

No. 152

INTSIKA YETHU MUNICIPALITY



BUILDING REGULATIONS FUNCTION POLICY

INTSIKA YETHU MUNICIPALITY EC 135
POLICY ON BUILDING REGULATIONS FUNCTION WITHIN INTSIKA
YETHU MUNICIPALITY

OPERATIONAL SYSTEMS
COVERAGE

The National Building Regulations and Standards Act, 103 of 1997 (NBR & S ACT) is applicable nationwide, irrespective of the setup of settlement, as long as building activities, which affect both life and property, are being exercised. The intention of the Act is to protect the public from harmful malpractices within the built environment.

This means that a phased approach will have to be adopted.

As a First Phase, it is crucial that all institutional structures in rural areas will have to obtain approval prior to construction due to their nature of being public utilities. This means that construction of churches, shops, schools etc will have to receive approval of the relevant authority prior to the construction. Government Departments will also and all stakeholders will also have to comply with this requirement. This would have to be communicated directly with all Provincial Departments. The housing programs in rural areas will also be used as vehicles for the process.

The Second Phase would have to provide an interim arrangement for existing and planned private domestic structures. There is a need for a programme to integrate previous programmes by Department of Agriculture on land allocation in rural areas and the municipality's land reform programmes together with the objectives of the National Building Regulations and Standards Act, 103 of 1997 (NBR & S Act). This could close a major gap in performing this function in rural areas.

The Third phase would be the full compliance of all areas within Intsika Yethu Municipality with requirements of the NBR & S Act. It is thus advised that Municipality consider a 50% discount for people earning below the R3500 per month mark. All people earning below this value become eligible to benefit from housing subsidy schemes. This arrangement will require submission of valid proof. A copy of recent pay slip and / or a letter from the employer together with a n affidavit from the local police station might be regarded as sufficient proof, until indigent policies of the local Municipality is in place to supercede this.

Contravention	Fines
The erection of any building in respect of which plans have not been approved	<ol style="list-style-type: none"> 1. Commencements of any physical work up to foundation level R700 2. Between foundation level and window sill level R1500 3. Between foundation level and wall plate R2000 4. Between wall plate level and completion R5000. 5. Complete other than single storey dwelling R1000.
The construction of any foundation before the trenches have been inspected and passed by the Local Authority or the backfill or enclosure of any drainage installation before such installation has been inspected tested and approved by the Local Authority	R250.
Where building work deviates from approved plans	R1000
Where the owner of a building has allowed the building to become dilapidated and dangerous or has allowed people to occupy a building, which has become unsafe and has failed to demolish the building after receipt of a written notice from the Local Authority calling on him to do so.	R2000
Where the owner of a building causes or allows such building to be demolished without written permission of the Local Authority	R1000
Where the owner of a property where a building is being erected or demolished has failed to keep out or protect the public by means of fence hoarding or barricade to be erected	R1000
Where the owner of a property of any land has failed to remove any surplus material from the site or any adjoining land or public place after a written notice	R500 and / or cost of removal by Council
Where the owner of a property on which a building has been erected fails to obtain a certificate of occupancy within 14 days of completion of such a building	R500.00
Any person who hinders or obstructs a Building Control	R2000.00

Officer in the exercised of his / her powers.	
Failing to ensure that access to a swimming pool is controlled	R500.00
Failing to provide sanitary facilities on building site	R500.00

That the **Intsika Yethu Municipality** persue with the relevant Magistrates, delegation of authority to convict and issue fines as presented on the table above.

That the **Municipality Building Control Officer** be delegated authority to execute the above and report to **Works Manager**

RECOMMENDATIONS

That the Building Plan fees be set at 0.5% of building cost based on the rates listed in the table below, with a minimum fee of R350.00, expect for Government Subsidized housing projects and building below 60 square meters in plan area.

Item	Recommended rates (0,5 % of)
Dwelling Unit	R1200/sm
Out Building	R1000/sm
Flat /Town House / Hotel etc (ground floor)	R1200/sm
Flat /Town House / Hotel etc (first floor)	R1500/sm
Shops / Churches etc (Institutional)	R1200/sm
Offices	R1300/sm
Carpots	R350 per plan
Pools	R350 per plan
Temporary Structures	R800 per plan
Patios / Pergolas / Sun Decks	R350 per plan
Drainage only	R350 per plan
Retaining walls and boundary fence above 1.8 m	R350 per plan
Factories and Warehouses (first 500 sq. m)	R900 /sm
Factories and Warehouses (500 sq. m +)	R800 /sm
Low cost dwelling Unit	R100 per plan

That all buildings plans with areas less than 60 square meter pay the greater R200 of 0,5% of estimated value.

That a 50% rebate be applied for all applicants earning less that R3500 per month per household, on the building plan fees

That 10% admin fee be charged for plans withdrawn after submission

That the National Building Regulations and Standards Act 103 of 1977 Contravention Fines be approved by Intsika Yethu Municipality

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MUNICIPAL MANAGER

I hereby declare that I have read, understood and approved the policy.

Signed on this 20th day of August year 2007

At place: GOTTFRIDA

Basha
Signature: Municipal Manager

Zanuxolo SHASHI
Full Name
Full Name

[Signature]
Signature: Mayor

SITHEMBELE DAVID PUKU
Full Name
Full Name

