

**By-law No 24, 2010 UNSIGHTLY AND NEGLECTED BUILDINGS AND PREMISES
BY-LAW, 2010**

BY-LAW

**TO PROVIDE FOR THE REGULATION OF THE APPEARANCE OR CONDITION OF
BUILDINGS AND RELATED MATTERS**

BE ENACTED by the Ubuntu Municipality as follows:

1. Definitions

In this by-law, unless the context proves otherwise means-

"building" the UBUNTU Local Municipal Council and includes the Mayor, Political Office Bearers, Political Structures, Municipal Manager and any other official who has delegated powers in terms of section 59 of the Local Government: Municipal System Act (Act 32 of 2000);

"municipal area" the area under the jurisdiction and control of the Council;

"premises" any land whatsoever, whether vacant, occupied or with buildings thereon, situated within the municipal area.

Notice to improve

2. Where any premises, in the opinion of the Council –

- (a) have a building thereon which is unsightly, neglected or offensive and which causes the value of surrounding properties to be detrimentally affected;
- (b) are neglected and over-grown;
- (c) have unsightly accumulation of papers, cartons, garden refuse, rubble and/or Other waste material thereon, and
- (d) have an accumulation of motor wrecks or used motor parts thereon which -
 - (i) detracts from the appearance of surrounding properties, or
 - (ii) is offensive to the owners or occupiers of adjacent premises,

the council shall give notice in writing to the owner or occupier of such premises requiring him to improve such building or the condition of such premises within a period of thirty days (30) so that the appearance or condition of such building or premises will comply with the standards required by the Council.

Penalties/Offences

3. (1) If the owner fails to comply with the requirements of the notice in terms of section 2 within the period specified in such notice, such owner shall be guilty of an offence and, on conviction, be liable to a fine not exceeding R 3,000.00 or imprisonment for a period not exceeding 6 months or to both such fine and such imprisonment, and in the case of a continuing offence, to an additional fine not exceeding R 1,000 or an additional period of imprisonment not exceeding 30 days or to both such additional fine and additional imprisonment for each day during which such failure or offence continues.
- (2) The Council may, instead of instituting a prosecution and unless written objection from such owner has been received before the expire date of the period specified on the notice served on him, assume that such owner has no objection and tacitly agrees that the Council may, without further notice, enter such premises and through its officials or a contractor whose tender the Council has accepted, and at the cost of such owner execute the work necessary to comply with the requirements of the said notice.

Repeal

4. The by-laws of the former Municipal Councils of Victoria West, Richmond and Loxton related to matters contained in this by-law, are hereby repealed.

Short title

5. This By-law shall be called the Unsightly and Neglected Buildings and Premises By-law, 2010.