

LEGAL NOTICE NO.2024

THE URBAN GOVERNMENT ACT, 1969

(Act No. 8 of 1969)

THE EZULWINI TOWN COUNCIL USER FEES AND CHARGES BYE-LAWS, 2024

(Under section 77)

In exercise of the powers conferred by section 77 of the Urban Government Act, 1969, the Ezulwini Town Council makes the following Bye-laws -

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PART I

PRELIMINARY PROVISIONS

Citation and Commencement

1. (1) These Bye-laws shall be cited as the Ezulwini Town Council User Fees and Charges Bye-Laws, 2024.

(2) These Bye-laws shall come into force on the date of Publication in the Gazette.

Interpretation

2. In these Bye-laws unless the context otherwise requires –

“authorized officer” means -

(a) any person authorized by the Municipality to perform the duties of the Municipality in terms of these Bye-laws;

(b) an employee of the Municipality who is responsible for the performance of any function or the exercise of any power in terms of these Bye-laws; or

(c) any employee of the Municipality assigned or delegated to perform any function or exercise any power in the enforcement of these Bye-laws;

“charitable cause” means any cause that aids the objectives of the Municipality as outlined and intended in the Municipality policy or resolutions to deal with matters of charity;

“community meetings” means any legal gathering of persons convened by or at the instance of the Municipality, Local Community Committee, the Elections and Boundary Commission or the Ministry of Housing and Urban Development;

“due date” means a fixed date within which fees and charges are due for payment in terms of any law, policy, invoice, letter of demand, objection outcome and or any other instrument issued by the Municipality from time to time;

“indigence cause” means any cause that aids the objectives of the Municipality as outlined and intended in the Municipal policy or resolutions to deal with indigence matters;

“inflation rate” means the country’s inflation rate prescribed by the Central Bank of Eswatini;

“Municipality” means Ezulwini Town Council established in terms of section 4 of the Urban Government Act, 1969;

“owner” in respect of the premises, means the -

- (a) owner, operator, manager, or person in charge of an accommodation establishment.
- (b) person in whose name the premises are registered with the Registry of Deeds;
- (c) the purchaser of the premises, whether or not the premises have been registered in the name of the purchaser;
- (d) person in control of the premises;
- (e) usufructuary, if the premises are subject to a usufruct;
- (f) occupier, tenant or user of the premises;
- (g) authorized agent, assignee, curator, executor, judicial manager, legal representative, liquidator or trustee, as the case may be, of any person contemplated in paragraphs (a) to (d); or
- (h) the person who receives or who is entitled to receive the benefit of the premises, if the Municipality is unable to establish the identity of any of the persons contemplated in paragraphs (a) to (e);

“prime rate” means the current interest rate charged by the Municipality’s main bank to its customers as prime rate; and

“rates” means property tax levied by the Municipality in terms of the Rating Act, 1995.

Application

3. These Bye-laws shall apply to all individuals, businesses, establishments, industries activities applicable within the jurisdiction of the Municipality.

PART II

USER FEES AND CHARGES

Categories or types of user fees and charges

4. The Categories or types of user fees and charges regulated by these Bye-laws shall include the user fees and charges listed in the Schedule.

User fees and charges

5. (1) User fees and charges may be adjusted annually, on the 1st of April, by the average inflation rate of the prior year where feasible.

(2) Where user fees or charges are not adjusted by the inflation rate in one year, the cumulative adjustment for past years may be made in future years, as approved by the Municipality.

(3) Adjustments on user fees and charges come into force upon publication in the gazette.

(4) The Town Clerk, may pursuant to an enabling policy or resolution of the Municipality -

(a) waive, in part or in full, any of the user fees and charges contained in these Bye-laws in support of an indigence cause, community meetings or community activities; or

(b) cause such user fees and charges to be subsidized in support of a charitable cause.

(5) Waste collection fees, for services provided to households situated on government farms shall be levied on the household and against the name of the person presumed or claiming or assuming ownership of that household.

Payment of user fees and charges

6. (1) User fees and charges shall be paid to the Municipality on the date, determined and notified by the Municipality, as the due date.

(2) Any portion of user fees or charges that remains unpaid beyond the due date shall attract interest at the obtaining prime rate per annum. .

(3) The Municipality may use a registered collection agency to collect any unpaid user fees or charges, including interest and the collection agency fees or costs.

(4) Where the Municipality incurs costs for services which are ordinarily the responsibility of owners and occupiers including grass-cutting, bush-clearing and vegetation removal services in respect of rateable property, the owner of the rateable property shall be responsible for paying the user fees and charges, which shall be included in municipal rates for that property.

Imposition of user fees and charges

7. User fees and charges imposed or chargeable under these Bye-laws shall be imposed by an authorised officer.

Offences and penalties

8. (1) A person who contravenes the provisions of these Bye-laws shall on conviction be liable to a fine not exceeding five thousand Emalangeneni (E5000.00).

(2) In case of successive or continuous offence of any provisions and Schedules of these Bye-laws, the offender shall be liable on conviction to a further fine not exceeding five thousand Emalangeneni (E5000.00);

Schedule

(under Bye-law 4)

	Ezulwini Town Council	Amount (SZL)	
1	Application for Certificates		
	Rates Clearance Certificates	60.00	5% inflation rate used to increase (however rounding up the figures to the nearest 10th)
	Certificate of Municipal Valuation /Proof of residence	30.00	

2	Rates Administration Fees		
	All Categories		
	Payable over 1 month	0.00%	
	Payable over 2 months	0.00%	
	Payable over 3 months	0.00%	
	Payable over 4 months	0.00%	
	Payable over 5 months	0.00%	
	Payable over 6 months	0.00%	
3	Handling fees		
	Handling fee for refund processing	100.00	
	Returned or dishonoured Payment on account of insufficient funds and / signature missing	200.00	
4	Access to information		
	General Valuation roll –soft copy	3,500.00	
	Town Planning Scheme - soft copy	1,500.00	
	Individual property valuation - hard copy	20.00	
	Access to Council footage	250.00	*only granted after court order*
5	Photostat per copy		
	Photocopying fee A4 Sheet	10.00	* For Council Documents Only
	Photocopying fee A3 Sheet	40.00	
	Rates Statement	10.00	
	Scanning of Documents (per page)	15.00	
6	Hire of Council Venues and Equipment		
	Use of Council Boardroom (per 3 hours or less & E200 per extra hour)	700.00	
	Refundable Caution Fee	1,300.00	

7	Animal Pound Fines		
	Penalty for part of a day per animal	-	
	Penalty per night an animal is detained	-	
	Penalty per day an animal is detained	-	
	Driving fee per animal	-	
	Trespassing fee per animal	-	
	Feeding fee	-	
	Elimination of nuisance animals	-	
8	Penalties for Miscellaneous Contravention		
	Urinating in public (admission of guilt)	80.00	
	Selling /trading without a permit	100.00	
	Unauthorised automotive repairs	300.00	
	Contravening Parking regulations	500.00	
	Noise pollution	500.00	
9	Environmental Management Act Offences		
	Throwing any litter through a moving vehicle	50.00	
	Dropping any litter at any public place	50.00	
	Dumping litter using a vehicle or any substantive quantity at a place not designated as a waste disposal site	5,000.00	
	Failure for display litter receptacle within public vicinity	5,000.00	
11	Health and Environmental Inspection		
11.1	Inspection of Food Business		
	<i>Every application for the inspection of food business and issuance of Health Report for licenced food premises and re-</i>		

	Food Premises - Low Risk		
	Groceries	200.00	
	Ice Cream Parlour	200.00	
	Green Grocery	500.00	
	Food Premises – Medium Risk		
	Café Keeper	900.00	
	Eating House	900.00	
	Butcheries	900.00	
	Bakeries	900.00	
	Convenience Shops	900.00	
	Food Premises – High Risk		
	Supermarkets (Major food retailers)	1,000.00	
	Restaurants/Take away	900.00	
	Institutional Kitchens	900.00	
	Guest Houses	900.00	
	Food Wholesaling	1,000.00	
	Caterer	900.00	
	Departmental Stores (Major food retailers)	1,000.00	
	Hotels	1,000.00	
	Re-inspection of business premises (20% normal price)		
11.2	Inspection of Liquor Licence		
	<i>Every application for the inspection of Liquor outlets for the Grant, Renewal and Transfer of licence</i>		
	Bottle Store	900.00	
	Wine & Malt	900.00	
	Restaurant Liquor	900.00	
	Club	900.00	
	Hotel	900.00	
	Guest Houses/Lodging	900.00	
	Liquor Wholesalers	1,000.00	
	Bottle Store	1,000.00	

Re-inspection of business premises (20% above normal fee)			
11.3	Inspection of Non-Food Outlets		
	<i>Every application for the inspection of non- food related businesses according to Trading Licence Order, 1975 as amended and for tender application</i>		
	Shoe Repair	-	*exempt health clearance
	Commercial Office (small)/ Consultancy	500.00	
	Builder and Contractor - Small	-	*exempt health clearance
	Driving Schools	-	*exempt health clearance
	Saloon/Beauty Parlour	500.00	
	Boutique/Dressmaking	-	*exempt health clearance
	Billiard and Snooker Table	-	*exempt health clearance
	Garage	500.00	
	Filling Stations (café keeper)	900.00	
	Car Wash	900.00	
	Warehouses/Hardware's	-	*exempt health clearance
	Buy Back Centres	500.00	
	Community Recycling Centres	500.00	
	Pharmacies	1,000.00	
	Funeral Parlours	1,000.00	
	Schools (Primary and High)	-	*exempt health clearance
	Pre-schools (private)	500.00	
	Institutions of Higher Learning	500.00	
	Commercial Offices (Medium and Large)	1,000.00	
	Bookshop/Stationery	500.00	
	Printing Houses	500.00	
	Laundry/Dry Cleaners	500.00	*exempt health clearance
	Furniture Shops	500.00	*exempt health clearance
	Dealers in Motor Vehicle	1,000.00	
	Car Rentals	500.00	
	Dealer in bones and second-hand goods	500.00	
	Builder and Contractor – Medium/ large	500.00	
	Distributor	500.00	
	Cinema/Theatre	500.00	

	General Clothing	500.00	
	Repair Shops - Electronics	500.00	
	General Dealer	500.00	*exempt health clearance
	Departmental Stores	1,000.00	
	Re-inspection of business premises (20% above normal fee)		
12	Abattoir		
	Bovine (Cattle)	-	
	Sheep or goat	-	
	Pig	-	
	Small stock (rabbits, etc.)	-	
	Deep freezing/chilling services (daily minimum charge per animal)	-	
	Deep freezing measled carcass (14 days charged)	-	
	Poultry permit per application	-	
13	Market		
	Monthly	50.00	
	Annually	550.00	discount for annual (11 months payment)
	Handicraft		
	Monthly	60.00	
	Annually	660.00	
	Second Hand Clothing (Market)		
	Monthly	60.00	
	Annually	660.00	
	Traditional Medicine		
	Monthly	50.00	
	Annually	550.00	

	Wholesalers (fruit/vegetable)		
	Monthly (Vehicles)	50.00	
	Annually (Vehicles)	550.00	
	Roasted/Boiled Maize and Firewood		
	Monthly	50.00	
	Annually	550.00	
	Mobile Money/ Airtime Open		
	Monthly	60.00	
	Annually	660.00	
	Offices Macondza		
	Monthly	70.00	
	Annually	770.00	
	Shoe Repair		
	Monthly	50.00	
	Annually	550.00	
	Flea Market (Per Day)		
	SMMEs/Informal Traders and Other groups	80.00	
	Corporates	500.00	
	Vehicle Sale		
	Daily	80.00	
	Monthly	880.00	
14	Environmental Monitoring		
	Bush Clearing of Vacant Overgrown Plots		

	The Council will, upon failure by the owner, instruct a private contractor to clear bush and owner be charged 10% in addition to the rate charged by the contractor.		
	FEE PER SQUARE METRE FOR GRASS CUTTING		
	Small bush (low density)	1.80 per sqm	
	Medium (combination of small bush and shrubs)	1.90 per sqm	
	Overgrown bush (high density)	3.40 per sqm	
	TREE FELLING		
	Small (100 - 300 mm)	2,500.00	
	Medium (301 - 800 mm)	4,500.00	
	Huge (801 -1300mm)	5,500.00	
15	Public conveniences		
	Public Toilets (per person)	2.00	
16	Waste Collection		
16.1	Health Care Risk Waste		
	Administration fee (within Urban Boundary)	60.00	
	Collection/Transportation of Health Care Risk Waste (HCRW) and treatment of waste	1,000.00	
	<i>Note: Services rendered outside urban area shall include an additional cost for kilometres travelled at AA rates</i>		
16.2	Skip Hire and Collection		
	Waste Skip Hire per month	500.00	
	Waste Skip per collection (Commercial- General)	1,050.00	
	Waste Skip per collection (Industrial)	1,500.00	
	Waste skip per collection (Garden)	500.00	
	Special Event Hire for skip hire, collection and treatment per day	1,050.00	

16.3	Residential Skips Collection (Privately Owned Skip)		
	Privately owned per household/apartment per month	1,050.00	
16.4	Waste Collection and Transportation (Urban Area Kerbside)		
	Monthly charge per household/bin	75.00	
	Annual charge per household/bin	900.00	
	Unit apartment is the equivalent of a household per unit per month (for units that are more than 4)	75.00	
	Commercial kerbside per bin per collection (wheelie bin system)	50.00	* for discussion
16.5	Commercial and industrial and all other types of non-residential Kerbside Collection		
	Collection per bin / per month	75.00	
	Collection per bin/ per year	900.00	
16.6	Waste collection and transportation (Beyond Urban Boundary)		
	Collection of waste per load (general waste)	1,500.00	
16.8	Transport of Condemns/ spoilt items (requested/voluntary)		
	Restuarants	350.00	*voluntary/requested
	Retail Outlets (supermarkets)	500.00	
	Penalties (expired)	1,000.00	
17	City Planning Services		
17.1	Application Fees		

	Special Consent application fee	1,500.00	
	Re-zoning application fee	2,000.00	
	Application for Town Planning Scheme Variances (building height, number of stories, setbacks, plot coverage, flow area ratio, parking requirements)	1,500.00	
	<i>Note: as per Clause 1.5 of Town Planning Scheme</i>		
	Home office Application	1,500.00	
	Home office Permit renewal	500.00	
17.2	Subdivision & Consolidation fees		
	Subdivision application (One portion and a remainder)	2,000.00	
	Subdivision application (Two portions and a remainder)	2,500.00	
	Subdivision application (Three portions and a remainder)	3,000.00	
	Re-submission of subdivision application	500.00	
	Consolidation Application fees	1,000.00	
	Human Settlement Establishment application	1,100.00	
	Sectional Title	1,500.00	
17.3	Geographic Information Systems		
	Land and mapping enquiries	-	
17.4	Community/Neighbour Site Inspection Dispute Resolution Facilitation		
	Application for Removal of Right of Way	-	
	Removal of Encroachment Application	-	
	Site Inspection and Facilitation of Dispute Resolution to be charged to guilty party.	-	

18	Advertising		
	Violation Fees (illegal installation of signages)	1,500.00	
		-	
18.1	Advertising boards: primary areas - Per Month		
	<i>MR103 and Tea Road</i>		
	Charge for all adverts up to 4sq.m in size (per m ²) - Monthly	500.00	
	Annually	6,000.00	
	Charge for adverts of 4.1 to 8sq.m in size (per m ²) - Monthly	700.00	
	Annually	8,400.00	
	Charge for adverts of 8.1 m ² and above in size (per m ²) - Monthly	800.00	
	Annually	9,600.00	
18.2	Advertising boards Secondary areas-Per month		
	Areas outside the CBD		
	Charge for all adverts up to 4sq.m in size (per m ²)	-	
	Charge for adverts of 4.1 to 8sq.m in size (per m ²)	-	
	Charge for adverts of 8.1 m ² and above in size (per m ²)	-	
18.3	Electronic Billboard (per annum)	15,000.00	
18.4	Street Lamp pole signs (per pole/month)	700.00	
18.5	Poster advertisements		
	Tension Banner	2,000.00	

	Poster application fee (7 - 10 days) 10 posters	220.00	
	For every 10 days thereafter	100.00	
18.6	Temporary banners		
	Per banner per week (7 days)	200.00	
	Refundable Caution fee - per application	600.00	
	<i>Note: Non profitable/Charitable organizations will pay 50% of all the above advertising fees.</i>		
19	Building Permit		
	Application fee	5,000.00	rate per sqm
	<i>As per fees stipulated in the Building and Housing Act (Act 34) of 1968. Minimum scrutinizing fee for preliminary plans per application.</i>		
19.1	Renewal of building permit-per application		
	Residential buildings	300.00	
	Commercial buildings	900.00	
	Industrial Buildings	900.00	
	Public Buildings	900.00	
	Re-Submission Fees	120.00	
	Building Plans Search fee (up to 10 years)	50.00	
	Building Plans Search fee (More than 10 years)	150.00	
19.2	Structural Engineers buildings plan review charges		
	Residential buildings	500.00	
	Permit for storing material on road reserves /servitude (rate per sqm per month)	250.00	

	Penalty for illegal dumping of material on road reserve/servitude	5,000.00	
	<i>Note: An additional removal fee will be charged as per plant hire rates, refer to 29.1</i>		
20	Building inspection fees		
20.1	Residential (excl. Town houses and flats)		
	Minimum charge per inspection (E200.00 per stage)		
	Residential Single Storey (6 inspections)	1,200.00	
	Residential Double Storey (7 inspections)	1,400.00	
	Re-inspection per stage (50% of each stage)		
	<i>Note: Paid upon approval of the building</i>		
20.2	Commercial (all types of business)		
	Development built for commercial purposes. Minimum charged E400.00 per inspection	400.00	
20.3	Industrial		
	Minimum charges	400.00	
20.4	<i>Fees per hour (Wet Rates)</i>		
	TLB per hour	600.00	
	6 cubic tipper truck per hour	700.00	
	Skip Truck (per skip bin)	1,500.00	
	Compactor Truck (kilometer per day)		

21	Road Crossing for Utility Services		
	Application Permit to make road crossing including site inspections and approvals	400.00	
	Excavation, depth not exceeding 1m - per m ³	110.00	
	Excavation, depth exceeding 1m but not 2m - per m ³	125.00	
	Pavement layers compacted to 98% modified AASHTO - per m ³	160.00	
	Asphalt surfacing 40mm thick - per m ²	480.00	
	Penalties	1,500.00	
	Refundable Caution fee (<i>defects and liability fees equivalent to re-instatement cost</i>).		
22	Blasting Permit		
	Permit application fee	200.00	
	Pre-Inspection fee	350.00	
	Follow up Inspection fee after blasting (To be paid with the pre-inspection fee)	350.00	
23	Use of residential roads by Plant and Heavy Vehicles		
	Penalty for illegal use of residential and other restricted roads by Plant and Heavy Vehicles	1,150.00	
24	Parking Fees (within designated parking spaces)		
	Penalties for parking outside designated areas for light vehicles (including yellow line & pavements)	320.00	
	Penalties for parking outside designated areas for heavy vehicles	1,100.00	

25	Re-instatement of damaged road furniture		
	<i>(shall be charged at replacement + 20% administrative cost)</i>		
	Street lights pole (timber)		
	Street lights pole (steel or equivalent)		
	Street light fitting		
	Street light bulb		
	Street sign (traffic control and small size)		
	Street sign (information and other large size)		
	Traffic light pole		
	Traffic signal head		
	4-Phase traffic controller		
	Audio-tacable pedestrian system		
	Traffic Count down timer		
	250 watts Incandescent HPS light fitting		
	Steel Guardrail pole		
	3-Pole full length street guardrail		
26	Speed Hump		
	Application fee	500.00	
	Construction fee will be charged as per the market cost prevailing at the time.		