

ANNEXURE A

SUBCOUNCILS

DELEGATION 53 STREET NAMING

Delegation 53(1): **(delegations page no. 138)**

Proposed amendment to:

- Extend the delegation to the “renaming” of streets
- Bring in line with the policy on Street Naming and Numbering

Delegation 61A (1) – (4): **(delegations page no. 155)**

Correction of numbering and formatting.

DELEGATION 62 TRANSPORT AND ROADS

Delegation 62(1): **(delegations page no. 155)**

The Traffic Calming Policy adopted by Council on 28 May 2008 (C11/05/08) outlines a procedure to be followed when a request for remedial traffic calming measures is submitted for consideration by a Subcouncil. The proposed amendment aligns the delegation to the procedures set out in the Council approved policy.

CITY MANAGER

DELEGATION 80 DISPUTES, GRIEVANCES AND LABOUR ISSUES

Delegation 80(2): **(delegations page no. 166)**

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Proposed amendment is to clarify the existing Council delegation, namely "disputes" relates to "labour relation" disputes which are expanded on in the delegation.

DELEGATION 108 GENERAL

Delegation 108(10): (delegations page no. 183)

The proposed amendment is to bring the current delegation in line with the Private Work and Declaration of Interest Policy which provides for "5.4 *Application for and approval of Private Work or engagement in business interests.*"

Delegation 108(13): (delegations page no. 183)

The administration approves "guidelines" and procedures whilst Council approves "policy". Proposed amendment to clarify this administrative delegation.

Delegation 108(18): (delegations page no. 184)

A proposed new delegation to enable the City Manager to receive and record a Declaration of Interest after having assessed whether there is a conflict of interest based on the information submitted in the Declaration of Interest form.

Delegation 108(19): (delegations page no. 184)

A proposed new delegation. The provisions from the Local Government Municipal Structures Act, 1998 are as follows:

26. Term of office of councillors.—(1) A person—

(a) **is elected as a member of a municipal council for a period ending when the next council is declared elected; or**

(b) is appointed as a representative of a local council to a district council for a period ending when the next local council is declared elected.

[Para. (b) substituted by s. 1 of Act No. 20 of 2002, amended by s. 9 of Act No. 2 of 2003 and substituted by s. 9 of Act No. 55 of 2008.]

Wording of Sections

(2) A person assumes office as a councillor when declared elected or when appointed, as the case may be

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...

- 29. Meetings of municipal councils.**—(1) The speaker of a municipal council decides when and where the council meets subject to section 18 (2), but if a majority of the councillors requests the speaker in writing to convene a council meeting, the speaker must convene a meeting at a time set out in the request.
- (2) The municipal manager of a municipality or, in the absence of the municipal manager, a person designated by the MEC for local government in the province, must call the first meeting of the council of that municipality within 14 days after the council has been declared elected or, if it is a district council, after all the members to be appointed by local councils, have been appointed.
- (3)

[Sub-s. (3) added by s. 3 of Act No. 20 of 2002, amended by s. 9 of Act No. 2 of 2003 and deleted by s. 11 of Act No. 55 of 2008.]

Wording of Sections

The proposed delegation is to provide for a potential 14 day period in which no political structures or political office bearers exist until the new Council makes the necessary appointments, this is the period in which a delegation to the City Manager is needed to ensure the Municipality does not grind to a halt.

CHIEF FINANCE OFFICER

Delegation 121(4): (delegations page no. 209)

Proposed new delegation: In terms of the Group Life Insurance Cover for officials, the CFO must be authorised to agree on an annual basis a premium and annual adjustment to Group Life Insurance Cover.

DIRECTOR: LEGAL SERVICES

Delegation 130(24): (delegations page no. 250)

Proposed new delegation to enable the City's Legal Advisor to serve as Presiding Officer on the Adjudication Panel with the authority to appoint panel members in terms of the Policy relating to Combating Abuse of Supply Chain Management System.

DIRECTOR PLANNING AND BUILDING DEVELOPMENT MANAGEMENT

Delegations 136(19) to 136(98): **(delegations page no. 283 – 299)**

Proposed that delegations are deleted and replaced with proposed delegation (new number 19) which will cover the application and enforcement of the National Building Regulations GNR 2378 OF 12 October 1990 (as amended) in its entirety.

BUILDING CONTROL OFFICER

Delegation 164 (1) and (2): **(delegations page no. 402)**

The current delegations make provision for an interim staffing arrangement until the staffing structure is finalised/stabilised. The structure has been finalised/stabilised and the proposed amendment is to confer the relevant delegations to the responsible officials in terms of the stabilised staff structure.

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- (4) To comment and make recommendations in regard to the draft IDP and budget.
- (5) To monitor the implementation of Council's IDP, budget, business plans strategic objectives, policies and programmes.
- (6) To make representation to the relevant line departments for the inclusion of the capital and operating budgetary requirements.

53. Street naming

- (1) To name streets ~~after consultation with the public and developers where applicable~~ in accordance with the policies on Street Naming and Numbering.

54. Business Licensing

- (1) To grant licences for health facilities or entertainment as provided for in terms of item 2 of schedule 1 to the Businesses Act 1991, and to exercise all powers conferred on the Municipality in terms of section 2(4) to 2(10) of the aforesaid Act.
- (2) To comment on and make recommendations regarding the demarcation and amendments thereto, of prohibited and restricted trading areas proclaimed in terms of the Businesses Act 1991.
- (3) To comment on applications in terms of the Western Cape Gambling and Racing Act 1996 (Act 4 of 1996)

[Inserted C08/12/08 by CI 3 December 2008]

55. Liquor Licences

- (1) To comment on applications for liquor licences.

61A AIR QUALITY MANAGEMENT BY-LAW, 2010

- (51) To resolve upon matters and grant authorisations relating to the installation of fuel-burning equipment, in terms of section 13 (1) and (3).
- (62) To resolve upon matters; order the revoking of authorisations; and oversee the issuance of orders by way of notices; and the institution cost recovery measures relating to the operation of fuel-burning equipment in terms of section 14 (2) (a), (b) & (3).
- (73) To resolve upon matters and grant or refuse authorisations relating to the application to permit open burning, in terms of section 20 (1); (2); (3) (a) - (j); (4), (c).
- (84) To resolve upon matters and grant, refuse or withdraw exemptions, in terms of section 44 (1) – (6).

(9 to 13) [Deleted C70/10/10 by CI 27 October 2010]

62. Transport and Roads

- (1) To decide within its area of jurisdiction where traffic calming measures are to be applied within the relevant legislation and policy **and; after considering a report from the Transport Roads and Major Projects Directorate.**

[Amended C70/10/10 by CI 27 October 2010]

- (2) To consider the temporary closure of any road where objections have been received to such closure.

- ...
- ...
- (1) To authorise investigations into allegations of misconduct.
 - (2) To authorise the institution of disciplinary procedures.
 - (3) To appoint a chairperson of a disciplinary hearing and to authorize such person to make an appropriate finding and to impose a sanction.
 - (4) To authorise the suspension of an employee pending the finalisation of disciplinary action.

80. Disputes, Grievances and Labour Issues

- (1) To authorise investigations into disputes and grievances.
- (2) To settle **labour relations** disputes after following the prescribed processes, in concurrence with the Head: Labour Relations, involving **cases such as, but not limited to** misconduct, incapacity, poor performance, ill health, injury, or an outcome of the grievance lodged by an employee.
- (3) To give a mandate after consulting the Director: Legal Services in respect of hearings, arbitrations and mediation of the CCMA, and to agree on settlement conditions in respect of corporate wide issues.
[Amended C08/12/08 by CI 3 December 2008]
- (4) To execute mandates from the Council in respect of Council wide labour issues.
- (5) To coordinate and manage Council's responses to strike action.

81. Employee Debt

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. . . .
- (9) To administer and award External Scholarships and Bursaries.
[Amended C119/05/10 by CI 25 May 2010]
- (10) ~~To authorise the performance of private work by staff.~~ To consider an application of any staff member to engage in any business, trade or profession other than the work of the municipal council and to approve or reject such application.
- (11) To develop and adopt in terms of section 67 of the Systems Act appropriate systems and procedures to ensure fair, efficient, effective and transparent personnel administration. This power may not be sub-delegated.
[Inserted C43/06/09 by CI 25 June 2009]
- (12) To co-operate in mutual trust and good faith with the municipal managers of other municipalities, and officials of other spheres of government, on matters of common interest.
[Inserted C43/06/09 by CI 25 June 2009]
- (13) Determines the operational **guidelines** ~~policies~~ and procedures in respect of all matters falling within the functional areas of the Directorate concerned.
[Inserted C70/10/10 by CI 27 October 2010]
- (14) To enter into and sign contracts and other documents.
[Inserted C70/10/10 by CI 27 October 2010]
- (15) Within his or her functional area and in consultation with Legal Services, to enter into and sign co-operative agreements that fall within the municipal boundaries and which have no financial obligations for the city. *[Inserted C70/10/10 by CI 27 October 2010]*
- (16) To negotiate and conclude all agreements and business contracts related to the holding of individual events in the Cape Town Stadium

and the Green Point Urban Park.

[Inserted CIC 11/10/10 by CI 27 October 2010]

- (17) To negotiate and levy hire charges for the use of the Stadium and park and/or portions of the Cape Town Stadium and Green Point Urban Park pending development of standard tariffs to be applicable from 1 July 2011.

[Inserted CIC 11/10/10 by CI 27 October 2010]

(18) To receive and record a Declaration of Interest for officials.

(19) To exercise in the year 2011, during the period between the new Council having been declared elected and its first meeting, all of the powers, duties and functions of Council after consulting the relevant Executive Director when;

(a) the public interest so demands or,

(b) the failure to exercise such power as a matter of urgency would have a substantial impact on the municipality and/or its services or,

(c) administrative and operational efficiency so demands.

Provided that this delegation excludes all powers, functions and duties reserved for Council in terms of law and delegations currently conferred upon officials. Decisions taken in terms of this delegation must be reported to Council within a reasonable time.

109. Legal

- (1) *[Deleted C74/10/07 by CI 31 October 2007]*

FINANCE

CHIEF FINANCIAL OFFICER

Acting in terms of section 59 of the Systems Act, Council hereby delegates the following powers, functions and duties to the Chief Financial Officer including the power to sub delegate any of his or her delegated powers, functions and duties:

121. Function Specific Delegations

(1) *[Deleted C44/10/08 by CI 29 October 2008]*

(2) To take all steps that may be necessary to give effect to an award of the Bid Adjudication Committee.

(3) To write off individual bad debts provided that :

*(a) an individual bad debt written off shall not exceed R1 million, and

(b) an individual bad debt shall not be split into parts or items of a lesser value merely to avoid complying with the restriction of R1 million

(4) To agree to a premium and annual rate adjustment in respect of any relevant Group Life Scheme for members of staff.

*NOTE: See section 22(1) of the Credit Control and Debt Collection Policy adopted by Council on 27 May 2009.

[Inserted C43/06/09 by CI 25 June 2009]

[Inserted C55/11/09 by CI 26 November 2009]

- (23) To appoint a mediator in terms of Section 7 of the Prevention of Illegal Eviction from Unlawful Occupation of Land Act 19 of 1998.

[Inserted C70/10/10 by CI 27 October 2010]

- (24) To serve as Presiding Officer on the Ajudication Panel established in terms of the Policy relating to Combating Abuse of Supply Chain Management System dated March 2009, and on a case by case basis, to appoint two natural persons who, along with him/her, form the required panel.

131. Function Specific Delegations

[Entire section moved – see Section 154 C 34/08/07 by CI 29 August 2007]

necessary, and to extend or alter such period and conditions in terms of section 14(1A).

- (17A) To authorize a person to enter any building or land at any reasonable time to carry out inspections for the purposes referred to in section 15.

[Inserted C74/10/07 by CI 31 October 2007]

Deviation and exemption from national building regulations.

- (18) To permit a deviation or grant an exemption from any applicable national building regulation except a national building regulation regarding the strength and stability of buildings in terms of section 18(1).

In terms of National Building Regulations : GNR.2378 of 12 October 1990

- (19) **The application and enforcement of the National Building Regulations GNR 2378 OF 12 October 1990 (as amended).**

- ~~(19) To, before granting provisional authorization for a temporary building, assess such building in relation to-~~

- ~~(a) the intended use and life of the building;~~
~~(b) the area in which it is to be erected; and~~
~~(c) the availability of suitable materials from which it may be constructed.~~

~~in terms of regulation A1(7)(a)~~

- ~~(20) To, where any building is intended to be used for experimental, demonstration, testing or assessment purposes,-~~

- ~~(a) grant authority for the erection of such building and for the performance of any experiment, or for the demonstration, testing or assessment of such building; and~~
- ~~(b) grant authority for the erection of such building where testing or assessment of the completed building is the only way to ascertain whether such building complies with the requirements of these regulations.~~

~~in terms of regulation A1(7)(a)~~

~~Plans and Particulars~~

~~(21) To require from any person intending to erect any building, plans and particulars of—~~

- ~~(a) general structural arrangements;~~
- ~~(b) general arrangement of artificial ventilation;~~
- ~~(c) a fire protection plan;~~
- ~~(d) any required certificate; and~~
- ~~(e) any other particulars~~

~~in terms of regulation regulation A2(1)~~

~~Preliminary Plans and Enquiries~~

~~(22) To, upon request by a person who intends to erect a building—~~

- ~~(a) examine any preliminary sketch plans of the building proposed to be erected and furnish comments on such plans or on any particular features thereof specified by such person; or~~

~~(b) — furnish an opinion as to whether any material or method or form of construction intended to be used in the erection of such building will comply with these regulations.~~

~~in terms of regulation A3(1)~~

~~(23) — To furnish reasons for the inability to accede to the request by a person who intends to erect a building in terms of regulation A3(2)~~

~~Additional Documents and Information~~

~~(24) — To exercise the City's powers and duties regarding additional documents and information in respect of structural details and artificial ventilation as contemplated in terms of regulation A4.~~

~~Application Forms and Materials, Scales and Sizes of Plans~~

~~(25) — To determine the number of additional paper copies of every plan, drawing or diagram that must accompany an application in terms of regulation A5(3)~~

~~(26) — To in exceptional circumstances accept a different scale in terms of regulation A5 (5)~~

~~Layout Drawing~~

~~(27) — To exercise the City's powers and duties regarding requirements of layout drawings as contemplated in regulation A7.~~

~~Plumbing Installation Drawings and Particulars~~

~~(28) — To require the owner to submit —~~

- ~~(a) drainage design calculations which shall clearly indicate the basis for such design;~~
- ~~(b) an estimate of the composition and quantity of any industrial effluent proposed to be discharged into any sewer; and~~
- ~~(c) where approval has been given in terms of the local authority's industrial effluent by laws or regulations for the discharge into a sewer of industrial effluent from the site, plans and particulars of any drainage works and installations required by the local authority in terms of its conditions of approval for such discharge.~~

~~in terms of regulation A8(4)~~

Fire Protection Plan

- ~~(29) To require that an application in respect of the erection of any building, not being a dwelling house, be accompanied by a fire plan in terms of regulation A9(1)~~

Boundary Beacons

- ~~(30) To require the owner, to at own cost, engage a professional land surveyor to identify boundary pegs or beacons and other relevant information where the location of any boundary of a site has not been accurately determined in terms of regulation A11(1).~~
- ~~(31) To, where an owner fails to engage a professional land surveyor, engage a professional land surveyor to establish and point out the location of such pegs or beacons, and recover such costs of such establishing and pointing out from such owner in terms of regulation A11(2)~~

Building Materials and Tests

- ~~(32) To test any material or component used or to be used in the erection of any building in order to determine whether such material or component complies with the requirements of these regulations in terms of Regulation A13(2)~~
- ~~(33) To, if any material or component used in the erection of a building does not comply with these regulations, serve a notice on the person erecting such building, stating the respects in which such material or component does not comply and prohibiting such person from making further use of such material or component for the purpose for which it was or is to be used in the erection of such building in terms of Regulation A 13(3).~~
- ~~(34) To, if any material or component is tested and has failed to comply with these regulations, recover the cost of such test from the owner of the building concerned in terms of Regulation A13(5).~~
- ~~(35) To permit the use of any material or component, which is not permitted or prescribed by these regulations, for a particular purpose if such material or component is at least as suitable for that purpose as the material or component permitted or prescribed to be used by these regulations in terms of Regulation A13(6).~~

Installations Maintenance and Operation

- ~~(36) To serve a notice on an owner or other person requiring compliance with A15 pertaining to the installation and maintenance and operation of installations in terms of Regulation A15(3).~~

~~(37) To, by notice in writing to the owner, order the evacuation of a building where the state of such equipment or installation will cause conditions which may be detrimental to the safety or health of the occupiers or users of such building in terms of Regulation A15(4)~~

~~(38) To apply to the relevant body (successor to the Human Sciences Research Council) to evaluate whether qualifications comply with the building disciplines listed in this regulation in terms of Regulation A 16~~

Responsibility for Designs

~~(39) To waive the requirement that the owner of any building must appoint and retain any person who is a professional engineer or other approved competent person to undertake responsibility for designs and inspections in terms of Regulation A19(1).~~

~~(40) To approve the form on which owner must report the appointment of a professional engineer or other approved competent person in terms of Regulation A19(4)~~

Commencement of Erection or Demolition and Inspections

~~(41) To prescribe the format of the notice in connection with the erection or demolition of any building in terms of Regulation A22(1)~~

~~(42) To inspect and approve trenches or excavations in terms of Regulation A22(3)~~

~~(43) To inspect, test and approve a drainage installation in terms of Regulation A22(3)~~

Temporary Buildings

- ~~(44) To grant provisional authorization to an applicant to proceed with the erection of a temporary building in accordance with any conditions or directions specified in such authorization in terms of Regulation A23(1).~~
- ~~(45) To require an applicant the erection of a temporary building to submit –~~
- ~~(a) a statement of the period for which authorization is required;~~
 - ~~(b) a site plan;~~
 - ~~(c) layout drawings; and~~
 - ~~(d) any structural detail required to determine the structural safety of the proposed building.~~
- ~~in terms of regulation A23(2)~~
- ~~(46) To grant approval for one or more extensions of the period of authorisation of a temporary building and to require such information as may be necessary to consider an application for extension in terms of Regulation A23(4)~~

Standardization of Interpretation.

- ~~(47) To examine plans, specifications or other documents which accompanied or which are intended to accompany an application, to perform any tests that is considered necessary and inspect the site on which a building is to be erected, and issue a report in connection therewith in terms of Regulation A24(1)~~

General Enforcement.

- ~~(48) To serve a notice calling upon a person who contravenes a provision of regulation A25(1) to forthwith cease such contravention in terms of Regulation A25(2)~~
- ~~(49) To serve a notice on any person contemplated in Section 4(4) of the Act or subregulation (4) or (5), ordering such person forthwith to stop the erection~~

~~of a building concerned or to comply with such approval in terms of Regulation A25(6).~~

~~(50) To serve a notice on the owner of any building contemplated in subregulation (4) or (5) ordering such owner to rectify or demolish the building in question by a date specified in the notice in terms of Regulation A25(7).~~

~~(51) To serve a notice on the owner of a building where such building is being or has been erected and a contravention of these regulations, other than those referred to in subregulation (4) or (5) has been committed, specifying a date by which such owner shall have complied with the regulations, citing the regulations contravened and specifying the steps to be taken in order to comply with the regulations in terms of Regulation A25(9).~~

~~(52) To serve a notice on the owner of a building that is being or has been erected without the prior approval contemplated in Section 4(1) of the Act to obtain the approval in writing as required by the Act by the date specified in the notice in terms of Regulation A25(10).~~

Demolition of any Building

~~(53) To grant permission to demolish a building and to impose any condition or requirements for the safety, health and convenience of the public, and for the safety of any other building or installation, which may be affected by such demolition in terms of Regulation E1(1)(2).~~

~~(54) To serve a notice on any person involved in the demolition of a building to make the site safe, and on failure to do so, carry out the necessary work~~

...
and recover the cost thereof from such person in terms of Regulation E1(4).

Prohibition of Dangerous Methods

~~(55) To prohibit the use of any method to be applied in the demolition of any building where such method will create or cause to create any danger to any person or other building or property, and to give reasons for such prohibition in terms of Regulation E3~~

Protection of the Public.

~~(56) To require that the owner of a site, where danger or serious inconvenience to the public may ensue from the demolition or erection of a building, erect a fence, hoarding or barricade to prevent the public from entering such site and to protect them from the activities on such site in terms of Regulation F1(1).~~

~~(57) To permit any person, undertaking any work of erection or demolition on a site, to encroach upon or over any street or public place abutting such site and to impose conditions with regard to the safety and convenience of persons using such street or public place in terms of Regulation F1(4) provided that when there is a substantial encroachment proposed, the Chairperson of the relevant Sub-council be first consulted, or, in his/her absence the relevant Sub-council Manager.~~

[Amended C08/12/08 by CI 3 December 2008]

~~(58) To impose conditions to safeguard the interests of the general public, during the erection or demolition of any building in terms of Regulation F1(5).~~

Damage to City Property

~~(59) To require the owner of a building to pay a deposit or give security to cover the costs of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and to appropriate the amount of the deposit or security towards the costs of repairing damage in terms of Regulation F2(1)~~

~~(60) To, in the absence of a deposit or security, demand from the owner of a building to pay the cost of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and upon failure to recover such cost from the owner in a court of competent jurisdiction in terms of Regulation F2(3).~~

Unstable Soil Conditions

~~(61) To inform an applicant of any suspected unstable sub-soils or unstable slopes in the area in which a site, upon which a building is to be erected in terms of Regulation F3(1)~~

~~(62) To require an owner to engage a professional engineer or other approved competent person to prepare measures for any differential movements or other effects which could be detrimental to a building in terms of Regulation F3(2).~~

Control of Dust and Noise

~~(63) To consider whether any activity, in the course of any building, demolition or excavation work or any machine, machinery, engine, apparatus, tool or contrivance, unreasonably disturb or interfere with the amenity of the neighbourhood in terms of Regulation F6(1).~~

Cutting into, Laying Open and Demolishing Certain Work

~~(64) To, where any work carried out in connection with the erection of any building is not in accordance with the provisions of these regulations or any approval or authority granted there under, order the owner of such building—~~

~~(a) to supply satisfactory proof that such work is in accordance with such provision, approval or authority; or~~

~~(b) to cause such work to be cut into, laid open or demolished; or~~

~~(c) to cause a test of such work to be carried out.~~

~~in terms Regulation F7(1).~~

~~(65) To, where the actions of the owner is still not compliant, order the owner to take such steps as may be necessary to ensure that there is such compliance, or to order the owner to cause such work to be cut into, laid open or demolished in terms of Regulation F7(2).~~

~~(66) To give authority to proceed with work, in connection with the erection of any building, upon being satisfied with the work cut into, laid open or demolished in terms of Regulation F7(3)~~

Waste Material on Site

~~(67) To order the owner of a site to remove rubble, rubbish, other debris or combustible waste material or to order such removal and recover the costs thereof from the owner in terms of Regulation F8(1)(2)~~

Cleaning of Site

~~(68) To order the owner or person erecting or demolishing any building to remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public street or public~~

place affected by such material or matter during or after the completion of such erection or demolition, in terms of Regulation F9(1)

Builder's Sheds

~~(69) To require an owner or person carrying out or performing work in connection with the erection or the demolition of any building, to erect on the site of such work such temporary builder's sheds as may be necessary in terms of Regulation F10(2)~~

~~(70) To, where a shed is not constructed, located or maintained in terms of this regulation, order the owner or person to move, reconstruct or repair or improve the condition of such shed, or if use thereof is being made other than that permitted, to cease such un-permitted use in terms of Regulation F10(4).~~

Sanitary Facilities

~~(71) To approve that sanitary facilities for personnel employed on or in connection with the erection or demolition of any building not be provided on the site but at some other place in terms of Regulation F11(1)~~

~~(72) To, where sanitary facilities for personnel employed on or in connection with the erection or demolition of any building have not been provided, order the cessation of such work until the required facilities have been provided, and, should such order not be complied with, to install such facilities and recover the costs of such installation from the owner of the site in terms of Regulation F11(1)~~

General Stability Requirement

~~(73) To grant authority for any excavation, where the safety or stability of any property or service is likely to be impaired by such excavation, or where~~

the depth, at any point, of such excavation is likely to be more than 3 m, in terms of Regulation G1(3)

Approval of Artificial Ventilation Systems

~~(74) To grant approval for the installation of any artificial ventilation system in any building in terms of Regulation O3~~

Drainage of Buildings

~~(75) To prescribe a location and level for the connection of a sewer for the drainage of a building in terms of Regulation P1(1)~~

~~(76) To order the owner of any existing building to make a sewer connection within a prescribed period in terms of Regulation P1(2)~~

~~(77) To, where the owner of a building fails to comply with an order to do so, lay, alter or extend any drain, alter or extend such drain and recover the costs thereof from the owner in terms of Regulation P1(4)~~

Design of Drainage Installations

~~(78) To require a rational design, where the size or complexity of a drainage installation in any building so requires, to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete drainage installation based on such design in terms of Regulation P2(2)~~

Objectionable Discharge

~~(79) To order the owner of any site to, at own cost, execute any precautionary measures to prevent objectionable sewage discharge to enter any~~

~~stormwater drain, stormwater sewer or watercourse, any river, stream or natural watercourse or any street or other site in terms of Regulation P3(3)~~

~~(80) To permit the discharge of water from a swimming pool, fountain or reservoir onto any public street or public place, or onto any site other than onto the site upon which such swimming pool, fountain or reservoir is situated in terms of Regulation P3(4)~~

Unauthorized Drainage Work

~~(81) To permit any person to interfere with any sewer or connecting sewer or to break into or interfere with any part of a drainage installation for the purpose of repair and maintenance in terms of Regulation P6(1)~~

Inspection and Testing of Drainage Installations

~~(82) To inspect, test and pass any drainage installation as complying with these regulations in terms of Regulation P7(3)~~

Sewage Disposal

~~(83) To permit other means of sewage disposal where waterborne sewage disposal is not available in terms of Regulation Q1~~

Pit latrine

~~(84) To permit the construction of any pit latrine in terms of Regulation Q2~~

Stormwater Disposal

~~(85) To require a rational design where the conditions on any site so requires; to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete stormwater control and~~

~~disposal installation for such site and for any building erected thereon,
based on such design in terms of Regulation R1(3)~~

Fire protection

~~(86) To, where compliance with the relevant SABS code would not comply with
the general fire protection requirements, order the owner of the building to
submit for approval a rational design in terms of Regulation T1(2).~~

Refuse Storage Areas

~~(87) To approve the access of a refuse storage area from any street, for the
purpose of removing the refuse in terms of Regulation U2~~

Fire Installations

~~(88) To, subject to any conditions considered necessary, allow a fire installation
to be connected to –~~

- ~~(a) a source of supply other than a communication pipe; or~~
- ~~(b) a source of non potable water where such water is not to be used
for domestic or any other purpose.~~

~~in terms of regulation W1~~

Supply of Water

~~(89) To permit that water may be taken from a supply system for use in any fire
installation and to impose conditions in terms of regulation W2~~

Design of Fire Installations

~~(90) To require the provision of isolating valves to control the flow of water to a fire installation, and to such points within the installation in terms of regulation W3~~

~~In terms of Building By-law promulgated in Provincial Notice 4672/1990 on 23 November 1990 (previous City of Cape Town area)~~

~~Use and Occupation of Land and Buildings~~

~~(91) To serve notice on any person for contravening or non-compliance with the provisions relating to use and occupation of land and buildings in terms of Section 2 (3).~~

~~Unightly, unhealthy, unsanitary, objectionable and similar buildings~~

~~(92) To serve a written notice on the owner of any building, structure or earthwork which in their opinion—~~

~~(a) is or is showing signs of becoming unhealthy, unsanitary, unsightly or objectionable, or~~

~~(b) is calculated to depreciate properties in the locality or to cause annoyance to inhabitants of the neighbourhood.~~

~~in terms of Section 4 (1)~~

~~(93) To require a person to alter, repair, clean, renovate, or repaint such building, structure, or earthwork within a time specified in such notice in terms of Section 4 (1).~~

~~(94) To exercise their option to alter, repair, clean, renovate, or repaint any building, structure, or earthwork at the expense of the owner thereof if such owner fails to comply with a notice served on him in terms of subsection (1) in terms of Section 4 (2).~~

~~Boundary Walls and Fences~~

~~(95) To serve notice on any person who erects a fence in contravention of this section to remove such fence in terms of Section 6 (5)~~

Fencing of Property

~~(96) To serve notice in writing on the owner of any vacant land in the vicinity of any public street requiring such owner to enclose or fence such vacant land to their satisfaction by a date specified in such notice in terms of Section 7(1)~~

~~(97) To, in the case of a contravention of or failure to comply with any requirement of such notice, order or permission, in addition give effect to the requirements thereof at the cost of the person on whom it was served or to whom it was issued or granted in terms of Section 8(8)~~

~~(98) To, in the interest of safety require or justify any deviation from the requirements laid down in the Schedule to this section in connection with a particular hole or pool, by notice in writing served on the owner of the property on which such hole or pool is situated, order or permit such deviation and in connection therewith to impose such conditions and lay down such standards and requirements as deemed necessary in terms of Section 8(9)~~

In terms of Standard By-Law Relating To Antenna Systems For The Reception Of Television And Sound Broadcast Transmissions

(99) To require from any person intending to erect any antenna, plans and particulars in terms of Section 2(2)(b)

(100) To exercise the City's powers and duties regarding additional documents and information in respect of any application for the erection of an antenna in terms of Section 2(2)(d)

BUILDING CONTROL OFFICER

Acting in terms of section 59 of the Systems Act, as read with section 6(4) of the National Building Regulations and Building Standards Act no 103 of 1977 (the Act) Council hereby authorizes the Building Control Officer to delegate to an official under his or her control any power, duty or function granted or entrusted to building control officers in terms of the Act. The power to make recommendations in terms of section 6(1)(a) may only be delegated as follows:

[Amended C74/10/07 by CI 31 October 2007]

164. Function Specific Delegations

- (1) to an official holding the position of **Senior** ~~Principal~~ Professional Officer ~~(and until such time as the Principal Professional Officers are appointed, to officials who were, as at 1 October 2007, exercising the functions of Building Control Officer in terms of section 6 (1)(a) of the Act)~~ the power to make recommendations on all plans where the architectural floor area is less than 10 000m²;

[Inserted C74/10/07 by CI 31 October 2007]

- (2) to an official holding the position of **Chief** ~~Principal~~ Plans Examiner, **Principal Plans Examiner or Senior Plans Examiner** ~~(and until such time as officials are placed in these positions, to officials who were, as at 1 October 2007, carrying out the duties of Principal Plans Examiners as detailed in the job description of such post)~~ the power to make recommendations on all domestic plans where the architectural floor area is less than 500m².

[Inserted C74/10/07 by CI 31 October 2007]