

GEORGE MUNICIPALITY

BY-LAW RELATING TO STORMWATER

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), the George Municipality, enacts as follows:

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CHAPTER 1

DEFINITIONS AND GENERAL PROVISIONS

Part 1. DEFINITIONS

Introduction

This by-law is for the stormwater drainage from domestic as well as trade (business and industrial) premises as well as open areas discharging to the George Municipality stormwater system and other natural streams or rivers.

Definitions

In this by-law unless the context otherwise indicates –

“access”

means a place or point which has been specifically formed, where ingress or egress can be made by any persons, machines or stock;

“approval”

means authority granted in writing by the Municipality, either by resolution of the Council or by an official of the Municipality authorized for that purpose;

“Authorised official”

means a person in the employ of the Municipality, authorised by the Municipality to administer and implement the provisions of this By-law, or if the Municipality has appointed a service provider, an employee of such service provider, authorised by it as an authorised official in terms of this By-law and acting within the scope of the powers, functions and duties assigned to that service provider

“best management practice (bmp)”

means an activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff.

“building”

means any building within the meaning of the National Building Regulations

“catchments”

means an area of land within the municipal area from which water drains towards a common watercourse.

“engineer”

means the Director: Civil Engineering Services of George Municipality or his / her duly authorised representative;

“contaminant”

Includes any substance (including gases, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or,
- (b) When discharged onto or into land changes or is likely to change the physical, chemical or biological condition of the land onto or into which it is discharged.

Examples of contaminants shall include (but will not be limited to) oil, paint, solvents, soap, silt, grit, general debris, sewage, untreated animal wastes, swimming pool water, spa water and the like;

“discharger”

means a person who either discharges, or has obtained a consent to discharge, or direct the manner of discharge of stormwater, from any premises to a public stormwater drain of the Municipality;

“disconnection”

means the physical cutting and sealing either temporarily or permanently of the drain from a premises;

“domestic storm water”

means either that stormwater which is discharged from premises used solely for residential purposes, or stormwater of the same character discharged from other premises, provided that the contents of the stormwater are free from contaminants. Such discharges shall exclude the draining of domestic swimming and spa pools;

“drainage area”

means the municipal area of the Municipality or part thereof in which the Municipality has provided a drainage system for the drainage of storm water from premises and/or a site;

“fee”

means any fee or charge payable, as prescribed in the Schedule of Fees and Charges, for any application or work in accordance with the Bylaw;

“floodplain”

means land adjoining a watercourse which is predisposed to flooding up to the 100-year recurrence interval;

“flood prone areas”

Means those areas outside the 50-year flood plain that could be flooded in a 50-year design storm should the primary drainage system become blocked;

“level of service”

means the measurable performance standards, describe in section 7 of this bylaw, on which the Municipality undertakes to receive storm water from its customers.

“Municipality”

means—

- (a) George Municipality, a local municipality established in terms of section 12 of the Structures Act and its successors-in-title; or
- (b) Subject to the provisions of any other law and only if expressly or implicitly required or permitted by these by-laws the municipal manager in respect of the performance of any function, or the exercise of any duty, obligation, or right in terms of these by-laws or any other law;
- (c) An authorised agent or official of the Municipality;

“Municipal area”

means the area administrated by the Municipality

“municipal council”

means the George municipal council;

“municipal manager”

means the person appointed by the municipal council as the municipal manager of the municipality in terms of section 54A of the Local Government: Municipal Systems Act, 32 of 2000 and includes any person to whom the municipal manager has delegated a power, function or duty but only in respect of that delegated power, function or duty;

“occupier”

means a person who occupies any (or part of any) land, building, structure or premises and includes a person who, for someone else’s reward or remuneration allows another person to use or occupy any (or any part of any) land, building structure or premises;

“open drain”

means any system that collects and transports stormwater or groundwater through a series of open drains or ditches, but may include culverts and pipes in areas of vehicle or road crossings;

“organ of state”

Bears the meaning assigned to it in section 239 of the Constitution;

“owner”

means –

The person in whom from time to time is vested the legal title to premises;

In a case where the person in whom the legal title to premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative

In any case where the municipality or its authorized agent is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon;

In the case of premises for which a lease agreement of 30 years or longer has been entered into, the lessee thereof;

In relation to –

A piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), the developer or the body corporate in respect of the common property, or

A section as defined in the Sectional Titles Act 1986 (Act No. 95 of 1986), the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person;

A person occupying land under a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority;

“permit”

means a written permit issued by the Authorised Official;

“person”

means any natural person, local government body or like authority, a company incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

“point of discharge”

means the boundary between the public stormwater drain and a private drain or between a drain and a stream/river;

“pollute”

Bears the meaning assigned to it in the National Water Act, 1998 (Act 36 of 1998);

“premises”

means either:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been, or may be, issued; or,
- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or,
- (c) Land held in public ownership for a particular purpose

“private drain”

means that section of private drain between the customer’s premises and the point of discharge through which stormwater is conveyed from the premises. This section of drain is owned and maintained by the customer (or group of customers);

“private stormwater system”

means a storm water system which is owned, operated or maintained by a person and not the municipality;

“prohibited characteristics”

means storm water containing contaminants which shall not be discharged into the municipal stormwater system;

“public drain”

means any open drain or public stormwater drain whether or not the drain passes through private property, that is held in public ownership;

“public stormwater drain”

means all components of the main public stormwater drain and lateral connections that carry away stormwater from the point of discharge. The public stormwater drain is owned and maintained by the municipality. The stormwater drain includes gutters, sumps, laterals, pipes and manholes;

“publicly notified”

means published on at least one occasion in a newspaper circulating in the appropriate stormwater drainage area, or under emergency conditions, by the most practical means available at that time;

“schedule of fees and charges”

means the list of items, terms and prices for services associated with the discharge of stormwater as approved by the Council;

“secondary flow path”

means an overland flow path designed to accommodate flood flows in case the primary system is unable to cope with the flow;

“service opening”

means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public stormwater drain;

“site”

means:

- (a) An area of land which is:
 - i. Comprised in a single certificate of title; or,
 - ii. Contained in a single allotment on an approved survey plan of subdivision for which a separate certificate of title could be issued without further consent of the Council; or,
- (b) An area of land which is composed of two or more contiguous allotments held together in one certificate of title in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or,
- (c) An area of land which is composed of two or more contiguous allotments held in two or more certificates of title where such titles are held together in such a way that they cannot be dealt with separately without the prior consent of the Council;

“stormwater”

means water resulting from natural precipitation or the accumulation thereof, and includes

- (a) Groundwater and spring water ordinarily conveyed by the storm water system; and
- (b) Sea water within estuaries, but
- (c) Excludes water in a drinking water or waste water reticulation system
- (d) Excludes waste water from swimming pools.

“storm water disposal and retention plan”

means a detailed plan or plans describing what storm water control measures are to be implemented by a person, owner or developer before and during the construction period on any site or premises, as well as the final stormwater control measures required for the site or premises on completion of the development, and shall include a topographical survey with adequate contours and indicating all channels, catchpits, drainage pipes, drainage corridors and discharge points on the site or premises;

“storm water services”

means all public stormwater drains, open drains, channels, manholes, and other underground structures for the reception and discharge of stormwater vested in the Municipality or acquired or constructed or operated by or under the control of the Municipality;

“stormwater system”

means both the constructed and natural facilities, including pipes, culverts, road surfaces, watercourses and their associated floodplains, whether over or under public or privately owned land, used or required for the management, collection, conveyance, temporary storage, control, monitoring, treatment, use or disposal of stormwater;

“trade premises”

means any premises used or intended to be used for carrying on any business, trade or industry, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes and on which trade waste is produced;

“trade waste”

means effluent emanating from industrial use of water and includes for purposes of this by-law, any effluent other than standard domestic effluent or stormwater;

“trunk stormwater drain”

means a storm water drain, generally greater than 375mm in diameter, which forms a part of the Municipality’s stormwater system;

“vehicle”

means a vehicle as defined in the National Road Traffic Act and includes the following:

“road tank vehicle”

means a tank truck, tank trailer, or truck-tractor and tank-semi-trailer combination;

“tank-semi-trailer”

means a vehicle with a tank mounted on it or built as an integral part of it, and so constructed that, the semi-trailer is drawn by a truck-tractor or another trailer, through a fifth wheel connection part of the load rest on the towing vehicle;

“tank trailer”

means a vehicle with a tank mounted on it or built as an integral part of it, and so constructed that, when the tank trailer is drawn by a tank truck, practically all of its load rests on its own wheels;

“tank truck”

means a single, self-propelled vehicle with a tank mounted on it;

“truck-tractor”

means a self-propelled vehicle used to pull a tank-semi-trailer, and any other vehicle, which in the opinion of the municipality, is a vehicle contemplated in the National Road Traffic Act

“waste”

means any matter that when added to or mixed with any natural water, will contaminate the water so as to change its physical or chemical condition;

“wastewater”

means water or other liquid containing waste matter in solution or suspension, discharged from a premises to a sewer;

“watercourse”

Bears the meaning assigned to it in the National Water Act, 1998 (Act 36 of 1998);

“water and sanitation services by-law”

means the George Municipality Water and Sanitation Services Bylaw;

“work”

In relation to any watercourse, means any activity which in any way affects or may affect any flow of water in that watercourse, and includes earthmoving, piping, realigning or lining of any watercourse, and construction of any kind.

“50-year floodplain” Is the area that can be expected to be flooded in the event of flows that have been calculated from a 50-year design storm.

The 50-year storm flows are assessed on the basis that the catchment is fully developed and that the existing drainage system is operating efficiently and is clear of all obstructions.

Part 2. GENERAL PROVISIONS

3. Purpose of the by-laws

The purpose of this by-law is to regulate stormwater management and activities that may have an adverse impact on the development, operation and maintenance of the stormwater system.

4. Application of by-laws

This by-law –

- (a) Binds an organ of state; and
- (b) Applies to stormwater systems in built-up areas.

5. Related Documents

The By-law must be read with the George Municipality Water and Sanitation Services By-law, the Building Control By-law and the By-law Relating to Streets, Sidewalks and Public Places.

6. Other Requirements

The provision of this By-law does not remove the need for any other permit, consent or authorization required under any other statutory acts and regulatory documents. Where a permit, consent or authorization is required under this By-law or any other statutory act or regulatory document enforced by the Municipality, applications for both shall be lodged at the same time.

7. Level of service

The Municipality shall provide stormwater disposal services in accordance with the level of service contained in the Guideline for Human Settlement Planning and Design as was issued by the Department of Housing and compiled by CSIR Building and Construction Technology in 2000 or any other storm water service levels that maybe accepted by Council.

8. Liability

The Municipality shall endeavor to meet the level of service requirements of section 7, but shall not be liable for any loss, damage or inconvenience which any person may sustain as a result of deficiencies in the stormwater drainage network.

9. Prohibited conduct

- (1) No person shall construct, or maintain any road, or access way, for the passage of vehicles within fifteen (15) metres of the banks of any open drain, or over any public stormwater drain without having first obtained permission from the Engineer.
- (2) Discharge from any place, or place onto any surface, any substance other than stormwater, where that substance could reasonably be expected to find its way into the stormwater system;
- (3) Undertake any action that is likely to destroy damage, endanger or interfere with the stormwater system or the operation thereof.
- (4) When an incident contemplated in section 9((1), (2) and (3)) occurs without the consent of the municipality;
 - (a) if the incident is not the result of natural causes, the person responsible for the incident; or

- (b) the owner of the property on which the event took place or is taking place, must immediately report the incident to the municipality, and take, at own cost, all reasonable measures to contain and minimize the effects of the incident, which measures include, but are not limited to, the undertaking of cleaning up operations including the rehabilitation of the environment.
- (5) A person who contravenes a provision of section 9((1), (2) and (3)) commits an offence.

10. Inspection access

- (1) Subject to subsection 10(4), the owner or occupier of the land shall allow the Engineer, or any authorised official or agent, access to and about the point of discharge of any public stormwater drain for the purposes of monitoring, testing and maintenance work between 7.30 am and 6.00 pm on any day.
- (2) Subject to subsection 10(4), the owner or occupier of the land on either side of an open drain shall allow the Engineer or any authorised official or agent access to the drain for inspection and maintenance.
- (3) The owner or occupier of the land on either side of an open drain shall ensure that any building, structure or vegetation is not placed in a manner that is likely to restrict the free access to a drain for inspection and maintenance.
- (4) Wherever practical, the Engineer shall give 24 hours prior notice to the owner/occupier of intended entry. Where immediate action is required and advance notification is not practical, the Engineer or any authorised official or agent shall be allowed free access to an open drain or public stormwater drain at any hour of the day.
- (5) For the purpose of ascertaining whether any public stormwater drains or any open drains are being misused or to resolve a drainage problem, the owner / occupier of the land shall allow the Engineer or any authorised official or agent free access to and about the point of discharge at any hour.

11. Access for maintenance, repair and Inspections

- (1) Subject to the provisions of the municipality, the owner or occupier shall allow the Municipality with or without equipment, access to any area of the premises for the purposes of carrying out any work on the public stormwater drainage network including inspection and survey, and for determining compliance with the requirements of this By-law.
- (2) Wherever practical the Engineer shall make every reasonable attempt to notify the owner or occupier of any scheduled work on the public storm water drainage network before the work commences. Where immediate action is required and notification is not practical, work will be carried out without notice.

12. Non-complying connections

The owner of occupier shall allow the Municipality and any necessary equipment, access to any area of the premises for the purposes of ascertaining whether non-complying connections have been made or a contaminant has been discharged.

13. Approval to connect

- (1) No person other than the authorised official or agent of the Municipality, shall without approval, make any connection to or otherwise interfere with any part of the municipal stormwater services.
- (2) All owners and occupiers connected to the system prior to the enactment of this by-law shall be deemed to have approval to connect to the system.

14. Continuity of discharge

The municipality does not guarantee to receive stormwater without interruption; however the municipality will use all reasonable endeavors to ensure that any disruption is kept to a minimum.

15. Disconnection

An owner shall give ten (10) working days notice in writing of their intention to demolish or remove a building connected to the public stormwater drain. The demolition or removal shall not commence until the property has been disconnected from the public stormwater drain and the drain has been capped to a standard approved by the Engineer

CHAPTER 2

STORMWATER

Part 3. ACCEPTANCE OF DISCHARGE

16. Prohibited discharges

No person may, except with the written consent of the municipality-

- (1) Discharge, place or permit to enter into the stormwater system –
 - (a) Anything other than storm water;
 - (b) Anything likely to damage the storm water system or interfere with the operation thereof;
 - (c) Anything likely to pollute the water in the storm water system

- (2) Discharge from any place, or place onto any surface, any substance other than stormwater, where that substance could reasonably be expected to find its way into the stormwater system;

17. Domestic and Commercial Stormwater

All domestic premises shall be entitled to have stormwater received and accepted by the municipality subject to:

- (1) The premises being situated within the municipal area of the Municipality
- (2) The premises being situated within the area which is served by public storm water drains, and;
- (3) Fulfillment of the requirements of this By-law.

18. On site disposal

- (1) Where possible, all properties shall dispose of stormwater generated within a property boundary through a public storm water drain.
- (2) If a property is not able to connect to the public stormwater drain, or the storm water system is at capacity, stormwater generated within the property boundary shall be disposed of on site, via a municipal approved soak away system.
- (3) If a public storm water drain is not available or a soak way system is not viable, an alternative method of disposal must be submitted for approval by the Engineer, prior to construction.

19. Requirement to connect

- (1) Where a storm water drain system exists all new premises are bound to connect to it unless the adequacy of an alternative disposal point can be demonstrated.
- (2) Each new connection shall be made directly to the stormwater main unless this is demonstrated as not practicable.
- (3) Private drains shall be permitted only with the prior written approval of the municipality and upon registration of the servitude on the affected land titles, where applicable.

20. Wastewater and trade waste

- (1) Trade wastes will not be permitted to be discharged to the public storm water system.
- (2) All trade waste must be connected to the public sewer system, subject to approval by the Engineer.

21. Storm water which contains contaminants

- (1) Storm water which contains contaminants may not be directly discharged to the stormwater drainage system.
- (2) The person responsible for storm water which contains contaminants shall either appropriately pre-treat this contaminated stormwater to remove the contaminant or obtain the written approval of the Engineer to discharge the contaminated stormwater into the sewer system.
- (3) Contaminated stormwater includes the runoff from properties contaminated with soil, etc, which reaches the gutter and then enters the stormwater system via a street sump / a setting pond or similar.
- (4) Where land drainage is the primary source of stormwater collection, the property owner shall provide if required by the municipality a setting sump / a setting pond or similar to a municipal approved standard prior to the storm water entering the drain.

22. Prevention of Inflow and Infiltration

- (1) The landowner or occupier of land shall prevent any sewage, waste contaminant from entering the storm water drainage system. This includes silt, oil, soap, grit or like materials.
- (2) For trade premises where stormwater cannot be separated from wastewater, the prescripts of the Municipality's Water and Sanitation Services By-law will be applicable.

23. Flow Rate

- (1) The Municipality may set a maximum daily flow rate discharged from any premise.
- (2) The Municipality will endeavor to take the flow from any property equivalent to the run off generated from a 1:10 year probability storm occurring in any one year with average domestic percentage coverage of impermeable areas.

24. Discharge Minimization

In order to meet the principles of sustainable management as promoted by the National Environmental Management Act, Act 107 of 1998 (NEMA), an owner / developer must fit any devices and / or design their development in such a way that any storm water flow is minimized.

Part 4. PUBLIC STORMWATER DRAINAGE SYSTEM

25. Protection of a stormwater system

- (1) No person may, except with the written consent of the Municipality and subject to any conditions the Municipality may impose –
 - (a) Adjust, alter, damage, endanger, destroy or undertake any action likely to damage, endanger or destroy, the stormwater system or the operation thereof;
 - (b) Discharge from any place, or place onto any surface, anything other than stormwater, where that substance could reasonably be expected to find its way into the stormwater system;
 - (c) Discharge, permit to enter or place anything likely to damage the stormwater system or interfere with the operation thereof or contaminate or pollute the water therein;
 - (d) Construct or erect any structure or thing over or in such a position, or in such a manner so as to interfere with or endanger the stormwater system or the operation thereof;
 - (e) Make an opening into a stormwater pipe, canal or culvert;
 - (f) Drain, abstract or divert any water directly from the stormwater system;
 - (g) Fill, excavate, shape, landscape, open up or remove the ground above, within, under or immediately next to any part of the stormwater system.
 - (h) Plant trees or similar vegetation over/ in a stormwater system.
 - (i) The connection into or diverting of stormwater into a public stormwater system without the prior consent of the Engineer
 - (j) Permit the flow of any prohibited substance into a public stormwater system. i.e. no discharged other than stormwater is allowed.
 - (k) Park or stop a vehicle over or on any stormwater drain.

26. Prevention of flood risk, management and standards

- (1) No person may, except with the written consent of the Municipality and subject to any conditions the Municipality may impose –
 - (a) Obstruct or reduce the capacity of the stormwater system;

- (b) Change the design or the use of, or otherwise modify any aspect of the stormwater system which, alone or in combination with other existing or future uses, may cause an increase in flood levels or create a potential flood risk, or
 - (c) Undertake any activity which, alone or in combination with other existing or future activities, may cause an increase in flood levels or create a potential flood risk.
 - (d) Take or divert water artificially from one catchment area over the natural watershed to another catchment area.
- (2) In relevant and lawful instances it can be required from the owner of any property –
- (a) To allow after consultation and the reaching of a satisfactory agreement with the owner of a higher lying property, at his cost, to lay a stormwater drain pipe or gutter over his property for the draining of concentrated stormwater;
 - (b) To retain stormwater on such property or, at the cost of such owner, to lay a stormwater drain pipe or gutter to a suitable place indicated by the Municipality in writing, irrespective of whether the course of the pipe or gutter will run over private property or not.
 - (c) To allow in a residential block where stormwater runoff can not be routed to the street, but flows over a lower lying property, the owner of the higher lying property to, at higher lying owners cost, canalize the water over the lower property.
 - (d) Where a boundary wall has been erected by the owner of the lower lying property that causes water to accumulate behind such wall and inconveniences owners of higher lying property/properties, the matter is regarded as a private neighbour law issue and must be resolved by the property owners concerned.
- (3) A holistic approach should be applied to catchment development, taking into account several factors. The following are to be observed by all persons, developers, owners, and contractors.
- (a) Before development takes place above an existing development or in the catchment area, the effects of the increased runoff on the existing downstream stormwater system must be assessed, planned and implemented in such a way that –
 - I. The peak flow immediately downstream of the development is no greater than it was before the development takes place, and
 - II. Where existing detention / retention is provided in a stormwater system, the increases in the volume of runoff due to increased impermeable areas and lower surface frictions in the upstream

developments,

III. the effectiveness of the downstream detention / retention dams is not decreased and therefore new development must incorporate flood attenuation measures into the town planning layout or relevant stormwater control plan.

- (b) Where it is not possible to avoid an increase in the downstream peak flow, development will only be allowed to proceed if the Municipality is satisfied that the downstream stormwater systems have the spare capacity to accommodate the additional peak flow.
- (c) Adequate provision must be made for stormwater servitudes where overland flow can occur, either naturally or as a result of the development, or when the minor stormwater system infrastructure is overloaded or rendered ineffective due to blockages.
- (d) Concentration of storm water runoff both spatially and in time must be prevented wherever possible.
- (e) Steep slopes and soil profiles, where they occur, require careful management before, during and after construction. Detailed plans to control and prevent erosion by water must be approved by the Engineer in writing prior to the commencement of any works, including site clearance on any portion of the site.
- (f) Storm water control systems should be constructed before any construction commences on a site. As construction progresses, the stormwater control measures are to be monitored and adjusted to ensure complete erosion control and appropriate runoff control at all times. Earthworks on site are to be kept to an absolute minimum.
- (g) Walls and fences around properties that cross natural drainage channels must avoid concentration of flow onto downstream properties and must be designed so as not to impede the drainage process or cause a flood hazard by unsafely storing storm runoff on the property.
- (h) Where the submission of a stormwater disposal and retention plan is a condition of approval, plans detailing the proposed stormwater control measures are to be submitted to the Engineer and no prior physical work is to be undertaken without the prior written approval of the Municipality.
- (i) Stormwater disposal and retention plans must describe what control measures are to be implemented before and during the construction period, as well as the final stormwater control measures required for the site on completion of site development. Plans must indicate who is responsible for the design of the control measures and who is or will be designated as the responsible person on site during each stage of the implementation of the control measures.

- (j) In the event of a failure to adequately implement the approved stormwater disposal and retention plans, the owner/developer shall be responsible for making good all consequential environmental and other damages at his own cost.
- (4) The Municipality may, for stormwater control purposes, manage and control the construction of buildings, structures and earthworks in order to minimize the risk of the loss of lives or damage to properties and –
- (a) For this purpose also declare areas as stormwater management areas of which special requirements will apply with regard to construction and earthworks of any activity, that in the opinion of the Engineer may increase the risk of floods;
 - (b) Require that the general plan or lay-out plans of the development or subdivision of any property indicate lines in an acceptable form, which will indicate the maximum level which will probably be reached in an average of 50 years and 100 years by the flood water;
 - (c) May, subject to other legislation, refuse any new permanent residential, commercial or industrial development or request for densification or any other plans under the 50 years flood line.
 - (d) Where such development or application is approved within the flood plain, the lowest level of any new building, structure or addition thereto, must be above the 100 year flood surface lines where possible;
 - (e) That all services required by the development shall be designed to withstand the effects of flooding without risk of environmental pollution, or risk of damage, injury or loss to the property owner, residents and general public.
 - (f) Allow flood protection embankments, provided the construction of a levee does not materially affect the direction and velocity of the main stream or its tributary watercourses, and that a levee serves a useful purpose and that the risks of damage or injury are not increased.

27. Studies and Assessments

- (1) The conditions of the Municipality may impose may include, but are not limited to-
- (a) The establishment of flood lines;
 - (b) The undertaking of a report on the influence on the environment, and Environmental impact studies or investigations which may be required by any applicable environmental legislation.
 - (c) Any hydrological/hydraulic studies deemed necessary

- (d) The location and assessment of all existing stormwater infrastructure to determine the effects of connecting the new system to the existing system and if the existing system has sufficient capacity.
- (2) The costs of any undertaken in terms of the provisions of subsection (1), is for the account of the owner/developer.

28. Working around buried services

- (1) Any person proposing to carry out excavation work is responsible for obtaining all as-built information available to establish whether or not municipal services are located in the vicinity.
- (2) At least five working days notice in writing shall be given to the Municipality of an intention to excavate in the vicinity of its services.
- (3) The Municipality may nominate in writing any restrictions on the work it considers necessary to protect its services.
- (4) Where applicable, a wayleave application in accordance with the Municipality's Wayleaves Policy is to be submitted to the Municipality prior to any work being carried out.
- (5) When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate municipal specification.
- (6) Any damage which occurs to a municipal service shall be reported to the municipality immediately.
- (7) The owner/developer/person causing any damage shall be liable to the municipality for all costs associated with repairing the damaged service, and any other costs the Municipality incurs as a result of the incident.

29. Building over public storm water drains

- (1) In respect of building or loading over buried stormwater services, or excavation near public stormwater drains, the restrictions described in sections 29(4) to 29(6) shall apply.
- (2) The Engineer may apply other restrictions for the protection of the public drainage system after consideration of proposed work methods, depths of excavation, soil physical properties, and other site-specific factors.
- (3) No building shall be built over a public stormwater drain, whether that drain is situated on public or private land;
- (4) No building shall be built closer than the greater of:

- (a) 1.5 metres from the centre of any public stormwater drain, or
 - (b) The depth of the centreline of the stormwater drain, plus the diameter of the stormwater drain, plus 0.2 metres from the centre of that stormwater drain.
- (5) Subject to approval, a building developer shall meet the cost of diverting the public stormwater drain (including any manholes) in accordance with the municipal standards and satisfy the requirements that may be imposed by the Engineer.
- (6) Where the provisions of subsections (2), (3) and (4) above are found to be impractical and the building cannot be sited elsewhere on the property or modified to conform with the above conditions, and it is essential for the proposed building to be built on that part of the property, approval may be granted by the Engineer subject to the building developer:
- (a) Provide engineering plans design by a professional engineer for the protection of the public stormwater drain for consideration and approval of the Engineer.
 - (b) Protecting the public stormwater drain and trench from any loading as per the approved design; and,
 - (c) Providing physical access to the public stormwater drain for maintenance and replacement without structural effect on the building; and,
 - (d) Registering a servitude on the property title for the public stormwater drain for the purposes of maintenance and access; and,
 - (e) Indemnifying the municipality for any loss, damage or other liabilities as a result of the building being built over the public stormwater drain, and,
 - (f) Carrying out sufficient investigations to accurately determine the stormwater drain's location and depth, and to prove that the stormwater drain is in a condition where it has a remaining life of at least 50 years
 - (g) In the event that subsection (f) cannot be satisfied, carrying out remedial work or relaying the stormwater drain to meet the requirements of (h), (i) and (j);
 - (h) Bore piling the building 1.0 metre clear distance either side of the stormwater drain to below the stormwater drain invert to ensure that no building loads are transferred to the stormwater drain and that it is possible to excavate down to the stormwater drain without threat to the building;

- (i) Providing two additional manholes into the stormwater drain between 2.0 and 3.0 metres from the edge of the building at the points it enters and leaves the building (unless there is an existing manhole within 10 metres), provided that the stormwater drain lies in a straight line and that there are no other connections between these two manholes;
- (j) Carrying out all work on and around the stormwater drain in accordance with municipal engineering standards;
- (k) Any structure erected near a water course is at the owner's risk
- (l) The Municipality shall not be held responsible or liable for any costs incurred to structures due to floods, embankment collapse, blocking of the stormwater system/water course due to debris, inadequate design of the stormwater system or aging of the system.
- (m) Registering against the Certificate of Title by way of a Serature granting the municipality a right to convey and drain stormwater.

30. Loading of material over Public stormwater drains

- (1) No person shall cause the crushing load imposed on a public stormwater drain to exceed the soil overburden.
- (2) No person shall place any additional material over or near a public stormwater drain without prior approval of the Engineer.
- (3) Service openings shall not be covered in any way unless approved in writing by the Engineer.
- (4) Removal of any covering material or adjustment of the opening situated on private property shall be at the property owner's expense.

31. Excavation near public stormwater drains

No person shall excavate, or carry out piling or similar work closer than:

- (a) Five (5) metres from the edge of any trunk stormwater drain; or,
- (b) Two (2) metres from the edge of any public stormwater drain, without the prior written approval of the Engineer. Such approval may impose conditions on the carrying out of any work near the stormwater drain.

Part 5. PRIVATE STORMWATER DRAINAGE SYSTEMS

32. Stormwater systems on private land

- (1) An owner of property on which a private stormwater system is located –
 - (a) May not carry out any activity that will or that, in the opinion of the Municipality, could reasonably be expected to adversely affect the functioning of such stormwater system;
 - (b) Must keep such stormwater system functioning effectively at own cost; and
 - (c) Must undertake the refurbishment and reconstruction thereof if, in the opinion of the Municipality, it should be reconstructed or refurbished.
- (2) In cases where the flow of stormwater in a private stormwater system has been increased as a result of new building developments or changes to the stormwater system by the Municipality, the Municipality may, either on request of the owner or on own volition, decide to take over the responsibility for the private stormwater system.
- (3) The provisions of sub-section (1) do not apply to the extent that the Municipality has accepted responsibility for any of the duties contained therein, either in a formal maintenance agreement or in terms of a condition of servitude.

33. Maintenance of private drainage systems

It is the responsibility of the owner or occupier to properly maintain in good working order at all times, the private stormwater drainage network on the premises, including all pipes, gutters, stormwater detention/retention devices or other components as well as the drainage network itself.

34. Private drainage systems

The owner of a private drainage system shall at all times ensure that the private drainage system is functioning in such way as to prevent a nuisance in up to a 1:10 year storm.

35. Operation of on-site management system and drainage system to be demonstrated

The owner of an on-site stormwater management system and/or a private drainage system shall on request by the municipality provide such information as is required to demonstrate that their private system is functioning in such a way as to prevent harmful effects in storms up to 1:10 return period, and shall if this is not the case, carry out such works as are required to make it so (having first obtained such approvals as are required for the works involved)

Part 6. INFRASTRUCTURE

36. Provision of infrastructure

- (1) The Municipality has the power to –
 - (a) Construct, expand, alter, maintain or lay any drains, pipes or other structures related to the stormwater system on or under any immovable property, and ownership of these drains, pipes or structures shall vest in the Municipality;
 - (b) Drain stormwater or discharge water from any municipal service works into any natural watercourse, and
 - (c) Take other action necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated by subsection (a).

CHAPTER 3:

OPEN LAND DRAINAGE

Part 7. OPEN LAND DRAINAGE

37. Maintenance and repair of open drains

- (1) No person shall carry out any work, if the work is likely to create adverse effects, in, over or under an open drain within the 100 year flood plain or a flood prone area, without a permit from Municipality.
- (2) No person shall divert any open drain or otherwise cause stormwater to flow into any wastewater drain.
- (3) No person shall deposit any material, rubbish or litter in or near a stormwater drain in a position where it may be washed into or may impede the stormwater drain under flood conditions.
- (4) The owner and occupier of a property shall ensure that all open stormwater drains are kept clear of any obstruction that impedes or is likely to impede the free flow of water, for a distance of at least 3 metres from the nearest margin of the stormwater drain;
- (5) Provided that no person shall remove vegetation from such an area without approval from the Municipality, if that clearing may cause or worsen erosion or sedimentation of the drain.

- (6) The Municipality may, by notice, require the owner of the land through which any open drain passes to cleanse, maintain and repair the drain or any part thereof within such reasonable time as shall be allowed by the Municipality.

38. Obstruction of open drains

- (1) No person shall without a permit:
- (a) Stop any open drain; or,
 - (b) Obstruct any open drain; or,
 - (c) Modify, divert or deepen any open drain; or,
 - (d) Store any material in any open drain; or,
 - (e) Erect any barrier or defence against water in or near any open drain; or,
 - (f) Erect any defense against water in or on land in the catchments on which, if no such defense was created, flood waters would have encroach, flow or deposit any debris or other material.
- (2) No person shall, without a permit, place any obstruction that impedes or is likely to impede the free flow of water in an open drain other than any barrier required to be established by law.
- (3) The Engineer may waive any requirement for a permit under subsections (1) and (2) where it is satisfied that the activity being carried out:
- (a) Will not increase the quantity of stormwater and rate at which stormwater previously flowed beyond the boundaries of the property on which the activity occurs; or,
 - (b) Will not adversely affect the quality of stormwater which previously flowed beyond the boundaries of the property on which the activity occurs; or,
 - (c) Will not adversely affect the efficiency of flow of any stormwater entering the property; or,
 - (d) Will not alter the point of discharge from the property.
- (4) No owner or occupier of the land on either side of any open drain shall deposit, or cause or permit to be deposited any material or thing that could cause or likely to cause obstruction within the drain.
- (5) No owner or occupier of the land on either side of any open drain shall allow any cattle or other animals to damage or destroy the drain.

39. Damage

- (1) Subject to Clause 40 or any resource consent or permit issued by the Municipality, no person shall cause or allow to cause any damage to, or interfere with, or destroy any:

- (a) Dam;
 - (b) Reservoir;
 - (c) Stormwater pond;
 - (d) Swale;
 - (e) Overland flow path;
 - (f) Stop bank;
 - (g) Head works;
 - (h) Building; or,
 - (i) Any other installation connected with drainage works and under the control of the Municipality.
- (2) Subject to Clause 40, or any resource consent or permit issued by the Municipality, no person shall destroy, damage or interfere with any tree, shrub or other vegetation planted or permitted to grow by the Municipality for the purpose of protecting any dam, reservoir or
- (3) Stop-bank.
- (4) Subject to Clause 40 or any resource consent or permit issued by the Municipality, no person shall destroy damage or interfere with an installation connected with the drainage works and under the control of the Municipality.

40. Repair Damage

Where any open drain has been damaged by any person, stock, plants or otherwise, the person(s) responsible for such damage shall repair such drain to the satisfaction of the Municipality.

41. Additional Water

- (1) No owner or occupier shall allow the overflow of any artesian well on property owned or occupied by that person to fall, flow or percolate into any public or any private drain connected with a open drain without the previous written consent of the Municipality.
- (2) No person shall without the prior written consent of the Engineer pump or release any water into any public drain or into any side drain flowing into any public drain.
- (3) No person shall construct or maintain any drain or system of drains which shall cause water to flow into a public drain from outside the Catchment Area of the public drain where, in the opinion of the Municipality, the water will overload the capacity of the public drain or will otherwise interfere with the proper functioning of the public drain.

CHAPTER 4

SITE DEVELOPMENT AND MANAGEMENT

Part 8. SITE DEVELOPMENT AND MANAGEMENT

42. Proposed Works

- (1) The developer of any land shall be solely liable for the design and construction of the stormwater drainage to service the development
- (2) No person shall carry out stormwater drainage works without:
 - (a) Prior written approval from the Engineer; and
 - (b) A building consent, resource consent if required or approval from the Engineer.
- (3) Every application to carry out stormwater drainage works shall include drawings and specifications for the proposed works. The drawings shall show, to the satisfaction of Engineer, the proposed works and their effects on the subject site and surrounding land.
- (4) All proposed stormwater drainage works shall be designed, constructed and operated:
 - (a) By a registered professional engineer / technologist in accordance with Specifications of the Municipality
 - (b) In compliance with any relevant Stormwater Management Plan or discharge consent including its recommendations or conditions for the area concerned; and
 - (c) Provision must be made for the accommodation of stormwater from surrounding existing and future developments
 - (d) To the Municipality's standards for corresponding public drainage works where they serve or may serve land or buildings in different ownership; and
 - (e) In compliance with the provisions of the By-law and the Municipality's Stormwater Drainage Policies; and
 - (f) To minimise sediment discharge to any other stormwater drain; and
 - (g) In compliance with any written condition impose by the Municipality when approving the works, and with any relevant building or resource content; and

- (h) To be consistent with foreseeable catchment-wide works (for example, extending a pipe upstream or downstream) so as to give a benefit to the catchment as a whole.
 - (i) The construction of the storm water drainage systems must be done under the supervision of a registered professional engineer / technologist.
- (5) Such stormwater drainage works shall remain the responsibility of the owner of the land on which the works occur unless they are taken over and vested in the Municipality. The cost of all work involved will be the owner's cost unless specific agreement for alternative cost sharing is approved in writing by the Municipality.
- (6) Whenever it may be necessary and or prudent for the developer to share drainage systems with the developments of adjacent land, the developer shall negotiate all aspects regarding the cost allocation design and construction of the shared system with such adjacent owner or developer.
- (7) In the instance where an adjacent developer or owner must install services over the new development. The municipality may make a pro rata contribution to such services as determined by the Engineer.
- (8) The maintenance of the internal storm water drainage system shall remain the responsibility of the homeowners' association and shall be transferred to the home owner's association.

43. Other development

No person shall extend or alter any building or structure which is already constructed on, over or under any land within a flood risk area, flood plain or overland flow path in such a way that:

- (a) The extent of the obstruction to the flood risk area, flood plain or overland flow path is increased in any way; or
- (b) The protection from any nuisance is reduced; or
- (c) The likelihood or extent of any nuisance is increased,

Unless specifically approved in writing by the Municipality and subject to such conditions that the Municipality may set.

44. Stormwater detention

- (1) As part of the development of a property, the Engineer may require the installation or construction of private stormwater detention/retention devices to retard the flow of stormwater or for other purposes together with an approved maintenance plan for the designed stormwater works to the Engineer's satisfaction.

- (2) After construction and approval by the Engineer, the capacity, discharge rate and orifice size (if any) shall not be altered from that approved by the Municipality.

45. Vehicle crossings and driveways

- (1) Where a building is at an elevation below the carriageway of the adjacent road or access way, the vehicle crossing to the site shall be constructed with an over vertical curve to ensure that run-off from the carriageway does not enter the property via the vehicle crossing.
- (2) The internal vehicle drive and parking areas shall be designed and constructed to direct run-off away from the buildings and to eliminate the potential for a nuisance to be created.

46. Saltation and erosion protection

- (1) No person shall as a result of development discharge any stormwater into a stormwater drain or any drain leading to a stormwater drain unless such development includes provisions to ensure saltation and erosion are not increased and that water quality is not reduced.
- (2) This shall include the installation of adequate silt control measures to the satisfaction of the Municipality to prevent the discharge of silt laden water directly or indirectly to any stormwater drain.
- (3) Such provisions shall be made before development causing such discharges is started.
- (4) The above control measures shall be maintained and regularly cleaned out until ground cover has been reinstated on the site.

47. Diverting Public stormwater pipes

Subject to specific prior approval in writing by the Municipality, a developer may divert a public stormwater pipe (including any ancillary structures) in accordance with any engineering requirements specified by Municipality, and the developer shall meet the cost of such diversion work.

Part 9. APPROVAL TO CONNECT TO A PUBLIC STORMWATER DRAINAGE SYSTEM

48. Approval to connect

No person may make a connection to, or otherwise interfere with the public stormwater drainage network without prior written approval of the Municipality.

49. Application

- (1) Every application for connection to the public stormwater network shall be made in writing. The applicant shall provide all the details required by the Municipality to enable the municipality to consider the application.
- (2) On receipt of an application the Municipality shall, after consideration of the application and other matters relating to the application and the stormwater drainage network, either.
 - (a) Approve the application and inform the applicant of the size of the connection and any particular conditions applicable; or
 - (b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.
- (3) Failure to comply with any of the terms and conditions constitutes interference with the public stormwater drainage network without prior approval and is a breach of this By-law.
- (4) Any new connection shall be dimensioned from the immediate downstream manhole to the centre of the newly installed connection, and an as-built plan showing the connection shall be provided to the Municipality within 7 days of installation and acceptance by the Municipality.
- (5) Any such connection shall be carried out by a approved CIDB registered contractor under the supervision of the Municipality, its delegated representative or by the Municipalities own construction teams.
- (6) The applicant shall have the authority to act on behalf of the owner of the premises for which the connection is sought, and shall produce written evidence of this if required.
- (7) An approved application which has not been actioned within six months of the date of application will lapse unless a time extension has been approved. Any refund of fees and charges shall be at the discretion of Municipality.

50. Prescribed charges

Charges applicable at the time of connection may include:

- (1) Payment to Municipality or an approved contractor for the cost of the physical works required to provide the connection;
- (2) A development contribution may be charged as determined in accordance with the Municipality's relevant policies and/or guidelines on external services contributions;

51. Point of Discharge

- (1) The point of discharge from premises shall be the point on the public stormwater drainage network which marks the boundary of responsibility between the owner and the Municipality.
- (2) Unless otherwise approved there shall be one point of discharge only for each premises.
- (3) Where a private pipeline discharges into a public stormwater network on that same private property, the point of discharge shall be the upstream end of the pipe fitting which forms the junction with the public pipeline.
- (4) Single ownership
 - (a) For individual owners the point of discharge shall be located as shown in Annexure A or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions shall require specific approval.
 - (b) No connections shall be made on the private drain to supply other premises, unless prior written approval is received from the Municipality and by prior agreement between the parties in terms of the maintenance of the infrastructure.
- (5) Multiple ownership
 - (a) The point of discharge for the different forms of multiple ownership of premises and / or land shall be:
 - I. For Company Share / Block Scheme (Body Corporate) - as for single ownership;
 - II. For Leasehold / Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership - each owner shall have an individual pipe with the point of discharge determined by agreement with Council. In specific cases other arrangements may be acceptable, subject to individual approval by Council.
- (6) Layout
 - (a) The physical drainage layout at a point of discharge shall be as per normal engineering practices and as approved by the municipality.
 - (b) For a multiple ownership private drain which was in existence prior to the coming into effect of this Bylaw, the point of discharge shall be the arrangement existing at that time, or as determined by agreement with the municipality for any individual case.

52. General

- (1) The Municipality may –

- (a) Demolish, alter or otherwise deal with any building, structure or other thing constructed, erected or laid in contravention with the provisions of this by-law;
 - (b) Fill in, remove and make good any ground excavated, placed or removed in contravention with the provisions of this by-law and recover the costs for such action;
 - (c) Repair and make good any damage done in contravention with the provisions of this by-law or resulting from a contravention and recover costs;
 - (d) Remove anything discharged, permitted to enter into the stormwater system or natural watercourse in contravention of the provisions of this by-law;
 - (e) Remove anything damaging, obstructing or endangering or likely to obstruct, endanger or destroy any part of the stormwater system;
 - (f) Seal off or block any point of discharge from any premises if such discharge point is in contravention with the provisions of this by-law, irrespective of whether the point is used for lawful purposes;
 - (g) Cancel any permission granted in terms of this by-law if the conditions under which the permission was granted are not complied with;
 - (h) Discharge stormwater into any watercourse, whether on private land or not.
- (2) The Municipality may, in any case where it seems that any action or neglect by any person or owner of property may lead to a contravention of the provisions of this by-law, give notice in writing to such person or owner of property to comply to such requirements as the Municipality may deem necessary to prevent the occurrence or repetition of such contravention.
- (3) The Municipality may recover all reasonable costs incurred as a result of action taken in terms of subsection (1) from a person who was responsible for a contravention of the provisions of this by-law or the owner of the property on which a contravention occurred.

CHAPTER 5:

HAZARDOUS MATERIALS AND SUBSTANCES

Part 10. HAZARDOUS MATERIALS OR SUBSTANCES

53. Water pollution incidents

- (1) Whenever a water pollution incident takes place on any property or premises
 - (a) The owner of the property or premises on which the incident took place, or is still in the process of taking place, or

- (b) The person responsible for the incident, if the incident is not the result of natural causes, must immediately report the incident to the Municipality and/or any other Government Body involved with pollution control, and at own cost, take all reasonable measures which will contain and minimise the effects of the pollution.
- (2) If the owner or person responsible for the pollution incident fail to introduce measures to contain and minimise the effects of the pollution or have introduced insufficient measures, the Municipality may at the cost of such owner or person –
 - (a) Undertake cleaning up procedures;
 - (b) Rehabilitate the environment;
 - (c) Take any other reasonable measures to neutralise the effect of the pollution incident.

54. Hazardous materials

In the event of a spillage or other event which has released any hazardous material or substance into any open drain or any public stormwater drain, the Engineer shall be advised of the details with due urgency. This requirement shall be in addition to those other notification procedures which are required for other authorities.

55. Storage of hazardous materials

- (1) The occupier shall not store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the stormwater, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to the municipal stormwater services or the health and safety of municipal staff and the public, without taking all reasonable steps to prevent entry into the municipal stormwater drain from leakage, spillage or other mishaps.
- (2) The occupier shall comply with the requirements of the Hazardous Substances Act, Act 15 Of 1973 and the Hazardous Chemical Substances Regulations of the Occupational; Health and Safety Act, Act No. 85 of 1993, as to the storage of hazardous substances.

CHAPTER 6

STORMWATER MANAGEMENT

Part 11. DOCUMENTATION

56. Authentication and service of notices and other documents

- (1) Any notice or other document by the Municipality shall be deemed to be served in accordance with the provision section 115(1) of the Local Government: Municipal System Act, Act 32 of 2000
- (2) Service of a copy shall be deemed to be service of the original.
- (3) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

57. Exemptions

Any person may, by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.

- (1) The municipality may—
 - (a) Grant an exemption in writing and the conditions in terms of which, and the period for which such exemption is granted must be stipulated therein;
 - (b) Alter or cancel any exemption or condition in an exemption; or
 - (c) Refuse to grant an exemption.
- (2) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality, however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (3) If any condition of an exemption is not complied with, the exemption lapses immediately.

Part 12. BREACHES AND REMEDIES

58. Offences and penalties

- (1) Any person who –
 - (a) contravenes any provision of this by-law;
 - (b) fails to comply with the terms of any condition or a notice issued in terms of this by-law;
 - (c) threatens, resists, hinders or obstructs an employee or contractor of the Municipality in the exercise of any powers or performance of any duties or function in terms of this by-law,
- (2) Is guilty of an offence and, on conviction, liable to –
 - (a) A fine or imprisonment or to both such fine and such imprisonment;

- (b) In the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued, and
- (c) A further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as result of such contravention or failure.

59. Remedial work

At any time after the specified period of any notice issued in accordance with Section 56 has elapsed, the Municipality or any authorised agents may carry out any remedial work required in order to make good the breach, and recover from the person committing, or allowing the breach all reasonable costs incurred in completing the remedial work.

Part 13. APPEAL AND COMMENCEMENT

60. Appeal

A person whose rights are affected by a delegated decision taken in terms of this By-law may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the Municipal Manager within 21 days of the date of the notification of the decision.

61. Short Title and Commencements

This by-law shall be known as the George Municipality By-law relating to Stormwater and shall come into operation on the date of publication thereof in the Provincial Gazette.