connection with the maintenance of a portion of his or her water installation which is situated outside the boundary of his or her premises, an owner shall obtain the written consent of

- (2) Before doing work in connection with the maintenance of a portion of his or her water installation which is situated outside the boundary of his or her premises, an owner shall obtain the written consent of

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the Council or its authorized agent or to the owner of the land on which such portion is situated, as the case may be.

46. Use of Pipes and Water Fittings to be Authorized

46. (1) No person shall, without prior written authority of the Council or its authorized agent, install or use a pipe or water fitting in a water installation within the Council or its authorized agent's area of jurisdiction unless it is included in the Schedule of Approved Pipes and Fittings as compiled by the Council or its authorized agent.
- (2) Application for the inclusion of a pipe or water fitting in the Schedule referred to in subsection (1) must be made on the form prescribed by the Council or its authorized agent and be accompanied by the prescribed charge.
- (3) A pipe or water fitting may be included in the Schedule referred to in subsection (1) if-
- (a) it bears the standardization mark of the South African Bureau of Standards in respect of the relevant SABS specification issued by the Bureau or
 - (b) it bears a certification mark issued by the SABS to certify that the pipe or water fitting complies with an SABS Mark specification or a provisional specification issued by the SABS, provided that no certification marks shall be issued for a period exceeding two years.

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- (4) The Council or its authorized agent may, in respect of any pipe or water fitting included in the Schedule, impose such additional conditions, as it may deem necessary in respect of the use or method of installation thereof.
- (5) A pipe or water fitting shall be removed from the Schedule if it-
 - (a) no longer complies with the criteria upon which its inclusion was based; or
 - (b) is no longer suitable for the purpose for which its use was accepted.
- (6) The current schedule shall be available for inspection at the office of the Council or its authorized agent at any time during working hours.
- (7) The Council or its authorized agent may sell copies of the current schedule at the prescribed charge.

47. Labeling of Terminal Water Fittings and Appliances

47. (1) All terminal water fittings and appliances using or discharging water shall be marked, or have included within the packaging of the item, the following information:

- ~~PROHIBITION OF WATER POLLUTION~~ -
- (a) the range of pressure in kPa over which the water fitting or appliance is designed to operate;
 - (b) the flow rates, in litres per minute, related to the design pressure range, provided that this information shall be given for at least the following water pressures-
 - (i) 20 kPa;
 - (ii) 100 kPa;
 - (iii) 400 kPa

CHAPTER 14

WATER POLLUTION, RESTRICTION AND WASTEFUL USE OF WATER

48. Owner to Prevent Pollution of Water

48. An owner shall provide and maintain approved measures to prevent the entry of a substance, which may be a danger to health adversely affect the portability of water or affect its fitness for use, into-
- (a) the water supply system; and
 - (b) any part of the water installation on his or her premises.

49. Water Restrictions

49. (1) The Council or its authorized agent may by notice to prevent the wasteful use of water in terms of section (5) or in the event of a water shortage, drought or flood -

(a) prohibit restrict the consumption of water in the whole or part of its area of jurisdiction in general or for-

(i) specified purposes;

(ii) during specified hours of the day or on specified days;
and

(iii) in a specified manner; and

(b) determine and impose-

(i) limits on the quantity of water that may be consumed over a specified period;

(ii) charges additional to those prescribed in respect of the supply of water in excess of a limit contemplated in subsection (1) (b) (i); and

(iii) a general surcharge on the prescribed charges in respect of the supply water; and

-
- (c) impose restrictions or prohibitions on the use or manner of use or deposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation.
- (2) The Council or its authorized agent may limit the application of the provisions of a notice contemplated by subsection (1) to specified arrears and categories of consumers, premises and activities, and may permit deviations and exemptions from, and the relaxation of, any of the provisions on reasonable grounds.
- (3) The Council or its authorized agent may-
- (a) take, by written notice require a consumer at his or her own expense to take, such measures, including the installation of measurement devices and devices for restricting the flow of water, as in its opinion be necessary to ensure compliance with a notice published in terms of subsection (1); or
 - (b) discontinue or, for such period as it may deem fit, limit the supply of water to any premises in the event of a contravention on such premises or failure to comply with the terms of notice published in terms of subsection (1), subject to notice in terms of section 23; and

- (c) where the supply has been discontinued, it shall only be restored when the prescribed charge for discontinuation and reconnecting the supply has been paid
- (4) The provisions of this section shall also apply in respect of water supplied directly by the Council or its authorized agent to consumers outside its area of jurisdiction, notwithstanding anything to the contrary in the conditions governing such supply, unless otherwise specified in the notice published in terms of subsection (1).

50. **Waste of Water Unlawful**

50. (1) No consumer shall permit-

- (a) The purposeless or wasteful discharge of water from terminal water fittings
 - (b) pipes or water fittings to leak;
 - (c) the use of maladjusted or defective water fittings;
 - (d) an overflow of water to persists; or
 - (e) an inefficient use of water to persists.
- (2) An owner shall repair or replace any part of his or her water installation which is in such a state of disrepair that is either causing or is likely to cause an occurrence listed in subsection (1).

- ~~Adopted by Council on 10/10/05~~ —
- (3) If an owner fails to take measures as contemplated in subsection (2), the Council or its authorized agent shall, by written notice in terms of section 23, require the owner to comply with the provisions of subsection (1)
 - (4) A consumer shall ensure that any equipment or plant connected to his or her water installation uses water in an efficient manner.
 - (5) The Council or its authorized agent may, by written notice, prohibit the use by a consumer of any equipment in a water installation if, in its opinion, its use of water is inefficient. Such equipment shall not be returned to use until its efficiency has been restored and a written application to do so has been approved by the Council or its authorized agent.

CHAPTER 15

WATER AUDIT

51. Annual Water Audit

- 51. (I) Water users using more than 3 650 kℓ per annum, excluding those comprising multiple dwelling units, within one month after the end of each financial year of the Council or its authorized agent undertaken an annual water audit at their own cost.

- (2) A copy of the audit must be available for inspection by officials from the Department of Water Affairs and Forestry, the Water Board, if applicable, and the council or its authorized agent.
- (3) The audit must contain details in respect of-
 - (a) the amount of the water used during the financial year;
 - (b) the amount paid for water for the financial year;
 - (c) the number of people living on the stand or premises;
 - (d) the number of people permanently working on the stand or premises;
 - (e) the seasonal variation in demand through monthly consumption figures;
 - (f) the water pollution monitoring methods;
 - (g) the current initiatives to manage demand for water ;
 - (h) the plans to manage their demand for water;
 - (i) a comparison of the above factors with those reported in each of the previous three years (where available);

- (j) estimates of consumption by various components of use; and
- (k) a comparison of the above factors with those reported in each of the previous three years, where available.

CHAPTER 16

BOREHOLES

52. Notification of Boreholes

- 52. (1) The Council or its authorized agent may, by public notice, require-
 - (a) the owner of any premises within the area of jurisdiction of the Council or its authorized agent upon which a borehole exists or, if the owner is not in occupation of such premises, the occupier thereof, to notify it on the prescribed form of the existence of a borehole on such premises, and provide it with such information in respect thereof as it may require; and
 - (b) the owner or occupier of any premises who intends to sink a borehole on such premises to notify it on the prescribed form of such intension before work in connection therewith is commenced.
- (2) The Council or its authorized agent may require the owner or occupier of any premises who intends to sink a borehole to

- (2) The Council or its authorized agent may require the owner or occupier of any premises who intends to sink a borehole to undertake of his or her costs an environmental impact assessment for such intended borehole, to the satisfaction of the Council or its authorized agent, before sinking the borehole.
- (3) Boreholes are subject to any requirements of the National Water Act, 1998 (Act No 136 of 1998) as amended from time to time.
- (4) The Council or its authorized agent may by notice to an owner or occupier or by public notice require owners and occupiers on who has existing boreholes used for water services to-
 - (a) obtain approval from it for the use of a borehole for water services in accordance with section 6,7 and 22 of the Act;
 - (b) impose conditions in respect of the use of a borehole for water services; and
 - (c) impose a fixed charge in respect of the use of such a borehole.

53. Sampling on Water

53. (1) The Council or its authorized agent may take samples of water obtained from a source, authorized in terms of section 6 or 7 of the Act; other than the water supply system for domestic purposes and

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- (2) The prescribed charge for the taking and testing of the samples referred to in subsection (1) shall be paid by the person to whom approval to use the water for portable water was granted in terms of section 6 (1) of the Act.

54. Supply of Non-Potable Water by Municipality or Its Authorized Agent

54. (1) The Council or its authorized agent may on application in terms of section 3 agree to supply non-portable water to a consumer, subject to such terms and conditions as the Council or its authorized agent may impose.
- (2) Any supply of water agreed to in terms of subsection (1) shall not be used for domestic or any other purposes, which, in the opinion of the Council or its authorized agent, may give rise to a health risk.
- (3) No warrant, expressed or implied, shall apply to the purity of any non potable water supplied by the Council or its authorized agent or its suitability for the purpose for which the supply was granted.
- (4) The supply of non-potable water shall, both as to condition and use, be entirely at the risk of the consumer, who shall be liable for any consequential damage or loss arising to himself, herself or others arising directly or indirectly there from including the consequences