UMTHETHO KAMASIPALA WASETHEKWINI WOKUHLINZEKA NGAMANZI, 2015

Wamukelwa uMkhandlu mhla ka:

Ushaywe mhla ka:

UMTHETHO KAMASIPALA WOKUHLINZEKA NGAMANZI, 2015

Wokuhlinzekela ukuphakwa kwamanzi nguMasipala; wokusungula amazinga okuhlinzeka ngamanzi; wokuhlinzeka ngezindlela zokuvikela ingqalasizinda yokufakwa kwamanzi kanye nokuphasiswa komsebenzi wokufakwa kwamanzi; wokuhlinzekela ngezindaba zamanzi maqondana nokwakhiwa kwentuthuko; wokubeka izidingo zokwakhiwa, wokuhlola kanye nokuhlanza nokusebenzisa izinsiza zokufaka amanzi; wokuhlinzeka ngezindlela zokuvimbela ukusetshenziswa ngendlela engafanele nokungcoliswa kwamanzi; wokuhlinzeka ngezindlela eziyisipesheli zokufaka amanzi okucisha umlilo; wokuhlinzeka ngokukhokhelwa kwamanzi aphakiwe; wokuhlinzekela ngamacala nezigwebo; wokuhlinzekela ukuchithwa kwemithetho nokugcinwa kwawo; kanye nokuhlinzekela okunye okuphathelene nalokhu.

ISENDLALELO

NJENGOBAuMkhandlu kaMasipala waseThekwini wazi ukuthi amanzi ayadingwa abantu, izitshalo nezilwane ukuze ziphile, nokuthi amanzi ayadingeka entuthukweni yomphakathi neyomnotho, ukwakha imisebenzi, ukuhlinzeka ngezempilo, ezenkolo nezomoya;

NJENGOBAuMkhandlu kaMasipala waseThekwini wazi ukuthi njengesikhungo esihlinzeka ngamanzi, unomsebenzi kuwo wonke amakhasimende nalabo abangaba amakhesimende awo endaweni engaphansi kwakhe uMasipala wokuba uqinisekise ngaso sonke isikhathi ukuhlinzela ngamanzi ahlanzekile ngendlela esebenzayo, engambi eqolo, eyongayo futhi ebhekelela ikusasa;

NJENGOBAuMkhandlu kaMasipala waseThekwini wazi –

(a)ngesidingo sokulawula ukutholakala kwamanzi ngendlela elinganayo, ube ukhumbula izinto eziwumthelela kwezezimali, ezobuchwepheshe, inhlalo nezomnotho kanye nezinto eziphathelene nokongiwa kwemvelo;

(b)ngomsebenzi wamakhasimende wokukhokha izimali ezingambi eqolo;

(c) ngelungelo lesikhungo esihlinzeka ngamanzi lokunciphisa noma lokuvala ukuhlinzeka ngamanzi uma kukhona ukungathotshelwa kwemibandela ebekelwe lo msebenzi;

(d) ngesidingo sokulawula ukungahambi kahle phakathi kokusetshenziswa kwezindawo ezahlukene ezikhongozela amanzi;

(e) ngesidingo sokuhlinzeka ngezindlela zokuhlinzeka ngamanzi kulabo abangawatholi amanzi njenga manje;

(f) ngesidingo sokugcina nokwenza ngcono ukuhlinzeka ngamanzi kulezo zindawo eziwatholayo ngendlela enokugcineka;

(g) ngesidingo sokuhlinzeka ngezindlela ezahlukene zokusiza labo abangakwazi ukukhokha imali ejwayelekile ebizelwa amanzi; kanye

(h) nangesidingo sokuhlinzeka ngamanzi ukweseka zonke izinhlelo zokuthuthukisa umnotho futhi lokhu okungehla, kwenziwe ngendlela eyeseka ukongiwa kwemvelo nenhlalo yayo;

NJENGOBAuMthetho Wezamanzi ubeka uMasipala njengesikhungo esihlinzeka ngamanzi kanye noMnyango kaMasipala Wezamanzi Nokuthuthwa Kwendle njengomhlinzeki wezamanzi endaweni engaphansi kukaMasipala;

NJENGOBA uMkhandlu kaMasipala waseThekwiniunomsebenzi ngokweNgxenye B kaSheduli 4 yoMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996 maqondana nalezo zindaba ezifana nokulawula ukuhlinzeka ngamanzi;

NJENGOBA uMkhandlu kaMasipala waseThekwini unomsebenzi, ngokwesigaba 156(2) soMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996 yokwenza nokulawula iMithetho kaMasipala ukuze kusingathwe ngendlela izindaba onelungelo lokuzisingatha;

FUTHI NJENGOBAuMkhandlu kaMasipala waseThekwini unomsebenzi wokushaya iMithetho kaMasipala yokuhlinzela ngamanzi ngowesigaba 21 soMthetho Wezamanzi;

NGAKHO-KE uMkhandlu kaMasipala waseThekwini, ngokwesigaba 156 sifundwa noSheduli 5 (iNgxenye B) soMthethosisekelo weRibhabhlikhi yaseNingizimu Afrika, sifundwa nesigaba 11 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), ngalokhu ushaya lo Mthetho kaMasipala olandelayo:

OKUQUKETHWE

ISAHLUKO 1
UKUHUNYUSHWA

1. Izincazelo
2. Ukuhunyushwa koMthetho kaMasipala
3. Izinhloso zoMthetho kaMasipala
4. Ukusebenza koMthetho kaMasipala

ISAHLUKO 2

AMAZINGA OKUHLINZEKA NGAMANZI EMAKHAYA NASEZAKHIWENI

5. Ukuhlinzekwa kwamanzi okuphuza emakhaya
6. Ukuhlinzekwa kwesikhashana kwamanzi ezakhiweni

ISAHLUKO 3

ISICELO SOKUHLINZEKWA NGAMANZI

7. Isicelo sokuhlinzekwa ngamanzi
8. Izivumelwano eziyisipesheli
9. Inhloso yokuhlinzekelwa ngamanzi
10. Ukuqedwa kwesivumelwani sokuhlinzekwa ngamanzi
11. Ukuhlinzeka ngesibambiso

ISAHLUKO 4

IZIHLINZEKO EZILAWULA UKUHLINZEKWA KWAMANZI NGUMASIPALA

12. Ukusetshenziswa kwamanzi okungagunyaziwe
13. Amapayipi okuxhuma
14. Ukuxhuma phakathi kwezakhiwo
15. Imibandela yokuhlinzekwa ngamanzi
16. Ukuvalwa nokuncishiswa kwamanzi
17. Ukuphazanyiswa kwamanzi ngokucela kwekhasimende
18. Ukuvalwa kwamanzi
19. Amamitha amanzi
20. Inani lamanzi elihlinzekwa amakhasimende
21. Ukuncishiswa kwamanzi
22. Ukufakwa kwemitha eliyisipesheli

ISAHLUKO 5
UKUHLINZEKA NGAMANZI LAPHO KWAKHIWA KHONA IZINDLU

23. Ukubamba iqhaza komphakathi
24. Ukuchibiyela, ukuchitha isinqumo nokubuyekeza amazinga okuhlinzeka ngamanzi
25. Amalungelo okudlula

ISAHLUKO 6
UKUVUNYWA KOMSEBENZI WOKUFAKA AMANZI

26. Imvume okumele itholwe ngaphambi kokwenziwa komsebenzi wokufaka amanzi
27. Ukunwetshwa kwesikhathi semvume
28. Imidwebo
29. Amakhophi emidwebo kumele abe sesizeni
30. Umsebenzi ongagunyaziwe

ISAHLUKO 7
UKULAWULA KOKUFAKWA KWAMANZI NEMINYE IMISEBENZI

31. Umuntu onikwe imvume yokufaka amanzi neminye imisebenzi
32. Ukubhaliswa kwezinkontileka
33. Ukubhaliswa koplamba abenza umsebenzi
34. Isitifiketi sokubhalisa
35. Isitifiketi esisha uma silahlekile
36. Irejista yezinkontileka noplamba abenza umsebenzi
37. Ukucishwa kokubhaliswa
38. Amajoka enkontileka ebhalisiwe
39. Amajoka kaplamba owenza umsebnzi obhalisiwe
40. Umsebenzi owenziwa abantu abangabhalisiwe

ISAHLUKO 8

UKUHLOLA, UKUHLANZA NOKUSEBENZISA IZINSIZA ZOKUFAKA AMANZI

41. Ukuhlola nokuhlanza izinsiza zokufaka amanzi
42. Ukuhlola nomana ukuhlanza izinsiza zokufaka amanzi okudinga isisebenzi esigunyaziwe
43. Ukuhlola umfuthowokuphuma kwamanzi
44. Ukuhlanzwa kwamanzi
45. Ukusetshenziswa kwezinsiza zokufaka amanzi

ISAHLUKO 9

IZIDINGO EZEJWAYELEKILE ZOKUFAKWA KWAMANZI

46. Ukuhlinzeka nokunakekela izinsiza zokufaka amanzi
47. Amapayipi namafithingi agunyaziwe
48. Izidingo zokwamukelwa kwamapayipi namafithingi amanzi
49. Ukufakwa eshedulini amapayipi namafithingi agunyaziwe
50. Indlela ebekiwe yokusebenza kwamapayipi namafithingi
51. Idizayini ebekiwe yezinsiza zokufaka amanzi
52. Ukuphampa kwamanzi
53. Ukufakwa kwamapayipi
54. Ama-isolating valves
55. Amathangi okugcina impahla/amanzi?
56. Ukuxhuma amanzi okuphuthumayo emakhaya
57. Ukuxhunywa kumahitha amile
58. Amazinga okushisha axubile lapho kuhamba khona amanzi ashisayo
59. Back syphonage of hot water
60. Ukuhlinzeka ngento kukucwenga
61. Prevention of pressure surges
62. Ubukhulu bamapayipi
63. Ukufakwa kwamagiza elanga

ISAHLUKO 10

UKUGWENYWA KOKUSETSHENZISWA KWAMANZI OKUNGAFANELE

64. Ukumosha amanzi
65. Ukusetshenziswa kwamazi njengento yokushisisa
66. Izinhlelo zokuhambisa amanzi ashisayo
67. Amaphampu okushisisa amanzi
68. Okuphuma kumafithingi amanzi kumele kubonakale
69. Ukuchichima okuphuma esigujini
70. Ukushaywa kwamathoyilethi
71. Ompompi nezisefo
72. Isigubhu samanzi esingaphandle kwebhilidi

ISAHLUKO 11
UKUGWENYWA KOKUNGCOLISWA KWAMANZI

73. Umnikazi kumele agweme ukungcoliswa kwamanzi
74. Ukuvikelwa kwezinsiza ezihlinzeka ngamanzi
75. Ukwakheka nokufakwa kwezinsiza ezivimba ukubuya kwamanzi emapayipini
76. Ukuhlolwa kokuseviswa kwezinsiza ezivimba ukubuya kwamazi emapayipini
77. Ukuvikelwa kwezinsiza zokufaka amanzi

ISAHLUKO 12
UKUFAKWA KWAMANZI OKUCISHA UMLILO

78. Amathi okucisha umlilo
79. Ubukhulu bamapayipi
80. Ukuxhunywa kwamapayipi okuphampa amanzi
81. Amavalvu okuvimba ukubuya kwamanzi
82. Amavalvu alawula umthamu nawokuhlola
83. Amapayipi okuxhuma

ISAHLUKO 13
AMAMITHA AMANZI

84. Amamitha angasebenzi
85. Ukuphazamiseka kwamanzi ekhasimnde ngenxa yemitha elingasebenzi

86. Ukulungiswa kwe-akhawunti uma imitha lingasebenzi

ISAHLUKO 14
UKUVIKELWA KWENGQALASIZINDAYOKUHLINZEKA NGAMANZI

87. Ukungena ngokungemthetho ohlelweni lokuhlinzeka ngamanzi
88. Ukuganga ngengqalasizinda yokuhlinzeka ngamanzi
89. Ukuxhuma amanzi okungemthetho
90. Ukulinyazwa kwengqalasizinda yokuhlinzeka ngamanzi
91. Ukuvimbela ukufinyelela kwingqalasizinda yokuhlinzeka ngamanzi
92. Ukungcoliswa kwamanzi
93. Amapayipi asezindaweni zomphakathi

ISAHLUKO 15
IZIMALI EZIBIZWAYO

94. Ukukhokhelwa kwamanzi ahlinzekiwe
95.Ukuchitshiyelwa kwezimali ezisemthethweni zamanzi ahlinzekiwe
96. Akukho ukuncishiswa kwesikweletu ngamanzi amoshekile noma abevuza engabonakali
97. Ezinye izimali ezibizwayo
98. Amanzi ahlinzekwa nge-hydrant
99. Ukudayiswa kwabusha kwamanzi ahlinzekwa nguMasipala
100. Isibopho sokubizwa kwezimali
101. Imibandela eqondene nezimali ezibizwayo
102. Inqubomgomo yokulungisa amanzi avuzayo
103. Umshwalense wamanzi asekhaya
104. Uxhaso
105. Ukusetshenziswa okungabiwe
106.Ifa longasekho

ISAHLUKO 16
IZAZISO

107. Izaziso nemibhalo

108. Isaziso sokutholebela umthetho
109. Isitatimende noma ulwazi olungamanga

ISAHLUKO 17
OKWEJWAYELEKILE

110. Izinto eziwumthetho
111. Ukuxegiswa kokusebenza kwalo Mthetho kaMasipala
112. Umsebenzi wokuthobela umthetho
113. Amanzi asexhunyiwe njengamanje
114. Ukusetshenziswa kwamanzi eminye imithombo ngale kwalawa ahlinzekwayo
115. Ukwazisa ngamapitsi
116. Ukuthathwa kwamasampula amanzi
117. Ukuhlinzeka amanzi okungewona awokuphuza
118. Imibandela yokuhlinzeka ngamanzi okungewona awokuphuza
119. Ukusetshenziswa kwamanzi okungewona awokuphuza ukuze kuchelelwe
120. Izinkomba nezaziso zokwexwayisa

ISAHLUKO 18
UKUPHOQELELWA KOMTHETHO

121. Amandla okungena nokuhlola
122. Ukuzihlangula
123. Umyalelo osemthethweni
124. Izindleko zokuqoqa okuthile
125. Ukuxegiswa komthetho
126. Amacala
127. Izinhlawulo

ISAHLUKO 19
IZIHLINZEKO EZIYINGXUBEVANGE

128. Ukudluliswa kwamandla
129. Ukudluliswa kwesikhalazo
130. Ukuchithwa nokugcinwa kwemithetho

131. Isihloko esifingqiwe nokuqala kokusebenza komthetho

ISHEDULI: IMITHETHO ECHITHWAYO

ISAHLUKO 1

UKUHUNYUSHWA

Izincazelo

1.Kulo Mthetho kaMasipala, ngaphandle uma ingqikithi isho okunye –

"**okugunyaziwe**" kushiwo lokho okugunyazwenguMasipala;

"umsebenzi ogunyaziwe"kushiwo umuntu ogunyazwe ukulandela izimiso zalo mthetho okufaka phakathi kokunye –

(a) umsebenzi womthetho ochazwe esigabeni 334 soMthetho weNqubo yamaCala obuGebengu, 1977 (uMthetho No. 51 ka 1977);

(b) amaphoyisa kaMasipala njengoba echazwe eMthethweni wamaPhoyisa aseNingizimu Afrika, 1995 (uMthetho No. 68 ka 1995); kanye

(c) nalabo basebenzi, ama-ejenti, abadluliselwe amandla, izithunywa nabahlinzeka uMasipala ngomsebenzi: Kuncike ekutheni ngokwezinhloso zokusesha nokushaqa impahla, uma lowo muntu engesiyena umuntu womthetho, kufanele aphekezelwe umuntu womthetho;

"**ukubuya kwamanzi epayipini**"kushiwo ukuhamba kwamanzi kunoma iliphi ipayipi ngendlela ephambene kunaleyo eyejwayelekile yokuhamba kwamanzi;

"**ukubuya kwamanzi**" kushiwo ukubuya kwamanzi epayipini ngenxa yamandla angemahle emapayipini amanzi noma kwingqalasizinda yokuhlinzeka ngamanzi;

"**ipitsi**"kushiwo umgodi ombiwe phansi ngenhloso yokuthola umgudu wokumoma amanzi ahamba ngaphansi komhlaba;

"**umthamo**"mayelana nethange lokugcina impahla, kushiwo umthamo wethange ophakathi kwezinga lamanzi lalelo thange kanye nomlomo ophuma ethangeni;

"**u-chase**" kushiwo isikhala noma umhubhe osodongeni noma phansi ohamba amapayipiyi;

“**ukuxhuma okuxubile**”kushiwo ukuxhunywa kwamanzi asetshenziselwa ukucisha umlilo kanye nasekhaya, ebhizinisi noma ezimboni;

“**ngenhloso yokuhweba**”kushiwo ukwenza okuthile ngenhloso yokuhweba noma yokwenza ibhizinisi;

“**ipayipi lokhuxhuma**”kushiwo ipayipi likaMasipala futhi elifakwe nguye ngenhloso yokuba lithwale amanzi adonswe epayipini elikhulu ukuze liphakele uhlelo lokuMasipala lokuhlinzeka ngamanzi;

“**isitifiketi sokuthobela umthetho**” kushiwo isitifiketi esikhishwa ngokomthetho ngusonkontileka obhalisiwe noma uplamba obhalisiwe osebenzayo esiqinisekisa ukuthi umsebenzi uyahambisana noMthetho kaMasipala kanye namanye amazinga abekiwe;

“uMthethosisekelo” kushiwo uMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996;

"umkhandlu” kushiwo umkhandlu kamasipala waseThekwini, umkhandlu kamasipala ohlongozwe esigabeni 157(1) soMthethosisekelo;

"**igunyasikweletu**" kushiwo noma imaphi amalungiselelo enziwe ngesivumelwano esibhalwe phansi sokukhokhela isikweletu esisilele emuva ngezitolimende, esenziwe ikhasimende noMasipala;

“**ikhasimende**”kushiwo noma imuphi umuntu uMasipala noma i-ejenti yakhe egunyaziwe enze naye isivumelwano sokuhlinzekwa ngamanzi ngumasipala endaweni yakhe lowo muntu, okufaka nanoma imuphi umuntu ogunyazwe ngumnikazi wendawo ukuba enze leso sivumelwano noMasipala mayelana nendawo yalowo mnikazi;

“**amanzi asekhaya**”kushiwo ukuhlinzekwa kwamanzi asekhaya ngenhloso yokuba aphuzwe, kugezwe noma kuphekwe ukudla;

“**indlu yokuhlala**” kushiwo indawo yokuhlala engumuzi womuntu–

(a) enemitha yayo kagesi;

(b) enesango layo; kanye

(c) nekhishi elisetshenzisewa kuphela abahlala kuwo;

"**umhlaba ongaphezulu**" kushiwo ingxenyeyomhlaba kanye nanoma iyiphi indawo engumhlaba ongaphezulu;

“**amanzi okucisha umlilo**” kushiwo ukuxhunywa kwamanzi enzelwe ukucisha umlilo kuphela;

“**i-flow limiter**” kushiwo umshini kagesi ovumela ukuhamba kwamanzi okujwayelekile kepha onciphisa inani lamanzi libe yileso sikali esibekiwe esingamalitha angama -300 ngosuku;

“**i-flow restrictor**” kushiwoumshini ofakwe emapayini amanzi ovumela ukuba kusetshenziswe amanzi angamalitha angama -360 ngosuku esikhathini esingamahora ayisithupha kepha aphuma kancane;

“**ukuxhuma okwejwayelekile**” kushiwo ukuxhunywa okwejwayelekile kwamanzi asekhaya, awebhizinisi noma awezimboni;

“**iNhloko yoMnyango**” kushiwo umuntu oqokwe uMasipala njengenhloko yomnyango kamasipala obhekele umsebenzi wokuhlinzeka ngamanzi;

“**ukuxhuma ngokungemthetho**” kushiwo noma ikuphi ukuxunywa kwamapayipi ohlelweni lokuhambisa amanzi okungagunyaziwe ngoma okungavunyiwe nguMasipala;

“**amanzi ezimboni**”maqondana nokuhlinzeka ngamanzi, kushiwo amanzi ahlinzekwa izindawo ezenza umsebenzi wokukhiqiza, neminye imisebenzi ehambisana nakho, ukulungisa izakhiwo, ukulungisa okuphukile, ukuprosesa noma ukusevisa noma iyiphi impahla kanye nokusetshenziswa kwayo –

(a) njengemboni;

(b) usonkontileka wokwakha ukugcina impahla yakhe yokwakha;

(c) yokulekanisa, ukugcina noma ukulungisela ukudayiswa kabusha kwensimbi endala;

(d) njengendawo yokugcina impahla;

(e) njengehhovisi, iflethi likakhethekha uma liyi 100m^2 noma ngaphansi, noma esetshenziselwa noma iyiphi enye inhloso ehambisana noma efanele

njengemboni noma indawo yomakhi noma yensimbi endala, kodwa ayifaki ukusetshenziswa kwanoma imuphi umhlaba noma isakhiwo njengegaraji likaphethiloli;

“**umsebenzi wokufaka amanzi**”kushiwo umsebenzi wokwakha kanye nanoma imuphi umsebenzi owenziwa lapho kufakwa khona amanzi;

"**ISO 6509 of 1981**" kushiwo amazinga omhlaba wonke ebekwe maqondana nokubulawa kwezinki yebrasi;

“**isikhathi sokuvuza**” kushiwo cishe isikhathi sokuhamba kwemitha–

(a) ngaphambi kosuku okwalungiswa ngalo ukuvuza; noma

(b) ngesikhathi okulungiswa ngaso lokho kuvuza:

Ngaphansi kokuthi isikhathi sokuvuza aseqile ezinsukwini ezingama-65;

“**ipayipi elikhulu**”kushiwo ipayipi, kodwa hhayi ipayipi lokuxhuma, okungelikaMasipala futhi alisebenzisela ukuhambisa amanzi emakhasimendeni;

"**ilungu**" kushiwo ilungu eliyingxenye yomphakathi;

“**isikhathi sokuhamba kwemitha**” kushiwo isikhathi esiphakathi kokufundwa kabili kwemitha lamanzi okuthunyelwe nesikweletu kepha asifaki isikhathi sokuvuza;

"uMasipala" kushiwo uMasipala waseThekwini, umasipala wesigaba A njengoba kuhlongozwe ngokwesigaba 155(1) soMthethosisekelo weRiphabhlikhi yaseNingizimu Afrika futhi wasungulwa ngokweSaziso soMphakathi No.343 ka 2000 (KZN);

“imenenja kamasipala” kushiwo umuntu oqokwe ngokwesigaba 54A soMthetho weziNhlelo zoMasipala njengenhloko yezokuphatha emkhandlwini kamasipala;

“**umhlali**” kushiwo–

(a) noma ubani, kubandakanyaumnikazi,ohlala esakhiweningale kokuthi uhlala ngasiphi isizathu kuleso sakhiwo, uma ekhona; futhi

(b) uma kuqashe umuntu ongaphezu koyedwa, umuntu omukelairenti ekhokhwa abaqashi, eya kwi-akhawunti yakhe noma oyi-ejenti yalowo muntu omukela irenti;

"**izinga lamanzi asebenzayo**"kushiwo izinga amanzi afike kulo ethangini eligcina amanzi lapho ivalvu elawula ukungena kwamanzi ethangini ivala ngezimo ezejwayelekile zokusebenza;

"umnikazi"kushiwo –

(a) umuntu ongumnikazi obhaliswe wesakhiwo ehhovisi lamatayitela;

(b) uma umnikazi obhalisiwe wesakhiwo ecwile ezikweletini noma eshonile noma evinjelwe umthetho ngandlela thile, umuntu okunguyela olawula izindaba zesakhiwo njengondlalifa, umphatheli, umlawuli, umdayisi noma omunye umuntu womthetho;

(c) uma uMasipala ehluleka ukuthola lowo muntu, umuntu onegunya lokuzuza ekusebenzeni kwesakhiwo noma ibhilidi noma amabhilidi asesakhiweni;

(d) uma isakhiwo okukhulunywa ngaso siqashiswe isikhathi esiyizinyanga ezingu-30 (amashumi amathathu) noma ngaphezulu, lowo oqashile kuleyondawo, kanti

(e) mayelana –

(i) nesiqephu somhlaba esikwipulani yezakhiwo ezihlangene esibhalisiwe ngokoMthetho wamaTayitela eZakhiwo eziHlangene, 1986 (uMthetho No.95 ka 1986) umhlaba ohlangene, umakhi noma abaphathi abengamele isakhiwo; noma

(ii) ingxenye njengoba ichaziwe kuMthetho wamaTayitela eZakhiwo eziHlangene, 1986 (uMthetho No.95 ka 1986) igama lomuntu okubhaliswe ngaye ilungelo ngaphansi kwetayitela laleso sakhiwo, futhi okufaka ne-ejenti eqokwe ngokusemthethweni yilowo muntu;

"**ukungcola**"kushiwo ukufaka noma yini ohlelweni lwamanzi,noma emapayipini okuhambisa amanzi, okungenza amanzi abe nobungozi empilweni yomuntu noma ikhubaze izingaqophelo lawo;

"**indawo**"kushiwo isiqephu somhlaba esinemingcele engaphandle evelayo –

(i) kwipulani noma umdwebo obhaliswe ngokoMthetho wokuCwaningwa koMHlaba, 1927 (uMthetho No. 9 ka 1927), noma uMthetho wokuBhaliswa kwamaTayitela, 1937 (uMthetho. 47 ka 1937; noma

(ii) ipulani yezakhiwo ezihlangene ebhaliswe ngokoMthetho wamaTayitela

"**Okunqunyiwe**" kushiwo okunqunywengesivumelwano soMkhandlu esithathwa izikhathi ngezikhathi;

“**imali enqunyiwe**” kushiwo imali enqunywe ngokwesinqumo soMkhandlu;

“***Igazethi yesiFundazwe***” kushiwo iGazethi esemthethweni yaleso siFundazwe;

“**usonkontileka obhalisiwe**” kushiwo umuntu obhalisiwe kuMasipala njengosonkontileka ogunyazwe ngokweSahluko 7salo Mthetho kaMasipala;

“**uplamba owenza umsebenzi**”kushiwo umuntu obhalisiwe kuMasipala njengoplamba ogunyazwe ngokweSahluko 7salo Mthetho kaMasipala;

"**SABS**" kushiwo iSouth African Bureau of Standards eyakhiwe ngokoMthetho Wamazinga iStandards Act, 1945 (uMthetho 24 ka 1945);

"**SABS specification 241-1971**" kushiwo imiklamo yokuhlinzeka ngamanzi asekhaya eshicilelwe eGazethini kaZwelonke ngaphansi kweSaziso 463 sango mhla ka 9 Julayi 1982;

"**Sectional Titles Act**" kushiwo uMthetho wama Sectional Titles Act, 1986 (uMthetho No. 95 ka 1986);

“**isheduli yamapayipi namafithingi amanzi amukelekile**” kushiwo uhla lwamapayipi namafithingi amanzi agunyaziwe ukuba asetshenziselwe ukufaka amanzi njengokuyalela kukaMasipala, kanye nanoma imiphi imibandela eqondene nokusetshenziswa kwalawo mapayipi namafithingi;

“**ipayipi eliphaka amanzi**”kushiwo ingxenye yepayipi lamanzi exhunywe epayipini elikhulu lokuxhuma;

“**ithange lokugcina amanzi**”kushiwo ithange eliyingxenye yokuxhunywa kwamanzi futhi elisetshenziselwa ukugcina amanzi, kepha alifaki –

(a) isgubhu sokushaya ithoyilehu noma indawo yokuchamel;kanye

(b) nethange elisetshenziselwa ukugcina amanzi ashisayo;

“**terminal water fitting**” kushiwo ifithingi engaphandle kwamapayipi axhuma amanzi elawula ukuphuma kwamanzi lapho exhunywe khona;

"**indlu yangasese ehlukanisa umchamo**" kushiwo ukufakwa kwefithingi yamanzi endlini yangasese elawula ukuphuma kwamanzi lapho exhunywe khona eyakhiwe–

(a) imigodi emibili esebenza ngokushintshana futhi abantu abangakwazi ukuzithulululela yona uma lowo doti sewomile futhi sekufanele ukuwukhipha;

(b) isilebhu;

(c) isakhiwo esiyindlu; kanye

(d) nepayipi lomoya emgodini ngamunye;

(e) nendawo eseceleni eyisipesheli yokuhlukanisa umchamo uhambe wodwa eceleni ukuze indle ingene emgodini wayo yodwa;

"**ifithingi yamanzi**"kushiwo ingxenye yempahla yokufakwa kwamanzi, engelona ipayiphi, amanzi adlula kuyo noma agcinwa kuwo;

"**ukuxhunywa kwamanzi**"kushiwo amapayipi namafithingi amanzi –

(a) asegcekeni;

(b) okungawomnikazi wendawo;futhi

(c) asetshenziselwa ukuxhunywa kwamanzi kulelo gceke,

Futhi abala ipayipi namafithingi amanzi angaphandle kwemingcele yegceke, axhuma mhlambe epayipini elikhulu lokuxhuma eliya kuleyo ndawo noma elifakwe ngemvume kaMasipala;

"**umsebenzi wezamanzi**" kushiwo ukuhlinzeka ngamanzi okuphuza neminye imisebenzi ehambisana nakho;

"**uMthetho Wezamanzi**" kushiwo uMthetho Wezamanzi, 1997 (uMthetho 108 ka 1997);

"**uMthetho kaMasipala Wokuhlinzeka Ngamanzi ka 1996**" kushiwo uMthetho kaMasipala weTheku Namaphethelo Wokuhlinzeka Ngamanzi ngaphansi kweSaziso sesiFundazwe No. 104 sika 1996, eGazethini yesiFundazwe No. 5157, yango mhla ka 26 Septhemba 1996;

"**ingqalasizinda yokuhlinzeka ngamanzi**"kushiwo izakhiwo, akhwedakthi, amapayipi, amavalvu, amaphampu, amamithanoma okunye okuhambisana nalokhu okungokwaMasipala futhi okusetshenziswa noma okuhlose ukuba kusetshenziswe nguye ukuxhuma amapayipi okuhlinzeka ngamanzi, futhi kufaka noma iyiphi ingxenye yengqalasizinda; kanti

"**usuku lokusebenza**"kushiwo zonke ezinye izinsuku ngaphandle koMgqibelo, iSonto neHolide.

Ukuhunyushwa koMthetho kaMasipala

2. Uma kunokushayisana phakathi kwalo Mthetho kaMasipala obhalwe ngesiNgisi nohunyushiwe, kuyolandelwa owesiNgisi.

Izinhloso zoMthetho kaMasipala

3.Inhloso yalo Mthetho kaMasipala ukulawula ukuhlinzeka ngamanzi ngendlela –

(a) esebenzayo, ekhonekayo, eyongayo nenokuhlinzeka ngamanzi ngokuqhubekayo, kube kukhunjulwa izinto eziwumthelela kwezezimali, ezobuchwepheshe, inhlalo nezomnotho kanye nezinto eziphathelene nokongiwa kwemvelo;

(b) ehlinzekela ngejoka lokuba –

(i) amakhasimende akhokhe imali engambi eqolo; futhi

(ii) uMasipala ahlinzeke ngosizo oluthile emakhasimendeni angakwazi ukukhokha imali eyejwayelekile ebizwayo yamanzi;

(c) evumela ilungelo likaMasipala lokinciphisa noma lukuvala ukuhlinzekwa kwamanzi ezimweni ezifanele;

(d) eqinisekisa ukuthi imvelo ivikelekile ukuze kuhlomule isizukulwane samanje nesizayo; futhi

(e) ehambisana noMthetho Wezamanzi.

Ukusebenza koMthetho kaMasipala

4. Lo Mthetho kaMasipala usebenza kuzo zonke izindawo ezingaphansi kukaMasipala waseThekwini futhi ubophezela wonke umuntu kukho konke ukusebenza kwawo.

ISAHLUKO 2

AMAZINGA OKUHLINZEKWA KWAMANZI: EMAKHAYA NASEZAKHIWENI

Ukuhlinzekwa kwamanzi okuphuza emakhaya

5. Amanzi okuphuza angahlinzekwa emakhaya ngokusebenzisa okukodwa kwalezi zinhlelo zokuhlinzeka ngamanzi:

(a) okokukhipha amanzi okusebenza ngesandla noma umpompi;

(b) amanzi aya ekhaya ngalinye elithola amanzi angamalitha angama -300 ngosuku –

(i) ngethange elingaphansi, lapho umthamo wokuphuma kwamanzi ulawulwa ngomshini kagesi noma ngomshini onciphisa umthamo wokuphuma kwamanzi; noma

(ii) ngompopi wasegcekeni, lapho umthamo wokuphuma kwamanzi ulawulwa ngemitha;

(c) ngomthamo onamandla amancane aphuma ethangini eliphezu kwendlu;

(d) ngomthamo onamandla aphelele;

(e) ngomthamo onamandla aphelele kodwa onemikhawulo, njenge flow limiter;

(f) ngemitha langaphakathi elifakelwe umuzi ngamunye futhi eliphakelwa ngemitha lamanzi amaningi elifakwe ngaphandle kwemingcele yalowo muzi; noma

(g) ngemitha langaphakathi kuzo zonke izakhiwo ezihlala abantu abaningi abehlukene afakwa emva konyaka ka 2005.

Ukuhlinzeka ngamanzi kwesikhashana ezakhiweni

6.(1) Izinga eliphansi lokuhlinzeka ngamanzi okuphuza ezakhiweni kumele kube umpompi osebangeni elingamamitha angama -200 umuzi ngamunye.

(2) Okukukhipha amanzi noma umpompi okukhulunywe ngawo esigabeni (1) kumele ube semingceleni yalezo zakhiwo noma, eduze komgwaqo uma ikhona imigwaqo eyakhiwe.

ISAHLUKO 3
ISICELO SOKUFAKELWA AMANZI

Isicelo sokufakelwa amanzi

7.(1) Akekho umuntu oyothatha, noma afakelwe amanzi, ohlelweni lokuhlinzeka ngamanzi ngaphandle uma efake isicelo kuMasipala ngokugcwalisa ifomu elifanele lokucela ukufakelwa amanzi sase sivunywa leso sicelo.

(2) Isicelo sokufakelwa amanzi kumele senziwe ngokugcwalisa ifomu likaMasipala futhi siphelezelwe yilo lonke ulwazi nemibhalo engadingwa uMasipala.

(3) Uma umasipala evuma isicelo sokufakelwa amanzi, lokhu kuyisivumelwano esiyisibopho phakathi kukaMasipala kanye nekhasimende, esiqala ukusebenza ngosuku –

(a) okukhulunywe noma olubekwe efomini yesicelo, noma

(b) uMasipala asivuma ngalo isicelo.

(4) Ikhasimende kumele likhokhe zonke izimali ezibekiwe zokuhlinzekelwa ngamanzi azowathola kuze kube isivumelwano okukhulunywe ngaso esigatshaneni (3) siyahoxiswa ngokwesigaba 10.

Izivumelwane eziyisipesheli

8.(1) Umasipala angeza isivumelwano esiyispesheli sokuhlinzeka amanzi –

(a) uma ukuphakwa kwamanzi kumfakisicelo ongaphakathi kwemingcele kaMasipala kudinga ukuba kubekwe imibandela ethile engahlinzekelwe efomini efanele;kanye

(b) nanomfakisicelo ongaphandle kwemingcele kaMasipala.

(2) Uma uMasipala,ngokwesivumelwano esiyispesheli, ehlinzeka amanzi kumfakisicelo ongaphandle kwemingcele yakhe lokhu kungamvumela ukuba adayise amanzi nakwabanye abantu abangaphandle kwemingcele yakhe, ngaphansi kwemibandela ethile engabekwa uMasipala.

Inhloso yokuhlinzekelwa amanzi

9.Amanzi ahlinzekwa uMasipala kumele asetshenziselwe leyo nhloso ebhalwe esivumelwaneni sokuhlinzekwa ngamanzi kuphela.

Ukuhoxiswa kwesivumelwano sokuhlinzekwa ngamanzi

10.(1) Ikhasimende lingahoxisa isivumelwano sokuhlinzekwa ngamanzi ngokunika uMasipala isaziso esibhalwe phansi, esingekho ngaphansi kwezinsuku eziyisihlanu zokusebenza.

(2) Umasipala, ngokunika ikhasimende isaziso esibhalwe phansi, esingekho ngaphansi kwezinsuku eziyisihlanu zokusebenza, angasihoxisa isivumelwano sokuhlinzeka ikhasimende ngamanzi uma –

(a) ikhasimende lingazange liwasebenzise amanzi ezinyangeni eziyisithupha ezedlule futhi lingawenzanga amalungiselelo agculisayo noMasipala okuba kuqhutshekwe nesivumelwano;

(b) ikhasimende lephule lo Mthetho kaMasipala noma omunye uMthetho kaMasipala futhi lehlulekile ukulungisa lokho kwaphula kwalo lowo mthetho, emva kokuba selinikwe isaziso sokwenza njalo;

(c) uMasipala engeke esakwazi ukuqhubeka nokulihlinzekela ngamanzi; noma

(d) ngokwesivumelwano nomunye umasipala, low masipala kunguye okufanele ahlinzeke lelo khasimende ngamanzi.

(3) Umasipala ngaphandle kwesaziso, angahoxisa isivumelwano sokuhlinzeka ikhasimende ngamanzi uma ikhasimende selishiyile lapho belihlala khona ngokwesivumelwano.

Ukuhlinzeka ngesibambiso

11.(1) Kuye ngokoMthetho kaMasipala Wokulawula Nokuqoqa Izikweletu, uMasipala angacela ukuba umfakisicelo akhokhe idiphozi njengesibambiso, ngesikhathi eletha isicelo sakhe sokufakelwa amanzi, isamba leso simele izindleko zenani lamanzi uMasipala abona ukuthi azohlinzekwa ikhasimende ngesikhathi esibekwe nguMkhandlu izikhathi ngezikhathi.
(2) Idiphozi ekhokhwe ngokwesitshana (1) angeke ithathwe njengenkokhelo ye-akhawunti yamanzi.

(3)Kuye ngokoMthetho kaMasipala Wokulawula Nokuqoqa Izikweletu,uMasipala angafaka isaziso esibhalwe phansi esicela ikhasimende ukuba likhuphule idiphozi yalo, kanjengo kufanele ngokwe-akhawunti ebalulwe esazisweni.

(4) Uma ikhasimende lehluleka ukuthobela isaziso okukhulunywe ngaso esigatshaneni (3) zingakapheli izinsuku ezingama -30 kusukela ngosuku okukhishwe ngalo isaziso, uMasipala anganciphisa noma avale amanzi, kuze kube kukhokhwa leyo diphozi yokwengeza.

(5) Kuye ngokoMthetho kaMasipala Wokulawula Nokuqoqa Izikweletu, uMasipala ngokuthanda kwakhe noma ngokucela kwekhasimende, anganciphisa imali yediphozi uma ugculisekile ukuthi –

(a) ukuncishiswa kufanelekile uma kubukwa ukuhlinzekwa kwamanzi kwangaleso sikhathi ekhasimendeni; noma

(b) kube nokushintsha kwezimo uma kucutshungulwa imali yasekuqaleni eyidiphozi.

ISAHLUKO 4

IZIHLINZEKO EZILAWULA UKUHLINZEKA AMANZI KUKAMASIPALA

Ukusetshenziswa kwamanzi okungagunyaziwe

12. Umuntu angeke akwazi ukuthatha amanzi ohlelweni lokuhlinzeka ngamanzi ngaphandle kokusebenzisa ipayipi lokuxhuma noma ngokusebenzisa ihydrant.

Ipayipi lokuxhuma

13.(1) Uma umfakisicelo sokufakelwa amanzi sesivunyiwe isicelo sakhe, kepha lingekho ipayipi lokuxhuma endaweni yakhe, umnikazi kumele afake isicelo ngokugcwalisa ifomu elifanele, futhi akhokhe nemali efanele, yokufakwa kwalelo payipi.

(2) Uma kufakwa isicelo sokufakelwa amanzi endaweni ezodinga ukuba kunwetshwe amapayiphi okufaka amanzi ukuze afike kulelo gceke, uMasipala angavuma ukuba kwenwetshwe lawo mapayipi ngaphansi kwemibandela ethile angayibeka.

(3) Ipayipi lokuxhuma elihlinzekwe futhi lafakwa nguMasipala kumele –

(a) libe sendaweni enqunywe nguMasipala; futhi

(b) liphele endaweni ephakathi kwamamililitha ayi -140no 160 ngaphakathi kwemingcele yendawookungekaMasipala noma anelungelo lokuyisebenzisa uMasipala.

(4) UMasipala angahlinzeka futhi afake ipayipi lokuxhuma ubukhulu balo obulingana nalobo obucelwe ngumfakisicelo, uma ecelile.

(5) Umnikazi wendawo, ngezindleko zakhe, nguye ofaka amapayipi amanzi asuka endaweni yakhe aye koxhuma epayipini lokuxhuma eliphakela indawo yakhe, ngaphandle uma uMasipala esho okuhlukile.

(6) Umasipala angaqagula –

(a) uhlobo lweyinti ezosetshenziswa ukuxhuma epayipini lokuxhuma; futhi

(b) maqondana nengxenye yepayipi lamanzi ephakathi kwalelo lokuxhuma kanye nelomnikazi wendawo, ivalvu ehlukanisa lokhu kumele –

(i) kube ngefana nayelo mpahla okwakhiwe ngayo leyo ngxenye yepayipi lamanzi; futhi

(ii) nendlela yokufaka leyo ngxenye yepayipi lamanzi kumele ifane.

(7) Umnikazi wendawo kumele aqinise ingxenye yepayipi lokuxhuma nevalvu yakhe ukuze kunganyakazi.

(8) UMasipala anganquma isibalo samapayipi okuxhuma esingaphakela ukufakwa kwamanzi.

(9) Ipayipi lokufaka amanzi lingaxhunywa epayipini lokuxhuma noma emapayipini ahlinzekwe nguMasipala: Uma ingxenye eyodwa noma ngaphezulu yepayipi lamanzi ephakelwa amapayipi okuxuma ehlukene, lezi zingxenye akuvumelekile ukube zixhumaniswe ngaphandle kwemvume ebhalwe phansi kaMasipala futhi kwenziwe ngokwemibandela engabekwa kuMasipala.

(10) Akukho ukufakwa kwamanzi okuyokwenziwa ngepayipi lokuxhuma elalifakelwe ukuhlinzeka ngamanzi ngehloso yokuba kwenziwe umsebenzi wokwakha kuze kuba uMasipala uthola isitifikethi esifanele.

(11) Uma uMasipalaebona ukuthi ubukhulu bepayipi lokuxhuma elikhona abufanele ukuhlinzeka ikhasimende ngamanzi, ngesaziso esifanele angacela umnikazi wendawo ukuba akhokhe imali efanele yokukhishwa kwepayipi lokuxhuma elikhona kanye nokufakwa kwepayipi lokuxhuma elilingana nalelo elamukelekile ngokukaMasipala.

(12) UMasipala maqondana nezindawo ezihlukaniswe iziqeshana ezihlala abantu abehlukene, angathumela isaziso esicela umnikazi wendawo ukuba ngezindleko zakhe, nangesikhathi esinqunyiwe kuleso saziso –

(a) ashintshe amapayipi aphakela noma iyiphi ingxenye ukuze ahlukane nalawo azimele aphakela noma iyiphi enye ingxenye;

(b) afake isicelo sokuba ipayipi lokuxhuma liphakele ingxenye ngayinye; futhi

(c) axhume amanzi okukhulunywe ngawo endimeni (a) epayipini lokuxhuma okukhulunywe ngalo endimeni (b).

(13) UMasipala anganika umhlali wengxenye okukhulunywe ngayo esigatshaneni (12)(a) isaziso esibhalwe phansi sokuthi kumele afake isicelo sokufakelwa amanzi.

(14) Uma uMasipala ehlose ukushintsha ipayipi lokuxhuma, kumele anike imnikazi wendawo leyo isaziso esibhalwe phansi esingekho ngaphansi kwezinsuku zokusebenza ezilishumi okumele umnikazi axhume ngazo amapayipi amanzi akhe kulelo payipi elisha lokuxuma.

Ukuxhumaxhumana phakathi kwezindawo

14. Umnikazi wendawo kumele aqikelele ukuthi akukho ukuxhumaxhumana okukhona phakathi kwamapayipi akhe kanye namanye amapayipi akwezinye izindawo, ngaphandle uma ethole imvume ebhalwe phansi kuqala kuMasipala futhi ethobele yonke imibandela ebekwe nguMasipala.

Imibandela yokufakwa kwamanzi

15.(1) Ukuvuma kokufa amanzi kukaMasipala akusho ukuthi uvuma ukunakekela, nganoma isiphi isikhathi, uhlelo lwakhe lokuhlinzeka ngamanzi –

(a) ukuphazamiseka kokuhlinzekwa kwamanzi;

(b) umthamo/amandla okuphuma kwamanzi; noma

(c) amazingaqophelo athilealawo manzi.

(2) Uma umnikazi wendawo edinga ukunakekelelwa kunoma iziphi zalezi zimo ezibalulwe esigatshaneni (1) ngenhla endaweni yakhe, kumele azihlinzekele ngokwakhe ngesikhathi kufakwa amapayipi amanzi akhe.

(3) UMasipala angaphazamisa ukuhlinzeka amanzi kunoma iyiphi indawo ngaphandle kokukhipha isaziso.

(4) Uma ngokubona kukaMasipala ukusetshenziswa kwamanzi yikhasimende kuphazamisa kabi ukuhlinzekwa kwamanye amakhasimende ngamanzi, uMasipala angasebenzisa imikhawulo yakheayibona ifanele kulelo khasimende lokuqala eligaguliwe ukuze aqinisekise ukuthi amanye amakhasimende ahlinzekelwa kahle ngamanzi.

(5) UMasipala angagagula inani eliphezulu lamanzi okumele kuhlinzekwe ngalo amanzi ohlelweni lwakhe lokuhlinzeka ngamanzi.

Ukuvalwa nokuncishiswa kwamanzi

16.(1) Ngale kokubukela phansi amanye amalungelo uMasipala angaba nawo,uma ikhasimende –

(a) lihluleka ukukhokha imali efanele ikhokhelwe uMasipala ngokwalo Mthetho kaMasipala noma ngokwanoma imiphi eminye iMithetho kaMasipala efane;noma

(b) lephule lo Mthetho kaMasipala noma lehluleke ukulungisa lokho kwaphula kwalo umthetho emva kokuba selinikwe isaziso sokulungisa lelo phutha,

uMasipala angalinika isaziso esibhalwe phansi senhloso yakhe yokuvala noma yokunciphisa amanzi ngosuku olugagulwe lapho futhi emva kwalolo suku usengavala noma anciphise lawo manzi.

(2) Uma ngokubona kukaMasipala, kunesidingo sokuvala amanzi ngokushesha ukuze kungamosheki amanzi, kulimale impahla, kube nengozi empilweni noma kungcole amanzi, uMasipala –

(a) ngaphandle kokukhipha isaziso, angavala amanzi kunoma iyiphi indawo futhi angene kunoma iyiphi indawo ukuze enze umsebenzi ophuthumayo ngezindleko zomnikazi waleyo ndawo, uma ebona kufanelekile; futhi

(b) ngokukhipha isaziso esibhaliwe esiya kumnikazi ukuba enze eminye imisebenzi, ngezindleko zakhe futhi ngesikhathi esinqunyiwe, kanjengoba uMasipala engabona kufanelekile.

(3) Ngaphambi kokuba kuvulwe amanzi, ikhasimende kungafanele likhokhe lezi zimali ezilandelayo:

(a) imali ebizwayo yokuvala noma yokunciphisa amanzi ngokwesigatshana (1) noma (2); kanye

(b) nemali ebizwayo yokuvula amanzi.

Ukuphazanyiswa kokuhlinzeka amanzi ngokucela kwekhasimene

17.(1) Ngesicelo esibhalwe phansi sekhasimende, uMasipala –

(a) angavala amanzi aya endaweni layo ikhasimende; futhi

(b) avule lawo manzi,

Ngezinsuku ezicelwe yikhasimende.

(2) Ngaphambi kokuba ikhasimende livulelwe amanzi okukhulunywe ngakho kwisigtshana(1)(b) ngenhla, kumele likhokhe imali enqunyiwe yokuvula amanzi.

Ukuvalwa kwamanzi

18.(1) UMasipala angawavala amanzi epayipini lokuxhuma futhi alikhiphe ipayipi lokuxhuma uma –

(a) isivumelwano sokuhlinzeka amanzi sihoxiswa ngokwesigaba 17futhi engazange athole esinye isicelo sokuhlinzeka amanzi kuleyo ndawo ephakelwa yilelo payipi esikhathini esiyinsuku esingama -90 kusukela osukwini okuvalwe ngalo amanzi; noma

(b) ibhilidi lakuleyo ndawo lidiliziwe.

Ukufakwa kwamanzi emitha

19.(1) Wonke amanzi ahlinzekelwa ikhasimende nguMasipala kufanele adlule emitheni ukuze kukalwe inani lamanzi: ngaphandle uma uMasipala ekuyekile ukusetshenziswa kwemitha lapho –

(a) kufakwe khona i-automatic sprinkler epayipini lokuxhuma. Lokhu akusebenzi kwi-automatic sprinkler efakwe ethangini lokugcina amanzi ebese ephampelwa ohlelweni lokuhlinzeka amanzi adlula emitheni;

(b) kufakwe khona amanzi okucisha umlilo emva kokuba kuthathwe izinyathelo zokubona ukukhishwa kwalawo manzi ngokungemthetho ukuze asetshenziselwe ezinye izinto ngale kokucisha umlilo; kanye

(c) nalapho kunezimo eziyisipesheli ezinqunywe nguMasipala.

(2) Imitha okukhulunywa ngalo esigatshaneni (1), kanye nokunye okuhambisana nalo –

(a) kumele lihlinzekwe futhi lifakwe nguMasipala;

(b) liyohlala lingelikaMasipala; futhi

(c) lingashintshwa nguMasipala uma ebona kufanelekile.

(3) UMasipala angalifaka imitha, nempahla ehambisana nalo, ukuhlinzeka amanzi kunoma iyiphi indawo efakelwe amanzi.

(4) Uma uMasipala efaka imitha lamanzi ngokwesigatshana (3), angafaka ingxenye yepayipi namafithingi ahambisana nalo ekugcineni kwepayipi lakhe lokuxhuma kanye nemitha, futhi leyo ngxenye kumele ithathwe njengengxenye yempahla yokuxhunywa kwamanzi.

(5) Uma uMasipala efaka imitha, kanye nempahla ehambisana nalo, lapho kufakwa khona amanzi ngokwesigatshana (3) no (4), umnikazi kumele –

(a) ahlinzeke ngendawo egculisa uMasipala okuzofakwa kuyo imitha lamanzi;

(b) aqinisekise ukuthi kuyafinyeleleka emitheni ngaso sonke isikhathi;

(c) athwale umthwalo wokuvikela imitha futhi akhokhe izindleko ezingavela ngenxa yokulahleka noma ukulimala kwemitha noma impahla ehambisana nalo;

(d) aqinisekise ukuthi akukho kuxhunywa kwamapayipi okwenziwe lapho kufakwe khona imitha, okuphakathi kwemitha kanye nepayipi lokuxhuma elihlinzeka ngamanzi; futhi

(e) abe nezinhlelo zokuhambisa amanzi angase aphume epayipini okufakwe kulo imitha, ngesikhathi uMasipala enza umsebenzi emitheni.

(6) akukho muntu, ngale kwesisebenzi esigunyaziwe –

(a) oyovala imitha kanye nempahla ehambisana nalo epayipini elixhunywe kulo;

(b) oyophula isivalo esifakwe nguMasipala emitheni; futhi

(c) oyophazamisa imitha nempahla ehambisana nalo noma ingayiphi indlela.

(7) Uma uMasipala ebona ukuthi ubukhulu bemitha abufanelekile ngokwenani lamanzi ahlinzekwa leyo ndawo, uMasipala angafaka imitha ubukhulu balo abubona bufanelekile, futhi angabiza izindleko zalokhu kufakwa kwemitha elifanele kumnikazi waleyo ndawo.

(8) UMasipala ngezindleko zomnikazi wendawo, angacela ukuba kufakwe imitha lendlu ngayinye uma kunezindlu ezahlukene endaweni eyodwa ukuze akwazi ukukala inani lamanzi elisebenza endlini ngayinye.

Inani lamanzi elihlinzekwe ikhasimende

20.(1) Ngenhloso yokukala ngemitha inani lamanzi elihlinzekwe ikhasimende ngesikhathi esithile esinqunyiwe, ngaphandle uma kunobufakazi obuphikisa lokhu, kufanele kuthathwe ngokuthi –

(a) inani likhonjiswa umehluko ophakathi kokufundwa kwemitha okwenziwa ekuqaleni nasekugcineni kwaleso sikhathi;

(b) imitha labhalwa kahle ngaleso sikhathi; futhi

(c) okubhalwe emabhukwini kaMasipala kuyikho.

(2) Isilinganiso esenziwe nguMasipala njengenani lamanzi elihlinzekwe ikhasimende, kanye nemali ekweletwa yilelo khasimende, kufanele kuthathwe ngokuyikho ngaphandle uma –

(a) amanzi ehlinzekwe futhi amukelwa yikhasimende ngaphandle kokuthi adlule emitheni; futhi

(b) kuphulwe izihlinzeko zesigaba 19(6).

Ukuncishiswa kwamanzi

21.(1) UMasipala, ngaphandle kokukhipha isaziso –

(a) angavimbela noma anciphise ukusetshenziswa kwamanzi –

(i) ngezinhloso ezithile noma ngaphandle kwezinhloso ezithile;

(ii) ngamahora athile agaguliwe osuku noma ngezinsuku ezithile noma hhayi ngamahora athile noma ngezinsuku ezithile; futhi

(iii) ngendlela ethile ebekiwe noma ngale kwendlela thile ebekiwe;

(b) anganquma futhi abeke –

(i) imikhawulo enanini lamanzi angasetshenziswe esikhathini esithile;

(ii) angabiza ezinye izimali ezengeziwe kulezo ezinqunyiwe maqondana nokuhlinzeka amanzi maqondana namanzi adlule leyo mikhawulo ebekiwe esigatshaneni (i); futhi

(iii) angabiza imali efanayo emalini ebizwayo maqondana nokuhlinzekwa kwamanzi; futhi

(c) angabeka imikhawulo noma avimbe ukusetshenziswa noma indlela okusetshenziswa ngayo imishini ethile esebenzisa amanzi noma ekuxhunyweni kwalowo mshini emapayipini namanzi.

(2) UMasipala anganciphisa ukusebenza kwezihlinzeko zesaziso okukhulunywe ngaso esigatshaneni (1) zisebenze ezindaweni ezithile noma esigabeni esithile samakhasimende,izindawo noma ezintweni ezenziwayo, ebese ehlinzekela ngemvume yokuphuma kancane nokukhululwa kanye nokuxegiswa kwanoma yiziphi izihlinzeko ngezizathu angazibona zifanelekile.

(3) UMasipala anga –

(a) thatha, noma ngesaziso esibhalwe phansi, acele ikhasimende, ngezindleko zalo, ukuba lithathe izinyathelo angazibona zifanele ukuze kuqinisekiswe ukuthotshelwa kwesaziso esikhishwe ngokwesigatshana (1) okungafaka, kodwa kungagcini lapho, ukufakwa kwemishiniyokukala kanye neyokunciphisa ukuphuma kwamanzi; futhi

(b) angavala, noma ngaleso sikhathi asibona sifanele, anciphise ukuhlinzekwa kwamanzi kuleyo ndawo uma kuphulwe, noma kungathotshelwanga imigomo ebekwe esazisweni ngokwesigatshana (1),kanti lapho amanzi evaliwe, angavulwa kuphela uma sekukhokhwe zonke izimali ezibizwayo zokuvala nokuvula amanzi.

(4) Ngaphezu komuntu owephula, noma owehluleka ukuthobela isaziso esikhishwe ngokwesigatshana (1), ikhasimende elihlinzekwa ngamanzi lithathwa ngokuthi lephule noma lihlulekile ukuthobela lesi saziso, ngaphandle uma kunobufakazi bokuthi lona lithathe zonke izinyathelo ezifanele ukugwema lokhu kwaphulwa noma ukwahluleka ukuthola isaziso

kwanoma imuphi omunye umuntu: Kukhunjulwe ukuthi uma ikhasimende linike imiyalelo komunye umuntu, lokho kukodwa akubona ubufakazi obanele bokufakazela ukuthi ikhasimende lithathe zonke izinyathelo ezifanele.

(5) Izihlinzeko zalesi sigaba ziyasebenza nasemanzini ahlinzekwa nguMasipala ngqo emakhasimendeni angaphandle kwemingcele yakhe, ngale kwanoma yini ephambene nemibandela elawula lokho kuhlinzekwa kwamanzi, ngaphandle uma kugaguliwe esazisweni esikhishwe ngokwesigathana (1).

Imitha eliyispesheli

22.(1) Uma uMasipala efuna ukukala inani lamanzi elisetshenzisiwe lapho kufakwe khona amanzi ngale kwenhloso yokukhokhisa ikhasimende inani lamanzi asetshenzisewe, uMasipala, emva kokukhipha isaziso ezibhalwe phansi saya kumnikazi wendawo, angafaka imitha endaweni thile lapho kuxhunyelwe khona lelo khasimende amanzi.

(2) Ukufakwa kwemitha okukhulunywa ngakho esigatshaneni (1), ukukhishwa kwalo, kanye nokuvulwa kabusha kwamanzi emva kokukhishwa kwalo lelo mitha kumele kwenziwe ngezindleko zikaMasipala.

(3) Izihlinzeko zesigaba 19(5) no (6) zisebenza kunoma iziphi izinguquko ezidingekayo kuleso simo emitheni elifakwe ngokwesigatshana (1).

ISAHLUKO 5

AMANZI AHLINZEKELWA UKWAKHIWA KWEZINDLU

Ukubamba iqhaza komphakathi

23.(1) UMasipala kumele akale amazinga okuhlinzeka ngamanzi kanye nanoma imiphi imibandela esebenzayo maqondana nalokho kuhlinzeka ngamanzi –

(a) kumaphrojekthi ezindlu kamasipala;

(b) kumaphrojekthi ezindlu ezinamatayitela ahlanganyelwe;

(c) kwizindlu zokuhlala ezingama mini-sub;

(d) kwintuthuko egunyaziwe yokwakhiwa kwamalokishi ngaphansi koMthetho waKwaZulu Natal Wezokuhlela Nentuthuko, 2008 (uMthetho No. 6 ka 2008); kanye

(e) naseziqeshini zomhlaba ezihlukanisiwe.

(2) Ngaphambi kokukala okukhulunywe ngakho esigatshaneni (1), uMasipala kufanele ashicilele isaziso –

(a) esazisa umphakathi sokuthi umqulu obeka amazinga okuhlinzeka amanzi kanye nemibandela ebekiwe iyatholakala kwabafisa ukuwuhlola endaweni egaguliwe futhi ngamahora agaguliwe;

(b) esimema abanentshisekelo noma abathintekayo ukuba bethamele umhlangano womphakathi; futhi

(c) esimema umphakathi ukuba usho izimvo noma ukuphikisana kwawo ngalokhu, okuyokwamukelwa nguMasipala ngosuku oluthile olugaguliwe olungekho ngaphansi kwezinsuku ezingama -30 kusukela ngokusu okukhishwe ngalo isaziso.

(3) Isaziso okukhulunywe ngaso esigatshaneni (2) kufanele –

(a) sifake kafushane izinto ezibalulekile ezimayelana namazinga okuhlinzeka amanzi kanye nemibandela ebekiwe; futhi

(b)sishicilewe emaphephandabeni amabili endawo aphuma nsukuzonke nasetshenziswa kakhulu kuleyo ndawo: Kodwa uma kunephephandaba lomphakathi elisatshalaliswa mahhala emphakathini, leso saziso kumele sishicilelwe ephephandabeni lomphakathi kanye nasephephandabeni elilodwa lendawo elishicilelwa nsukuzonke.

(4) Umhlangano womphakathi okukhulunywe ngawo esigatshaneni (2) kumele ubanjwe zingakapheli izinsuku eziyisikhombisa noma sekudlule izinsuku ezingama -60 emva kosuku okuphume ngalo isazise okukhulunwe ngase esigatshaneni (2).

(5) Emhlanganweni womphakathi, uMasiplala kumele –

(a) ethule futhi achaze amazinga okuhlinzeka ngamanzi kanye nemibandela ebekiwe;

(b) aphendule ngokufanele noma imiphi imibuzo eqondene namazinga okuhlinzeka amanzi kanye nemibandela ebekiwe;

(c) anike abanentshisekelo banathintekayo ithuba lokwenza izethulo kanye nelokufaka iziphikiso; futhi

(d) agcine amaminithi alowo mhlangano.

(6) UMasipala kumele acubungule zonke iziphikiso noma izimvo azithole emhlanganweni mayelana namazinga okuhlinzeka amanzi kanye nemibandela ebekiwe.

(7) Emva kokucubungula izimvo neziphikiso, uMkhandlu, ngesikhathi esanele kusukela ngesikhathi okwaqala ngaso uhlelo lokubamba iqhaza komphakathi –

(a) ungamukela amazinga okuhlinzeka ngamanzi kanye nemibandela ebekiwe;

(b) ungachibiyela noma wemukele amazinga okuhlinzeka ngamanzi kanye nemibandela ebekiwe; noma

(c) uchithe amanzinga okuhlinzeka ngamanzi nemibandela ebekiwe.

(8) Ngale kwezihlinzeko zesigaba 59 soMthetho Wezinhlelo Zomasipala: woHulumeni Basekhaya, 2000 (uMthetho No. 32 ka2000), uMkhandlu angeke ukwazi ukudlulisa amandla okuthatha isinqumo okukhulunywe ngase esigatshaneni (7).

(9) Uma uMkhandlu wamukela amazinga okuhlinzeka ngamanzi kanye nemibandela ebekiwe, isaziso kumele sishicilelwe ngendlela echazwe esigatshaneni (3), kanye nakwiGazethi yesiFundazwe –

(a) esiqinisekisa amazinga okuhlinzeka ngamanzi kanye nemibandela ebekiwe eyamukelwe nguMkhandlu;

(b) esinikeza isaziso sosuku okuzoqala ngalo ukusebenza kwamazinga okuhlinzeka ngamanzi nemibandela ebekiwe;

(c) esifingqa izinto ezibalulekile maqondana namazinga okuhlinzeka ngamanzi nemibandela ebekiwe; futhi

(d) esiqinisekisa ukuthi amazinga amanzi ahlinzekwayo nemibandela ebekiwe kuyatholakala kwabafisa ukukuhlola endaweni egaguliwe naphakathi kwamahora agaguliwe.

Ukuchitshiyelwa, ukuchithwa kwesinqumo kanye nokubuyekezwa kwamazinga okuhlinzeka ngamanzi

24.UMkhandlu –

(a) ungachibiyela noma uchithe isinqumo esamukeliwe samazinga okuhlinzeka ngamanzi nemibandela ebekiwe ngaphansi kwezihlinzeko zomthetho wePromotion of Administrative Justice Act ,2000 (uMthetho No. 3 ka 2000)emva kokulandela uhlelo lokubamba iqhaza komphakathi olubekwe esigabeni 23;futhi

(b) kufanele ubuyekeze amazinga amukeliwe okuhlinzeka ngamanzi nemibandela ebekiwe uma uMasipala ebona kufanelekile.

Ilungelo lokusebenzisa umhlaba

25.(1) Uma kwenzeka kudingema kufakwe amapayipi amanzi azonqamula emhlabeni ongabhalisiwe egameni, noma okungewona okaMasipala, lawo mapayipi kufanele afakwe emhlabeni obhaliswe njengalowo uMasipala anelungelo lokudlula kuwo.

(2) Uma amapayipi efakwe emgaqweni okungewona okahulumeni, ilungelo lokusebenzisa umhlaba kumele libhaliswe ngobungako obuphelele bobukhulu bomgwaqo ukuze kungene namapayipi amanzi nawokuhambisa indle kanye nalawo axhunyelwe indlu ngayinye ezimele.

(3) Isivumelwano selungelo lokusebenzisa umhlaba sesiza ngasinye kufanele sibe nendima–

(a) ehlangula uMasipala kuzo zonke izibizo ezingenziwa ngenxa yokwahluleka kwamapayipi amakhulu amanzi noma okuthutha indle okungawaMasipala kepha asemagcekeni alezo zindlu; futhi

(b) evumela abasebenzi baMasipala noma osonkontileka abaqashile ukuba bangene ngokukhululeka ukuze balungise izindaba noma benze umsebenzi nganoma isiphi isikhathi kuleyo ndawo.

ISAHLUKO 6
UKUGUNYAZWA KOMSEBENZI WOKUFAKA AMANZI

Igunya okumele litholakale ukuze kwenziwa umsebenzi wokufaka amanzi

26.(1) Uma umnikazi wendawo efisa ukwenzela umsebenzi wokufakelwa amanzi,kufanele kuqala athole imvume ebhalwe phansi kuMasipala: Kukhunjulwe njalo ukuthi imvume ayidingeki uma kuzolungiswa amapayipi noma amafiththi amanzi kanye nokokushisisa amanzi obekuvele kukhona kanjalo nempahla ehambisana nakho.

(2) Isicelo segunya okukhulunywe ngalo esigatshaneni (1) kufanele senziwe ngokugcwalisa ifomu elifanele, futhi sihambisane –

(a) nemali enqunyiwe; kanye

(b) nesibalo samakhophi emidwebo okukhulunywe ngawo esigabeni 28 alowo msebenzi ohlongozwayo.

(3) Izihlinzeko zesigatshana (1) no (2) azisebenzi kosonkontileka ababhalisiwe abashintsha okokushisisa amanzi noma lokho okuhambisana nakho: ngaphansi kokuthi wazisa uMasipala ngokugcwalisa ifomu elifanele zingakapheli izinsuku ezinhlanu emva kokuqeda ukwenza lowo msebenzi.

(4) Igunya elikhishwe ngokwesigatshana (1) kufanele, ngokwesigaba 27, siphelelwe isikhathi uma sekuphele izinyanga ezingamashumi amabili nane emva kwenyanga elandela inyanga okwakhishwa ngayo lelo gunya.

Ukunwetshwa kwesikhathi segunya

27. Ngesicelo esibhalwe phansi somnikazi wendawo, esithunyelwa ngaphambi kokuphela kwesikhathi sokwenziwa komsebenzi, futhi emva kokuba sekukhokhwe zonke izimali ezinqunyelwe lokho, uMasipala, ngezikhathi ngezikhathi, anganweba isikhathi sokugunyaza ukwenziwa komsebenzi esikhishwe ngokwesigaba 26 –

(a) ngesikhathi esingeqile ezinyangeni eziyishumi nambili, ngesikhathi; futhi

(b) ngaphansi kwemibandela angayibona ifanelekile.

Imidwebo

28.(1) Imidwebo ethunyelwe ngokwesigaba 26, ngaphendle kuma kuvume uMasipala, kumele–

(a) iveze uhlobo nobungako bomsebenzi wokufakwa kwamanzi ozokwenziwa;

(b) ibe sephepheni elingekho ngaphansi kuka A4 ubukhulu; futhi

(c) ibe –

(i) nencazelo yaleyo ndawo esetayiteleni;

(ii) negama layo yonke imigwaqo leyo ndawo egamanxe kuyo; kanye

(iii) scales of the drawings and the north point.

(2) Imidwebo okukhulunywe ngayo esigatshaneni (1) kumele ikhombise –

(a) lapho kukhona kanye nobukhulu bepayipi lokuxhuma elikhona nalelo elihlongozwayo eliphakela noma elizophakela leyo ndawo;

(b) lapho kukhona wonke amapayipi, ubukhulu bawo kanye nohlobo lwempahla akhiwe ngayo;

(c) indawo okukhona kuyo wonke amafithingi amanzi kanye nokuchazwa kwawo;

(d) indawo okukhona kuyo ithange lokugcina amanzi nobukhulu balo;

(e) indawo okukhona kuyo wonke amaphampu;

(f) imininingwane yeleyo ndawo yokuhlala ehlongozwayo ukuze uMasipala abone ukuthi kufanele imitha lifakwe kuphi kuleyo ndawo;

(g) umandla omthamo wokuphuma kwamanzi ahlelelwe ukuba afakwe;

(h) indawo lapho kunezindawo okuchichimela kuzo;

(i) impahla noma umshini osebenzisa amanzi njengento yokufudumeza nokupholisa efakelwe noma engase ifakwe emapayipini amanzi; kanye

(j) nanoma iluphi olinye ulwazi uMasipala angaludinga.

(3) Uma imininingwane yokufakwa kwamanzi ifana ezitezi ezingaphezu kwesisodwa, leyo mininingwane ingadwetshwa esitezi esisodwa kuphela.

(4) Uma kuzoxhunywa into engaphezu kweyodwa ebhilidini, lokho kuxhunywa kufanele kuvezwe kuwo lowo mdwebo: kodwa kumele kuhlukaniswe ngokucacile kokunye nokunye.

(5) Kufanele kube nesheduli yomdwebo ngamunye noma ngesethi yemidwebo, ekhombisa isibalo sohlobo ngalunye lwamafithingi amanzi kanye nobukhulu bayo obejwayelekile.

Amakhophi emidwebo kumele agcinwe esizeni

29. Isethi ephelele yemidwebo egunyaziwe yemisebenzi yokufakwa kwamanzi kufanele ihlale ikhona esizeni okusetshenzwa kuso kuze kube uMasipala wamukela isitifiketi esithunyelwe ngokwesigaba 38(1)(d), esiqinisekisa ukuthi konke kuthotshelwe.

Umsebenzi ogunyaziwe

30. Uma kwenziwe umsebenzi wokufakwa kwamanzi ngokwephula lo Mthetho kaMasipala, uMasipala ngesaziso esibhalwe phansi angacela umnikazi waleyo ndawo, ukuba ngezindleko zakhe, uma umsebenzi –

(a) usuqediwe, athathe izinyathelo zokuqinisekisa ukuthi umsebenzi uyahambisana nezihlinzeko zalo Mthetho kaMasipala; noma

(b) usaqhubela, awumise lowo msebenzi futhi akhiphe wonke umsebenzi osuwenziwe ongahambisani nezihlinzeko zalo Mthetho kaMasipala.

ISAHLUKO 7
UKULAWULWA KOKUFAKWA KWAMANZI NEMINYE IMISEBENZI

Abantu abavunyelwe ukufaka nokwenza eminye imisebenzi

31.(1) Umuntu ongesiye usonkontileka obhalise kuMasipala ngokwesigaba 32 angeke –

(a) awenza umsebenzi wokufaka odinga imvume kaMasipala ngokweSahluko 6;

(b) akhiphe ihitha yamanzi enganyakazi noma okunye okunjalo kokuvikela;

(c) ahlole, abulale amagciwane futhi avivinye ukufakwa kwamanzi, amanzi okucisha umlilo noma kwethange lokugcina amanzi;

(d) asevise, alungisa noma ashintshe okuvimbela ukubuyela emuva kwamanzi; noma

(e) afake, anakekele noma akhiphe imitha elifakwe ngumnikazi ukuze afake elinye emapayipini amanzi.

(2) Umuntu angeke adinga noma aqasha umuntu ongesiye usonkontileka obhalisile ukuze enze umsebenzi oshiwo esigatshaneni (1).

(3) Imibandela yesigatshana (1) kayisebenzi kumuntu osebenza eqashwe ngusonkontileka obhalisile.

(4) Phezu kwemibandela yesigatshana (1), umuntu owayenegunya lokwenza umsebenzi ochazwe esigatshaneni (1) ngokwanoma imuphi umthetho owawusebenzayo ngaphambi kokuqala kwalo Mthetho kaMasipala, angaqhubeka awenze lowo msebenzi isikhathi esingeqile ezinyangeni ezilishumi nambili ngemuva kokuqala kwalo Mthetho kaMasipala.

(5) UMasipala angamvumela umuntu ongesiye usonkontileka obhalisile ukuba azenzele umsebenzi endaweni engeyakhe nomndeni wakhe: Uma nje –

(a) efake isicelo semvume ngokugcwalisa ifomuelifanele wakhokha nemali enqunyelwe lokho;futhi

(b) umsebenzi kufanele uhlolwe uvivinywe isisebenzi esigunyaziwe noma ngusonkontileka obhalisile uma usuphelile futhi ungesetshenziswe ungakaphumeleli esivivinyweni kwakhishwa nesitifiketi sokuphothula esibabulwe esigabeni 38(1)(d).

Ukubhalisa kosonkontileka

32.(1) Isicelo sokubhalisa kuMasipala njengosonkontileka kufanele senziwe ngokugwalisa ifomuefanele ihambisane nemali enqunyelwe lokho.

(2) Ofake isicelo sokubhalisa njengosonkontileka kufanele –

(a) abe ngumuntu –

(i) obhalisengokwalo Mthetho kaMasipala njengoplamba owenza umsebenzi njengokulandisa kwesigaba 33, noma oqashe ngokugcwele umuntu obhalisenjengoplambaowenza umsebenzi; futhi

(ii) oqhuba ibhizinisi lakhe endaweni egculisa uMasipala; futhi

(b) onekheli alikhethangenhloso yokuhanjiselwa izaziso nemibhalo yezomthetho ngokwalo Mthetho kaMasipala.

(3) Ukubhalisa njengosonkontileka kuphela mhla zingama-31 kuDisemba minyaka yonke ngaphandle uma usonkontileka ebhalise mhla ka 1 Novemba kumbe ngemuva kwalokho noma kumuphi unyaka, lapho-ke ukubhalisa kwakhe kuphela mhla zingama-31 kuDisemba ngonyaka olandelayo.

(4) Isicelo sokuvuselela ukubhalisa njengosonkontileka kufanele sifakwe kuMasipala ngaphambi komhla ka 1 Disemba futhi siphelekezelwe yimali enqunyelwe lokho.

(5) Uma kuba nezinguquko emininingwaneni esesicelweni okukhunywe ngaso esigatshaneni (1), usonkontileka kufanele abhale azise uMasipala ngalezo zinguquko zingakapheli izinsuku ezili-14 zenzekile.

(6) Phezu kwemibandela yalo Mthetho kaMasipala, umuntu owayenegunya lokwenza umsebenzi ochazwe esigatshaneni (1) ngokwanoma imuphi umthetho osebenzayo ngaphambi kokuqala kwalo Mthetho kaMasipala, angaqhubeka awenze lowo msebenzi isikhathi esingeqile ezinyangeni ezilishumi nambili ngemuva kokuqala kokusebenza kwalo Mthetho kaMasipala.

Ukubhaliswa koplamba abenza umsebenzi

33.(1) Ukubhalisa kuMasipala njengoplamba owenza umsebenzi kufanele kwenziwe ngokugcwalisa ifomuelifanele futhi lihambisane nemali enqunyelwe lokho.

(2)(a) Ofake isicelo sokubhalisa kufanele –

(i) abe nemfundoefunwa nguMasipala;

(ii) angabi neminyaka engaphansi kwemihlanu ewenza mathupha umsebenzi wokufaka amanzi ngemuva kokuthola imfundo ebalulwe ku (i); futhi

(iii) anikeze ubufakazi obanelisa uMasipala ngolwazi lwakhe ngezihlinzeko zalo Mthetho kaMasipala.

(3) Ukubhalisa kukaplamba ngamunye owenza umsebenzi kufanele kuphele mhla zingama-31 kuDisemba minyaka yonke futhi isicelo sokuvuselela kufanele –

(a) sifakwe kuMasipala ngaphambi komhla ka 1 Disemba;

(b) sihambisane nemali enqunyelwe lokho:

Uma lokho kubhalisa kwenzeka mhla ka 1 Novembanoma kamuva noma kumuphi unyaka, kufanele kuphele mhla zingama-31 kuDisemba wonyaka olandelayo.

(4) Ngale kwezihlinzeko zalo Mthetho kaMasipala, umuntu owayebhalise njengoplamba owenza umsebenzi ngosuku lokuqala kwalo Mthetho kaMasipala uyothathwa njengoplamba owenza umsebenzi ngokwalo Mthetho kaMasipala.

Izitifiketi zokubhalisa

34.(1) UMasipala kufanele anike usonkontileka noma uplamba owenza umsebenzi obhalise kuMasipala isitifiketi sokubhalisa ngokwesigaba 32 noma 33.

(2) Isitifiketi sokubhalisa kufanele sibe negama likasonkonteleka noma likaplamba owenza umsebenzi nosuku lokukhishwa kwaso.

(3) Umuntu angeke enze zinguquko esitifiketinisokubhalisa.

(4) Isitifiketi sokubhalisa kufanele –

(a) sikhishwe singenazinguquko; futhi

(b) sinikwe isisebenzi esigunyaziwe zingakapheli izinsuku ezintathu zokusebenza uma siceliwe.

Isitifiketi sokubhalisa esisha

35.(1) Umuntu olahlekelwe noma owonakalelwe isitifiketi sokubhalisa kufanele ngokushesha okungenzeka, afake isicelo sesinye isitifiketi ngokugcwalisa ifomuelifanele kuMasipala.

(2) Isicelo ngokwesigatshana (1) kufanele siphelekezelwe –

(a) incwadi efungelwe mayelana nesimo sokweduka noma ukunokala kwesitifiketi; noma

(b) isitifiketi esonakele,

kanye nemali enqunyelwe lokho.

Irejista yosonkontileka noplamba abenza umsebenzi

36.(1) UMasipala kufanele abe nerejista yosonkontileka noplamba abenza umsebenzi.

(2) Irejista kufanele itholakale kwabafuna ukuyihlola, ehhovisi elifanele likaMasipala ngezikhathi zokusebenza ezejwayelekile.

Ukusulwa kokubhalisa

37.(1) Ukubhalisa kukasonkontileka noma kukaplamba owenza umsebenzi kungasulwa uma–

(a) enikeze ulwazi olungamanga efomini lokufaka isicelo;

(b) enikeze uMasipala isitifiketi esiyinkohliso noma esingalungile;

(c) ephule noma ehluleka ukuthobela izihlinzeko zalo Mthetho kaMasipala; noma

(d) evumela ukuba isitifiketi sakhe sokubhalisa sisetshenziselwe inkohlakalo.

(2) Uma uMasipala ekholwa ukuthi kukhona izizathu zokusula ukubhalisa kukasonkontileka noma kukaplamba owenza umsebenzi, kufanele kulandelwe le nqubo elandelayo:

(a) uMasipala kufanele anike usonkontileka noma uplamba owenza umsebenziokungenani isaziso esibhalwe phansi sezinsuku ezingama-21,esandleni noma ngeposi elirejistiwe esimazisa ngenhloso kaMasipala yokusula ukubhaliswa kwakhe;

(b) isaziso esishiwo ku-(a) kufanele sifake –

(i) umusho ochaza ubunjalo besinyathelo esihlongozwayo;

(ii) izizathu zesinyathelo esihlongozwayo;

(iii) isimemo sekwenza izethulo ngalolo daba;

(iv) ikheli okungathunyelwa kulo izethulo; kanye

(v) nosuku, isikhathi nendawo yokuqulwa kwecala, okungeke kube ngaphansi kwezinsuku ezili-15 kusukela osukwini lwesaziso, ukucubungula ukucishwa kokubhalisa, nokuveza ukuthi usonkontileka noma uplamba owenza umsebenzi ubengathumela izethulo zakhe futhi abe khona ekuqulweni kwecala;

(c) usonkontileka obhalisile noma uplamba owenza umsebenzikufanele anikwe ithuba lokuzizela mathupha noma athumele ozomumela ogunyazwe ngokufanele ekuqulweni kwecala enze izethulo zakhe esisebenzini esigunyaziwe;

(d) uma usonkontileka obhalisile noma uplamba owenza umsebenziefisa ukuba khona ekuqulweni kwecala nokuphikisa isinqumo esihlongozwayo kufanele kuthi zingakapheli izinsuku eziyiskhombisa ethole isaziso noma ngesinye isikhathi esingavunywa nguMasipala, athumele izethulo zakhe ezibhalwe phansi, ngesandla noma ngeposi elirejistiwe ekhelini elisesazisweni; futhi

(e) ngemuva kokuqulwa kwecala, isisebenzi esigunyaziwe kufanele sikhiphe isigwebo sisho ukuthi kuyesulwa noma cha ukubhalisa futhi sinike usonkontileka obhalisile noma uplamba owenza umsebenziizizathu zesinqumo zingakapheli izinsuku eziyishumi nane kwaphothulwa icala.

(5) Usonkontileka obhalisile noma uplamba owenza umsebenzikufanele alethe isitifiketi sakhe sokubhalisa kuMasipala zingakapheli izinsuku eziyisikhombisa ebhalelwe aziswa ngokwesulwa kwesitifiketi sakhe sokubhalisa.

(6) Uma uMasipala esula isitifiketi sokubhalisa sikasonkontileka obhalisile noma uplamba owenza umsebenzi, isicelo sokuphinda kubhaliswe lowo muntu siyoshaywa indiva kuze kudlule izinyanga ezili-12 kusukela osukwini lokucishwa kokubhaliswa kwakhe.

Amajoka kasonkontileka obhalisile

38.(1) Usonkontileka obhalisile–

(a) ngaphandle uma naye enguplamba obhalisile owenza umsebenzi, kufanele ngaso sonke isikhathi abe nomuntu okungenani oyedwa obhaliswenjengoplamba owenza umsebenziamqashe ngokugcwele futhi –

(i) oqokwe ngusonkontileka obhalisile efomini okukhulunywe ngalo ku-(c) noma esazisweni okukhulunywe ngaso esigatshaneni (2); futhi

(ii) akwamukele ukuqokwa kwakhe ngokusayina ifomu noma isaziso;

(b) kufanele aqinisekise ukuthi umsebenzi awenzayo uwenza ngaphansi kweso likaplamba obhalisile owenza umsebenzi amqashile;

(c) kufanele azise uMasipala efomini elifanele ngenhloso yakhe yokuqala umsebenzi okukhulunywe ngawo esigabeni 31, kusasele izinsuku zokusebenza ezingekho ngaphansi kwezintathu ngaphambi kokuba kuqalwe umsebenzi;futhi

(d) zithi zingakapheli izinsuku ezinhlanu kuqedwe lowo msebenzi, acele ukuba uzohlolwa lowo msebenzi ukuqinisekisa ukuthi uyahambisana namazinga nguMhloli waManzi; uma ukufakwa kwamanzi kuhambe ngendlela efanele, uMhloli waManzi uyokhipha isitifiketi sokufaneleka.

(2) Zingakapheli izinsuku ezinhlanu eshintshe uplamba obhalisileowenza umsebenzi okukhulunywe ngaye esigatshaneni (1)(b), kumbe nanoma imuphi uplamba owenza umsebenzi obhalisile oqokwe ngokwalesi sigatshana, usonkontileka obhalisile kufanele abhale isaziso asibhekise kuMasipala aqoke omunye uplamba obhalisile owenza umsebenziokufanele amukele ukuqokwa kwakhe ngokuba abhale phansi.

Amajoka kaplamba abhalisile owenza umsebenzi

39. Uplamba obhalisile owenza umsebenzi kufanele –

(a) aqinisekise ukuthi umsebenzi wokufaka owenziwe nguye kumbe noma ngubani ongaphansi kwakhe ulandela lo Mthetho kaMasipala;

(b) afakazise efomini lalokho ukuthi umsebenzi wokufaka ulandele lo Mthetho kaMasipalanamanye amazing abekwe nguMasipala;

(c) Uma kudingeka isitifiketi sokuphothulwa komsebenzi wokufaka, axhumane neWater Inspectorate Section.

Umsebenzi owenziwe ngabantu abangebona osonkontileka ababhalisile

40.(1) Uma umsebenzi wokufaka wenziwa ngokuphambene nalo Mthetho kaMasipala, uMasipala angadinga ukuba ngesaziso esibhaliwe umnikazi wendawo aqinisekise ukuthi umsebenzi uyamiswa umnikazi aze aqashe usonkontileka obhalisile ukuba enze lowo msebenzi.

(2) Uma umsebenzi wenziwe ngokuphambene nalo Mthetho kaMasipala, uMasipala angadinga ukuba ngesaziso esibhaliwe umnikazi wendawoaqashe usonkontileka obhalisile ukuba

(a) ahlole umsebenzi alungise nayiphi indawo engawulandeli lo Mthetho kaMasipala;

(b) avivinye futhi abulale amagciwane omsebenzi ngokwalo Mthetho kaMasipala; bese

(c) exhumana neWater Inspectorate Section ukuhlola ikhiphe isitifiketi sokufaneleka.

ISAHLUKO 8

UKUVIVINYA, UKUBULALA AMAGCIWANE NOKUSEBENZISA UKUFAKWA KWAMANZI

Ukuvivinya nokuhlanza ukuxhunywa kwamanzi

41.(1) Ngaphambi kokuba usonkontileka obhalisiwe alethe isitifiketi sokuhlangabezana nezidingo, ngokubona kukaMasipala, angadingeka ukuba avivinyefuthi ahlanze

ukuxhunywakwamanzi ngesibulalimagciwaneukuzeagculise izidingo zesigaba 43 noma 44 zalo Mthetho kaMasipala.

(2) Ukwenzela ukuvivinya nokuhlanza ngesibulalimagciwaneokukhulunywe ngakho esigatshaneni (1), usonkontileka obhalisiwe kufanele –

(a) abe nayo yonke impahla nabasebenzi ngezindleko zakhe; futhi

(b) akhokhele wonke amanzi asetshenzisiwe.

(3) Usonkontileka obhalisiwe kufanele azise uMasipala ngokugcwalisa ifomu elifanele ngenhloso yakhe yokuvivinya nokuhlanza ngesibulalimagciwaneokukhulunywe ngakho esigatshaneni (1) kusasele izinsuku zokusebenza ezingekho ngaphansi kwezimbili ngaphambi kosuku azokwenza ngalo umsebenzi.

(4) Uma ukuvivinya noma ukuhlanza ngesibulalimagciwanekungenziwa ngosukunangesikhathi esishiwo esazisweni okukhulunywe ngaso esigatshaneni (3), noma uma kungagculisi, usonkontileka obhalisiwe kufanele alethe isaziso esisha akhokhe nemali enqunyelwe lokho.

Ukuhlola noma ukuhlanza amanzi afakiwe ngesibulalimagciwaneokudingwa nguMasipala

42.(1) Ngesaziso esibhaliwe uMasipala angadinga ukuba umnikazi asebenzise usonkontileka obhalisiwe ngezindleko zakhe –

(a) ukuhlola ukuxhunyelwa kwamanzi ngokwesigaba 43;

(b) nokuhlanza amanzi afakiwe ngesibulalimagciwanengokwesigaba 44.

(2) Kusebenza izihlinzeko zesigaba 41, nezinguquko ezifanele, maqondana nokuhlola noma ukubulala amagciwane.

(3) Zingakapheli izinsuku eziyisikhombisa usonkontileka obhalisiwe okukhulunywe ngaye esigatshaneni (1), kufanele alethe isitifiketi sokuhambisana namazinga kuMasipala.

Ukuhlola umfutho wamanzi

43.(1) Uma evalwe wonke amafithingi amanzi, umfutho wamanzi axhunyiwe kufanele ube yi-1500 kilopascals noma lowo mfutho ongaphansi kwalo onganqunywa nguMasipala ngesimo

ngasinye: Kepha maqondana namanzi okucisha umlilo noma amanzi asetshenziselwa okuxubile, umfutho wamanzi kumele ube yizi -2 000 kilopascals.

(2) Ukuxhunyelwa kwamanzi kuzothathwa njengokugculisayo uma kuhlale kunjalo imizuzu engekho ngaphansi kweyi-15 ngaphandle kokufakwa kwamanye amanzi kuso sonke leso sikhathi.

(3) Ukuxhunyelwa kwamanzi kungahlolwa kulezo zingxenye ezivunywe nguMasipala.

Ukuhlanza ngesibulalimagciwane

44.(1) Ukufakwa kwamanzi kumele kuhlanzwe kuze kuphume amanzi ahlanzekile kuwo wonke amafithingi amanzi.

(2) Uma sekufakwe amanzi kumele afakwe ichlorine elingene futhi isikhathi esilingene kuze kuthi uma kukhiwa amanzi kuhlolwa icholrine, kutholakale ukuthi kuwo wonke amafithingi amanzi kukhona ichlorine engekho ngaphansi kwamamilligram amahlanu ilitha ngalinye.

(3) Ngaphezu kwezidingo ezibalulwe esigatshaneni (2), ngesaziso esibhaliwe uMasipala angadinga ukuba ukuhlanza ngesibulalimagciwane kuqhubeke kuze kube nomphumela wokuhlolela amabhaktheriya okhomba ukuthi ayikho i-E. coli,Type I emanzini asetshenziswe njengesampula eliyi-100 lamamililitha.

(4) Lapho kuxhunywe khona amanzi kumele kuhlanzwe ngohlelo lwamanzi uma ukuhlanza ngesibulalimagciwane sekuphelile.

(5) Lapho kufakwe khona amanzi kungahlanzwa ngesibulalimagciwane ezingxenyeni ezivunywe nguMasipala.

Ukusetshenziswa kokuxhunywa kwamanzi

45.(1) Ukuxhunywa kwamanzi,kanye nanoma iyiphi ingxenye yakhona, angeke kusetshenziselwe enye into ngale kokwakha kuphela, ngaphambi kokuba kuthunyelwe isitifketi sokuhlangabezana nezidingo zalokho kuMasipala.

(2) Ukulethwa kwesitifiketi sokuhlangabezana nezidingo kuMasipala akukhululi umnikazi emajokeni akhe angokwesigaba 112.

ISAHLUKO 9

IZIDINGO EZEJWAYELEKILE ZOKUXHUNYWA KWAMANZI

Ukufakwa nokunakekelwa kokuxhunywa kwamanzi

46.(1) Umnikazi kufanele afake anakekele ukuxhunywa kwamanzi kwakhe ngezindleko zakhe ngaphandleuma–

(a) kuxhunywa epayipini lokuxhuma; noma

(b) lapho kuvunyelwe khona ngokwalo Mthetho kaMasipala,

kufanele aqinisekise ukuthi indawo okuxhunywekuyo ingaphakathi komngcele wendawo yakhe.

(2) Ngaphambi kokwenza umsebenzi maqondana nokunakekela ingxenye yokuxhunywa kwamanzi engaphandle komngcele wendawo yakhe, umnikazi kufanele athole imvume kaMasipala ebhaliwe noma yomnikazi walowo mhlaba ingxenye ekuwo.

Amapayipi namafithingi amanzi agunyaziwe

47.(1) Umuntu angeke afaka noma asebenzise ipayipi noma amafithingi lapho kuxhunywa khona amanzi ngaphandle uma ekhona eshedulini yamapayipi namafithingi amanzi obekwe nguMasipala futhi ngokwanoma imiphi imibandela ebekwe kuleyo sheduli.

(2) Phezu kwezihlinzeko zesigatshana (1), uMasipala angavumela ukuba kuxhunywe noma kusetshenzisweipayipi noma ifithingi yamanzi okungekho eshedulini futhi okungayilandeli imibandela ebhalwe kuleyo sheduli, uma kuwukuxhuma nokusetshenziswa okuthile okubaluliwe.

Izidingo zokwamukeleka kwamapayipi namafithingi amanzi

48.(1) Ipayipi noma amafithingi amanzi kungafakwa eshedulini yamapayipi namafithingi avunyelwe uma –

(a) kunophawu lwakwaSouth African Bureau of Standards ngokwezidingo ezifanele zakwaSABS;

(b)kuqinisekiswe yiBureau ukuthi kuyahambisana namazinga abekwe yiyo; noma

(c) kunophawu lwesitifiketi esikhishwe ezweni lakhona mayelana nezidingo eziqinisekiswe yiSABS ezilingana nokuqinisekiswa noma ukufaneleka okukhishwa yiSABS.

(2) Ipayipi noma amafithingi amanzi kungafakwa eshedulini yamapayipi namafithingi amanzi agunyaziwe uma amapayipi noma amafithingi amanzikusezingeni elemukelekile futhi lelo nalelo payipi noma nefithingi kunophawu olwehlukile olubonakala.

(3) UMasipala maqondana nanoma imaphi amapayipini noma amafithingi amanzi akwisheduli yamapayipi namafithingi, angabeka noma imiphi imibandela ayibona ifanele maqondana nokusetshenziswa noma nendlela yokufakwa kwakho.

Ukufakwa kwamapayipi namafithingi amanzi eshedulini

49.(1) Isicelo sokufaka ipayipi noma ifithingi yamanzi eshedulini yamapayipi namafithingi amanzi agunyaziwe kufanele senziwe ngokugcwalisa ifomu elifanele futhi sihambisane nemali enqunyelwe lokho.

(2)(a) Ipayipi noma ifithingiyamanzi kungafakwa eshedulini yamapayipi namafithingi amanzi agunyaziweisikhathi esingeqile eminyakeni emibili ngaphandle uma kunophawu lokuqinisekisa ukufaneleka lweSouth African Bureau of Standards.
(b) Isicelo sokuqhubeka nokufaka lawo mapayipi namafithingi eshedulini kufanele senziwe ngokugcwalisa ifomuelifaneleelihambisana nemali enqunyelwe lokho kusasele izinyanga ezingekho ngaphansi kwezimibili kuphelelwe yisikhathi.

(3) UMasipala angalikhipha noma nini ipayipi noma ifithingi yamanzi eshedulini yamapayipi namafithingi amanzi agunyaziweuma ipayipi noma ifithingi yamanzi –

(a) kungasayilandeli indlela ebekiwe yokufakwa kwakho eshedulini; noma

(b) kungasayilungele inhloso yalokho okwakuvunyelwe ukuba isetshenziselwe yona, ngokubuka kukaMasipala.

(4)Isheduli yamapayipi namafithingi agunyaziwekufanele itholakale kwabafuna ukuyibona ehhovisi leNhloko yoMnyango noma nini ngezikhathi zokusebenza.

(5) UMasipala angadayisa amakhophi esheduli yamapayipi namafithingiagunyaziwengenani elinqunyelwe lokho.

Indlela yokusebenza kwamapayipi namafithingi amanzi

50.(1) Wonke amapayipi namafithigi amanzi ngaphandle kwamathange okugcina amanzi kufanele kukwazi ukumelana nomfutho wangaphakathi obekwe esigabeni 43(1) salo Mthetho kaMasipala.

(2) Izingxenye zesokusansimbi kumafithingi amanzi okufanele ukuba zithintane namanzi kufanele kube ngezekhopha okuzothi lapho kuhlolwa khona okuhlanu okungamasampula okuthathwe noma kuphi njengokuyalela kwezidingo ze-ISO 6509 of 1981, zikhombise ukujula okungeqile kumamicrometer angama -250.

Indlela yokudizaynwa kokufakwa kwamanzi

51.(1)(a) Umfutho wamanzi lapho kugcina khona ifithingi angeke ube ngaphezu kwama -600 kilopascal.

(b) Uma umnikazi efake isicelo futhi wakhokha nemali enqunyelwe lokho, uMasipala anganqumafuthi anikeze umnikazi ngobungako bomfutho ohlelweni lwamanzi ahlinzekwa indawo yakhe kuleso sikhathi esicelwe nguye umnikazi wendawo.

(2) Isivinini sokuphuma kwamanzi epayipini angeke seqe emamitheni amabili ngomzuzwana.

(3) Lowo nalowo mnikazi wendawo kufanele aqinisekise ukuthi kukhona amanzi amanele alondoloziwe, azosetshenziselwa okunye ngale kokucishwa komlilo noma ukuletha umoya obandayo, njengokunquma kukaMasipala.

Ukuphampa amanzi

52.(1) Uma kuzophantshwa amanzi esuka ohlelweni lokuhlinzeka ngamanzi kufanele aphantshwe esuka ethangeni lokugcina amanzieliphakelwa ipayipi elikhulu futhi elihambisana nezinguquko ezifanele zezihlinzeko zalo Mthetho kaMasipala: Kepha lesi sigatshana asisebenzi emanzini okucima umlilo.

(2) Umnikazi kufanele abe nezimfanelo zokuphampa amanzi, okungenani kube amasethi amabili okuphampa amanzi ubukhulu bawo obukwazi ukuhlinzeka ngokuhamba kwamanzi okudingekayo.

(3) Umnikazi kumele aqinisekise ukuthi isethi ngayinye yokuphampa amanzi okukhulunywe ngayo esigatshaneni (2) ingakhethwa noma nini ukuba isetshenziswe.

(4) Isethi ngayinye yokuphampa amanzi okukhulunywe ngayo esigatshaneni (2) kufanele ibe –

(a) nesivikelo emfuthweni ophansi wamanzi epayipini layo elidonsa amanzi;

(b) ivalvu eyehlukanisayo ifakwe macala womabili ephampu; kanye

(c) nevalvu evimba ukubuyela emuva kwamanzi epayipi esuka ephampini futhi ifakwe phakathi kwephampu nevalvu yokwehlukanisa okukhulunywe ngayo endimeni (b).

Ukufakwa kwamapayipi

53.(1) Uma ipayipi lifakwa ngaphansi komhlabathi, ibanga phakathi kwengaphezulu lalo nalapho lihleli khona ngaphansi akumele –

(a) leqe emitheni; futhi

(b) libe ngaphansi –

(i) kwamamililitha angama -450 uma kuyipayipi elingeqile kumamililitha angam -75 ububanzi bombhobho; noma

(ii) kwamamililitha angama -750 uma kuyipayipi elingeqile kumamililitha angama -75 ububanzi bombhobho.

(2) Uma ngokubona kukaMasipala singeke sithobeleke isidingo sesigatshana (1) engxenyeni ethile yepayipi, uMasipala angabeka imibandela ethile okungafanele kufakwe ngayo leyo ngxenye.

(3) Akukho payipi elingafakwa lisondele ngamamilimitha angama -500 emseleni wamanzi noma epayipini lokuhambisa indle: Kodwa uma ipayipi linqamula emsele wamanzi noma epayipini lokuhambisa indle nge engela efanele, kufanele ukwehlukana kokuma kwalo kungabi ngaphansi kwamamilimitha ayi -100.

(4)(a) Ipayipi elinqamula ngaphansi kwebhilidi kufanele livalelwe kwislivu–

(i) esilingana nebanga eliphelele elinqanyulwa yipayipi ngaphansi kwalelo bhilidi; futhi

(ii) linqamule kuleyo ndawo elizovumela ukuba likwazi ukukhipheka lelo payipi.

(b) Ngaphezu kwezihlinzeko zendima (a) –

(i) akufanele kube khona lapho exhunywe khona amapayipi kulelo banga elivalelwe ngeslivu futhi kufanele kube nesikhala esanele macala womabili eslivu ukuze likhipheke noma lishintshele kalula ipayipi; futhi

(ii) uma lihamba ngaphansi kukakhonkolo kufanele livalelwe kwislivu ngokuhambisana nendima (a), noma libe semgodini ombozwe ngesihlabathi ngendlela eyenza ukuba kungafinyeleleki epayipini.

(5) Ipayipi aufanele lifakwe –

(a) odongeni noma phansi ngaphandle uma lihlanganiswe nodaka lashuthekwa kwelinye noma livalelwe emgodini elingakhipheka kuwo;

(b) esikhoxeni odongeni; noma

(c) njengengxenye kakhonkolo noma okusansimbi.

(6) Ipayipi elingamile endaweni yalo kufanele –

(a) lesekelwe ngokokweseka amapayipi okufanele kube uhlobo futhi kwakhiwe ngempahla ehambisana nalelo payipi kanye nezinga lokubanda nokushisa okuhanjiswa yilo;futhi

(b) lilandele nanoma iziphi ezinye izidingo kumbe imibandela ebekwe nguMasipala.

(7) Uma ngokubona kukaMasipala, uhlobo oluthile lwepayipi noma ifithingi yamanzi kungakulungele ukusetshenziswa esimweni esithile, ngesaziso esibhalelwe umnikazi –

(a) angakwenqabelaukusetshenziswa kwalelo payipi noma ifithingiyamanzi; noma

(b) angadinga ukuba kusetshenziswa izindlela zokuvikela ezemukelekile kuMasipala.

(8) UMasipala angadinga ukuba ukuxhunywa kwamanzi okwehlukene egcekeni kube nendlela eyamukelekile okubonakala ngayo noma, uma kungenzeka, kubonakale ngohlelo lwemibala ekuSABS 0140: Identification of Colour Marking, Part III: Contents of Pipelines, njengokuchitshiyelwa kwayo, yashicilelwa kwi*Gazethi kaHulumeni*ngeSaziso No. 463 sangomhla ziyi-9 Julayi 1982.

Amavalvu ehlukanisayo

54.(1) Ivalvu ehlukanisayo epayipini elihlinzeka ngamanzi kufanele ifakwe ingabi ngaphezu kwamamitha ayi -1,5 ngaphakathi komngcele wendawo.

(2) Uma ivalvu ehlukanisayo okukhulunywe ngayo esigatshaneni (1) ingaphansi komhlabathi, kufanele kufinyeleleke evalvini ukuze isebenziseke.

(3) Ivalvu ehlukanisayo kufanele ifakweendaweni okufinyeleleka kalula kuyo –

(a) lapho ipayipi lingena khona kunoma iliphi ibhilidi noma, kwenye ingxenye yalo ehlala abanye abantu;

(b) egatsheni lepayipi elisuka epayipini elikhulu;

(c) egatsheni lepayipi eliza esigujini sokushaya ithoyilethe noma kwivalvu yokuhambisa amanzi encikenenaso: kodwa leyo valvu ehlukanisayo ingayekwa uma ivalvu yokuhambisa ineyayo ivalvu ehlukanisayo;

(d) emacaleni womabili futhi eduze nalapho kufakwe khona okokuvimbela ukubuyela emuva kwamanzi noma eduze nevalvu eyehlisa umfutho noma inhlanganisela yalokho kokubili lokhu; futhi

(e) maqondana nethangi lokugcina amanzi –

(i) epayipini elemukelayo eliseduze enhla nevalvu elawula ukungena kwamanzi ethangeni;

(ii) nasepayipini elikhiphayo elixhunywe emapayipini amanzi futhi eliseduze nethange,

akukho kuxhuma okungenziwa epayipini elemukelayo noma elikhiphayo phakathi kwevalvu ehlukanisayo nethange.

(4) Ngesaziso esibhaliwe, uMasipala angadinga ukuba umnikazi afake ivalvu ehlukanisayo noma kuphi lapho kuxhunywe khona amanzi uma ebona kufanele.

Amathange okugcina amanzi

55.UMasipala anganquma amazinga nezidingo zokufakwa, ukunakekelwa nokuhlolwa kwamathange okugcina amanzi.

Ukuxhunywa okuphuthumayo kokwasendlini

56.(1) Ukuxhunywa kwephampu okufakwe ngekhaphlingi ewubukhulu newuhlobo olugagulwe nguMasipala kufanele kuhlinzekelwe epayipini eliphakela ithange lokugcina amanzi esibhedlela, emtholampilo, endaweni yabahlengikazi, yabadala kanye nelinye ibhilidi abahlala kulo abangeke bakwazi ukuba bavele basuswe kalula uma kwenzeka kuphazamiseke ukuthunyelwa kwamanzi.

(2) Ivalvu evimba ukubuyela emuva kufanele:

(a) ifakwe ngenhla lapho kuxhunywe khona ngokwesigatshaneni (1);

(b) ilunguze ukuze inakekeleke kalula; futhi

(c) ibe sekhosombeni elingekho ngaphansi kwama-450mm x 750mm.

(3) Ukuxhuma okukhulunywe ngakho esigatshaneni (1) kufanele kume ngendlela okufinyelelekayo kuyo ngaphandle kwebhilidi ukuphakama kwakhona kungeqi emitheni elilodwa ukusuka phansi.

Ukufakwa kwamahitha amanzi angasuki

57.(1)UMasipala angabeka amazinga nezidingo zamahitha amanzi angasuki nokufakwa kwawo.

(2) Ukufakwa kwamahitha amanzi angasuki kufanele kuhambisane ne SANS 10254.

(3) Konke ukufakwa kwamahitha amanzi amasha nashintsha amadala kufanele kube nethileyi lamanzi aconsayo ukuze lawo achichimayo achithekele ngaphandle.

Izinga eliphezulu lokushisa kwamanzi

58. Izinga lokushisa kwamanzi aphuma kumafithingi ahlinzeka ngamanzi ashisayo angeke leqa ema-55°C.

Ukubuyela emuva kwamanzi ashisayo

59. Kufanele kuthathwe izinyathelo ezamukelekile futhi ezigculisa uMasipala zokugwema ukubuyela emuva kwamanzi ashisayo nabandayo.

Ukufakwa kwezinto zokucwenga

60.(1) Kumele kwenziwe–

(a) lapho kuxhunywe khona; noma

(b) ekufakweni kwamanzi,

ukuvimbela ukungena kwezinhlayiya ezingaphezu kwamamicrometer angama -710 u bukhulu kumafithingi alawula ukuhamba noma umfutho wamanzi emapayipini.

(2) Uma ukungahlangabezani nezidingo zesigatshana (1) kudalwe ukuthi akungafakwanga okokucwenga kumafithingi okukhulunywe ngawo esigatshaneni (1), leyo mpahla yokucwenga kufanele–

(a) kube ngeyakheke ngendlela ezokwazi ukuba ikhishwe ngaphandle kokuba kuze kukhishwe ifithingi; futhi

(b) lifakwe lapho kufinyeleleka kalula khona ukuze inakekeleke.

Ukugwenywa kokuphuphuma komfutho

61. Umuntu angeke axhuma lapho kuxhunywe khona amanzi ifithingi yamanzi noma okunye okungabangelwa noma okungase kudale umonakalo ohlelweni lokuhanjiswa kwamanzi noma okunye ukufakwa kwamanzi ngenxa yokuphuphuma komfutho.

Ubukhulu bepayipi

62.(1) Ubukhulu banoma iliphi ipayipi lapho kuxhunywe khona amanzi kufanele banele ukuhlinzeka ngenani lamanzi adingekayo ukuze noma iyiphi ingxenye yokukalwa kwamanzi isebenze ngendlela ngaphandle kokweqa isivinini sokuphuma kwamanzi okukhulunywe ngakho esigabeni 51(2).

(2) Ubukhulu banoma iliphi ipayipi kufanele kube ngobufanele kuze kube lapho kudingeka khona lelo nani.

Ukufakwa kwamagiza amanzi asebenza ngelanga

63.(1) Uhlelo lwamagiza amanzi asebenza ngelangakufanele lufakwengendlela yakhona yokufakwa nokusebenza kohlelo lwamagiza amanzi asebenza ngelanga (SABS.0106-1985), njengoba kushicilelwe kwi*Government Gazette*nge, General Notice 463 yangamhla ziyi-9 Julayi 1982.

(2) Konke okufakiwe kuzoba nendlela yokufaka ivalvu yokuhlanganisa ezisebenzelayo.

ISAHLUKO 10
UKUGWENYWA KOKUSETSHENZISWA KWAMANZI NGOKUNGAFANELE

Ukusaphazwa kwamanzi

64.(1) Ikhasimende angeke–

(a) lakuvumelaukusetshenziswa kwamanzi okusaphazayo lapho ephuma khona;

(b) lawavumela amapayiyipi noma ukuxhuma ukuba kuvuze;

(c) lakuvumela ukusetshenziswa kwamafithingi okungewona noma angafanele;

(d) lakuvumela ukuqhubeka kokuchitheka kwamanzi;

(e) lakuvumela ukuqhubeka kokusetshenziswa kwamanzi okungongi.

(2)Umnikazi kufanele alungise noma afake enye ingxenye yokufakwa kwamanzi endaweni yaleyo esikhandlekile uma ngokubona kukaMasipala isibangela noma isingase ibangele okusohlwini olusesigatshaneni (1).

(3) Uma umnikazi engayilandeli imibandela yalesi sigaba, uMasipala –

(a) angathatha izinyathelo abona zifanele ngale kokukhipha isaziso kuqala;futhi

(b) angazibiza kumnikazi izindleko zalokho.

(4)(a) Ikhasimende kufanele liqinisekise ukuthi ukusebenza kwanoma iyiphi impahla noma umshini oxhunywe emanzini alo kusebenzisa amanzi ngendlela enokonga.

(b) UMasipala anganqabela ikhasimende ngesaziso esibhaliwe ukuba lisebenzisa noma iyiphi impahla exhunywe emanzini, uma ngokubona kwakhe ukusebenza kwayo kungawongi amanzi.

(c) Impahla okukhulunywe ngayo endimeni (b) angeke yabuyiselelwa ukusetshenziswa futhi ize ibe sesimweni sokonga nesicelo esibhaliwe sokwenze njalo sivunywe umsebenzi ogunyaziwe.

Ukusetshenziswa kwamanzi ukupholisa

65. Umuntu angeke avumela ukuba amanzi –

(a) asetshenziselwa ukupholisa noma iyiphi impahla noma umshini; futhi

(b) aphuma emapayipini okuxhuma amanzi,

elokhu echitheleka phansi, ngaphandle uma kuqondwe ukuba afike ezingeni elithile elibekiwe lapho kuhlanzwa khona amanzi.

Uhlelo lokusatshalaliswa kwamanzi ashisayo

66.(1) Ipayipi elithwala amanzi ashisayo aphuma ngqo lapho eshishiswa khona, noma ephumaohlelweni lokushisisa amanzi ayongena kwifithingi, angeke lakwazi ukuthwala umthamo wamanzi ongaphezu kwamalitha amane.

(2) Amanzi ashisayo kufanele abe ngawohlobo oluzungezayo kuthi amapayipi azungezayo ambozwe ngempahla–

(a) engeqile ku-0,04 watts imitha ngalinye kwiCelsius ngalinye ekuhambiseni ukushisa; futhi

(b) ewugqinsi olwanele ukuthi uma lisetshenziswa ngokwejwayelekile ukushisa okungaphandle kungeqi ku-6°C ngaphezu kokushisa okulizungezile.

(3) Insimbi yokushisisa kagesi yehitha yamanzi engathwala amalitha angama-500 kufanele kube ngekhiphekayo ngaphandle kokuchitheka kwamanzi kuleyo hitha.

Amaphampu okushisisa amanzi

67. (1) Amaphampu okushisisa amanzi kufanele akhethwengendlela ezohlinzeka ngenani lamanzi ashisayo elidingekayo.Izinga lokushina emahitheni ashisisa amanzi kufanele lingeqi ku-60°C.

(2) Uma kunephambu yokushisisa amanzi, futhi ngaphandle uma kudingekile, kuyoba nohlelo oluseceleni lokushishisa amanzi uma kwenzeka iphampu yokushisisa amanzi ihluleka ukusebenza.

(3) Kuyofakwa iswishi ethile ukuze lezi zinhlelo zingasebenzi zombili ngasikhathi sinye.

(4) Ukufakwa kwephampu yokushisisa amanzi kumele kuhambisane namazinga eSANS 1352.

Ukuchitheka ekuxhunyweni kwamanzi empompini kumele kubonakale

68. Ukuxhunywa kwamanzi empompiniongeyonaivalvu engenisa amanzi uma esehlile esigujini sethoyilethe noma ethangeni kufanelekume ngendlela eyenza ukuba amanzi aphuma esigujini sawo ethoyilethe noma ethangeni azibonakalele nje.

Ukuchichima esigujini samanzi ethoyilethe

69. Ipayipi lokuchichima kwamanzi esigujini samanzi ethoyilethe kufanele kuphumele ngaphandle kwesakhiwo ukuze ukuchitheka kwamanzi kuzibonakalele ngokwakho.

Ukushaya ithoyilethe nezindawo zokuchama zabesilisa.

70.(1) Okokukushaya ithoyilethe noma indawo yokuchamakumele kucofwe –

(a) ngesandlangumuntu osebenzisa lelo thoyilethe noma indawo yokuchamela, noma

(b) kuzihambele khona ngokwako ngomshini ovunyiwe obangela ukuba ithoyilethi lishayeke njalo emva kokusetshenziswa kwalo noma indawo yokuchamela.

(2) Okokushaya ithoyilethikufanele –

(a) kungakwazi ukuhambisa ngaphezu kwamalitha ayi-9,50 noma ngaphansi kwayi-8,50 amanzi uma kushawa ithoyilethe ngokwejwayelekile; futhi

(b) kuxhunywe esihlalweni sethoyilethi esakhiwe ngendlela ezodala ukuba sisale singenalutho njalo uma kade lishaywa.

(3) Okucofwayo ukuze kushayeke ithoyilethe kumelekwakhiwe ngendlela yokuthi uma kufile angeke likwazi ukushayeka ithoyilethi.

(4) Singesetshenziswe isigubhu sasethoyilethe noma ithange elichithela nganxanye ukuhambisa umchamo ngokwakho.

(5) Kudingeka okokuhambisa okwehlukile –

(a) kokokuhambisa umchamo okunanyathiselwe odongeni ngakunye;

(b) okusasitsha; futhi

(c) nokuyi-1,8 wamamitha ubude okuphansi.

(6) Okokuhambisa umchamo kufanele kungahambisi –

(a) ngaphezu kwamalitha amabili; noma

(b) ngaphansi kwelitha elilodwa njalo lapho kuhambisa.

Ompompi namashawa anamawashi

71.(1) Ubheseni wezandla ngamunye kwabathathu nangaphezulu ebaleni kufanele ube nompompi onewashi eligcinisa ukuphuma kwamanzi kungeqi elitheni njalo uma usetshenziswa.

(2) Ishawa ngalinye kwamabili noma ngaphezulu ebaleni kufanele libe namavalvu agcinisa ukuphuma kwamanzi kungeqi emalitheni ama-2,5 njalo uma lisetshenziswa.

Ompompi abangaphandle kwesakhiwo

72. Umnikazi angeke afaka umpompi ngaphandle esakhiweni kube kungekhona endaweni yokuhlala ngaphandle uma –

(a) ukwazi ukuzivalekela;

(b) unesibambo esiphumayo sokuwubenzisa;

(c) ukhiyeka ukuvimbela ukusetshenziswa ngokungemthetho; noma

(d) kungumpompi ofunakala njalo onomkhawulo emthamweni wamanzi aphumayo njalo uma usetshenziswa.

ISAHLUKO 11

UKUGWEMA UKUNGCOLA KWAMANZI

Umnikazi kumele agweme ukungcoliseka kwamanzi

73. Umnikazi kumele, ngezindleko zakhe, athathe izinyathelo ezifanele, ezemukelekile kuMasipala, ukunqanda ukungena kwezinto ezingaba yingozi kwezempilo noma ezingathikameza ukuhamba kwamanzi –

(a) ohlelweni lokuphakelwa kwamanzi; kanye

(b) nakunoma iyiphi ingxenye yamapayipi amanzi esakhiweni sakhe.

Ukuvikelwa kohlelo lokuphakelwa kwamanzi

74.(1) Kumele umnikazi wesakhiwo ahlinzeke futhi agcine kahle izindlela ezidingeka ngokwesigatshana (2) futhi ezemukelekile kuMasipala ukuze kugwenywe ukuhlehla kwamanzi emapayipini abuyele ohlelweni lokuphakelwa kwamanzi, uma -

(a) kunepayipi lokucima umlilo noma lezinto ezixubile esakhiweni;

(b) kunepayipi lamanzi okwenza le misebenzi elandelayo –

(i) ukwelapha abantu noma izilwane;

(ii) ucwaningo nemikhiqizo yokwelapha, yemithi noma yocwaningo;

(iii) ezolimo, kubandakanya ideli nezindawo zokukhulisa izilwane;

(iv) ukuwasha izithombe;

(v) ilondolo noma abahlanzi bezingubo;

(vi) kupholishwa insimbi; noma

(vii) kushuka izikhumba;

(c) kunepayipi lamanzi eliphakela –

(i) amakhaza;

(ii) isilaha;

(iii) isiphehli samanzi angcolile;

(iv) indawo yokugaya udoti;

(v) amachweba;

(vi) isakhiwo sokuhluza nokugcina uwoyela;

(vii) imboni yewayini, yokuhluza utshwala, yokugaya utshwala, yokuvubela kanye neyeziphuzo ezipholile;

(viii) inkundla yezemidlalo;

(ix) nanoma isiphi esinye isakhiwo lapho kwenziwa khona imisebenzi ngokubona kukaMasipala engadala ingozi kwezempilo noma engaphazamisa ukuphakelwa kwamanzi uma kwenzeka leyo nto ingena ohlelweni lokuphakelwa kwamanzi; noma

(d) kunepayipi elejwayelekile esakhiweni ngemuva kokukhishwa kwesaziso ezibhalwe phansi sikaMasipala sokuba kwenziwe njalo.

(2) Izindlela ezidingeka ngokwesigatshana (1) –

(a) ukuthelwa kwamanzi aphuma epayipini lokusebenza athelwa ethangini lokuwagcina ngendlela enegebe lomoya ngokuhambisana nezihlinzeko zalo mthetho kaMasipala nanoma imaphi amanye amazinga nemibandela enqunywe uMasipala;

(b) ukudlula kwalawo manzi epayipini –

(i) ngomfutho omncane ovimbela ukubuyela emuva kwamanzi; noma

(ii) ngokubhekwa kwesivimbelo sokubuyela kwamanzi emuva;

(c) nanoma iyiphi enye indlela eyemukelekile kuMasipala ehlose ukufezekisa inhloso ehlongozwe endimeni (a) noma (b).

(3) Umnikazi wesakhiwo kumele aqinisekise ukuthi akuxhunywa lutho epayipini lakhe lokusebenza –

(a) phakathikwalapho kuphuma khona amanzi kuya ethangini lokugcina amanzi elihlongozwe kwisigatshana (2)(a);

(b) kwesivimbo esixhunywe ngokuhambisana nesigatshana (2)(b); kanye

(c) nakunoma iyiphi indlela njengoba kubekwe kwisigatshana (2)(c) nasepayipini lokuxhuma elithintekayo.

(4) Ikhasimende angeke lixhume noma yini epayipini lamanzi noma lilisebenzise ngendlela ezophazamisa ukuhamba kwamanzi kulona ngaphandle kokuqinisekisa kuqala ukuthi kunezindlela nezinhlelo ezifanele zokugwema ukonakala kwamazinga amanzi epayipini lamanzi.

Ukwakhiwa nokuxhunywa kwezivimbo zamanzi abuyela emuva

75.(1) Isivimbo samanzi abuyela emuva kumele sakhiwe futhi sixhunywe ngendlela yokuthi amanzi abuyela emuva epayipini esifakwa kulo isibonakele.

(2) Isivimbo samanzi kumele sixhunywe endaweni esobala ekwazi ukuhlolwa, futhi lapho singakwazi ukukhishwa khona siyolungiswa, sikhandwe futhi sishintshwe ngaphandle kokuthi kushintshwe amapayipi amanzi noma indawo axhunywe kuyona.

(3) Isivimbo samanzi esivumela ukuba amanzi aphume aye phezulu kumele sibe ngaphezu komhlaba lapho singeke khona sixubane namanye amanzi noma okunye okuwuketshezi.

Ukuhlolwa kwezivimbo zamanzi abuyela emuva

76.(1) Umnikazi wesakhiwo lapho kuxhunywe khona isivimbo sokunciphisa umfutho wamanzi noma sokunqanda amanzi abuyela emuva kumele, ngezindleko zakhe enze ukuthi isivimbo samanzi abuyela emuva –

(a) sihlolwe futhi silungiswe usonkontileka obhalisiwe okungenani kanye njalo ezizinyangeni ezingu-12 ukuqinisekisa ukuthi sisebenza kahle; futhi

(b) asishintshe noma asikhiphe sonke njalo ngemuva kweminyaka emihlanu.

(2) Umnikazi kumele agcine irekhodi lokuhlolwa nokulungiswa kwesivimbo njengoba kubekiwe kwisigatshana (1), ngendlela enqunywe uMasipala.

Ukuvikelwa kwamapayipi amanzi

77.(1) Umnikazi wesakhiwo kumele, ngendlela enqunywe kwisigatshana (2) okuvunyelwene ngayo nomsebenzi ogunyaziwe, enze imizamo yokugwema ukuchithekela epayipini lamanzi kwezinto ezingadala ubungozi kwezempilo noma ziphazamise ukuhamba kwamanzi, uma –

(a) kuyinto yokuxhuma ipayipi okungaxhunywa kuyo ipayipi lokuchelela, noma okungaxhunywa kulo umpompi, noma indlu yokugezela esuswayo;

(b) kuyipayipi lokucisha umlilo elixhunywe epayipini elihlangene;

(c) kuwuhlelo lokuchelela langaphansi komhlaba;

(d) nanoma yini enye exhunywayo engafaka amanzi angcolile emapayipini amanzi.

(2) Imizamo okukhulunywa ngayo kwisigatshana (1) ngeyokuthi –

(a) kufakwe i-*vacuum breaker*endaweni ephezulu epayipini elikhuphukayo okumele ingabi ngaphansi kuka 300 mm ngenhla kwendawo yokuphuma amanzi epayipini elithintekayo;

(b) kufakwe i-*vacuum breaker*engeke ibe ngaphansi kuka-300 mm ngenhla kwendawo okuxhumana kuyo amapayipi epayipini elithintekayo; noma

(c) ivalvu eyodwa noma i-*vacuum breaker*ehambisana nayo, enanyathiselwe noma exhunywe eceleni kwepayipi lamanzi.

(3) Indawo yokuphuma amanzi epayipini lamanzi akumele ibe ngaphansi kuka 25 mm ngaphezu kwendawo yokuphuphuma kwamanzi yesitsha esemukela lawo manzi aphumayo.

(4) Umnikazi kumele aqinisekise ukuthi akuxhunywa lutho phakathi –

(a) kwepayipi elejwayelekile nepayipi lokucima umlilo uma womabili lawa mapayipi ephakelwa amapayipi ehlukene; noma

(b) ipayipi lamanzi elinamanzi ahlinzekwa uMasipala nepayipi lamanzi elinamanzi aqhamuka komunye umthombo, ngaphandle uma kungeke kwenzeke ukuthi amanzi ahlehlele kwelinye ipayipi.

(5) Umnikazi kumele aqinisekise ukuthi akuxhunywa lutho oluhlanganisa ipayipi lamanzi noma elinye ipayipi elithwele amanzi avela komunye umthombo, nomsele okaye ipayipi lokuthuthwa kwendle.

(6) Uma uMasipala ebona ukuthi imisebenzi eyenziwa noma ehlose ukwenziwa esakhiweni izobangela ukuthi kube nento engadala ubuthi uma ingena epayipini lamanzi, kungabhalwa isaziso kucelwe umnikazi ukuba afake ithangi lamanzi lapho kuzodonswa khona amanzi okwenza lowo msebenzi.

(7) Amanzi afakwa ethangini njengoba kubekwe endimeni (6) kumele afakwe ngepayipi elizophakama ngo-75 mm noma ngobubanzi obuphindwe kabili balelo payipi, noma ikuphi okukhulu, ngaphezu komugqa wokugcwala kwethangi.

ISAHLUKO 12
IPAYIPI LOKUCISHA UMLILO

Amanzi angenamikhawulo okucisha umlilo

78.(1) Uma uMasipala uhlinzeka amanzi ngezinhloso zokucisha umlilo kunoma isiphi isakhiwo kusetshenziswa ipayipi elingenalo imitha, uMasipala –

(a) ngesaziso esibhaliwe phansi, ungeluleka umnikazi wesakhiwo ngenhloso yawo yokuxhuma umshini wokukhomba ukuthi amanzi asetshenziselwe ukucisha umlilo ngezindleko zomnikazi wesakhiwo ngendlela nangesimo esibekwe kuleso saziso; futhi

(b) ungafaka isivalo kwivalvu esebenzayo kunoma iliphi ipayipi lamanzi okucisha umlilo nasemlonyeni wepayipi elixhunywe lapho.

(2) Izihlinzeko zesigaba 19 soMthetho kaMasipala zisebenza, nezinguquko ezidingekayo, emshinini oxhunywe ngokuhambisana nesigatshana (1).

(3) Uma uMasipala ehlola ipayipi lokucisha umlilo ethola ukuthi isivalo okukhulunywe ngaso kwisigatshana (1)(b) siphukile, noma umshini okukhulunywe ngawo kwisigatshana (1)(a) ukhomba ukuthi amanzi asetshenzisiwe epayipini lokucisha umlilo, uMasipala –

(a) angalinganisela umthamo wamanzi ngokubona kwakhe asetshenzisiwe edonswa kulelo payipi kusukela ekuhloleni kwakhe kwaphambili; futhi

(b) athumele i-akhawunti kwikhasimende –

(i) lomthamo wamanzi ohlongozwe endimeni (); futhi

(ii) anqume imali yokukhokhela ukubuyiselwa kwesivalo.

(4) Uma amanzi esetshenziselwe ezinye izinhloso ngale kwalezo zokucisha umlilo esakhiweni, uMasipala –

(a) ngesaziso esibhaliwe, anganxusa ikhasimende laleso sakhiwo ukuba ngesikhathi esithile liyeke ukusebenzisa amanzi asepayipini lokucisha umlilo ngezinhloso okungezona ezokucisha umlilo; futhi

(b) uma ikhasimende lehlukela ukulandela isaziso esikhishwe ngokwendima (a), angaxhuma imitha epayipini lokucisha umlilo lomnikazi wesakhiwo bese ebiza izindleko zalokho kumnikazi wesakhiwo.

(5) Uma ikhasimende lisebenzisa amanzi asepayipini lokucisha umlilo ngezinhloso ezingale kokucisha umlilo noma ukugwema umlilo noma ukulilungisa, kumele lazise uMasipala ezinsukwini ezintathu (3) ngaleso senzo salo.

Osayizi bamapayipi

79.(1) Ububanzi bepayipi elihlinzeka ipayipi lokucisha umlilo angeke bube ngaphansi kuka –

(a) 25 milimitha, uma kuyipayipi lokucisha umlilo noma elihlanganisile ne-heose reels;

(b) 75 milimitha, uma kuyipayipi elizikhiphela lona amanzi;

(c) 100 milimitha, uma kuyipayipi lokucisha umlilo noma elihlangene ne-*haydrant*.

(2) Ububanzi bepayipi epayipini lokucisha umlilo elihlinzeka amanzi kwi-hydrant akumele bube ngaphansi kuka –

(a) 75 milimitha, uma ubude bungekho ngaphezu kwamamitha angama -50; kanye

(b) no 100 milimitha, uma ubude bungaphezu kwamamitha angama -50.

(3) Ububanzi bepayipi elihlinzeka i-*hosereel*kunoma isiphi isitezi (esisodwa) sebhilidi angeke bube ngaphansi kuka –

(a) 25 milimitha, uma lihlinzeka ama-*hosereel* amabili;

(b) 32 milimitha,uma lihlinzeka ama-*hosereel* amathathu;

(c) 40 milimitha, uma lihlinzeka ama-*hosereel* amane noma amahlanu; noma

(d) 50 milimitha, uma lihlinzeka ama-*hosereel* angaphezu kwamahlanu.

Ukuxhunywa kwamaphampu

80.(1) Ipayipi okuxhunywa kulo i-*hydrant*ne-*hosereel*kumele lixhunywe amaphampu amabili.

(2) Ipayipi elihlinzeka ama-hosereel asebhilidini elingaphezu kwamamitha ayisithupha ngaphezu komhlabaeliseceni kwebhilidi kumele lixhunywe kwiphampu eyodwa.

Amavalvu okuvimba amanzi

81.(1) Ivalvu yokuvimba amanzi kumele ixhunywe kunoma yiliphi ipayipi lokuchisha umlilo phakathi –

(a) kwephampu okukhulunywe ngayo esigabeni80(1) no (2); kanye

(b) nasepayipini lokuxhuma eliphakela ipayipi lokucisha umlilo.

(2) Ipayipi elixhunywe ethangini lokugcina amanzi futhi linephampu kumele lixhunywe ivalvu yokuvimba amanzi endaweni nangendlela ezovimbela ukuba amanzi angene ethangini uma kusebenza iphampu exhunyiwe.

Igeji yomfutho ne-*test valve*

82.(1) Kumele kuxhunywe igeji yomfutho epayipini lokucisha umlilo elingaphandle kwebhilidi elithintekayo, endaweni lapho ingakwazi ukubonakala kalula khona ngaphandle kokuthi kuze kungenwe ebhilidini.

(2) I-test valve kumele ixhunywe ngokushesha ngenhla kwegeji yomfutho okukhulunywe ngayo kwisigatshana (1).

(3) Igeji yomfutho okukhulunywe ngayo kwisigatshana (1) kumele –

(a) ikhombise umfutho omkhulu ongekho ngaphansi kuka-2500 *kilopascals*;

(b) inyuswe isikhawu esingekho ngaphansi kuka-25 *kilopascals*; futhi

(c) ingaphazami ngaphezu kuka 2% ekusebenzeni kwayo.

(4) UMasipala noma nini angasebenzisa i-test valve negeji yomfutho okukhulunywe ngayo kwisigatshana (1).

Ukuxhunywa kwamapayipi

83.(1) Amapayipi angeyona insimbi angeke axhunywe ngaphezu komhlaba okungaba ipayipi lokucisha umlilo noma elixubile.

(2) Akukho payipi lokucisha umlilo elingahanjiswa emzileni owodwa nepayipi legesi noma likawoyela.

ISAHLUKO 13
AMAMITHA AMANZI

Amamitha anamaphutha

84.(1) Uma ikhasimende linesizathu sokukholwa ukuthi imitha esetshenziselwa ukukala amanzi elihlinzekwa ngawo uMasipala inamaphutha, ngokukhokha imali enqunyiwe, lingenza isicelo ngefomu elinqunyiwe lokuba kuzohlolwa imitha yamanzi.

(2) Imali enqunyiwe ehlongozwe kwisigatshana (1) kumele –

(a) igcinwe uMasipala uma kutholakala ukuthi imitha ayinalutho; noma

(b) ibuyiselwe kumfakisicelo uma kutholakala ukuthi imitha inamaphutha.

(3) Imitha okusebenza kuyo imithethonqubo ephathelene namamitha amanzi eyashicilelwa ngaphansi koMthetho wamaMitha ezoHwebo, 1973 (uMthetho No. 77 ka 1973), iyothathwa ngokuthi inenkinga uma, ngesikhathi ihlolwa ngokuhambisana naleyo mithethonqubo, kutholakale ukuthi inamaphutha okuqagula kakhulu noma kancane angaphezu kwamaphesenti avumelekile emitha esebenza ngokwaleyo mithethonqubo.

(4) Imitha okungasebenzi kuyo imithethonqubo ehlongozwe kwisigatshana (3), iyothathwa njengenenkinga uma, ngesikhathi ihlolwa kulawa maphesenti okubala ukuhamba kwamanzi –

(a) angekho ngaphansi kuka 75%;

(b) aphakathi kuka 50% no 55% ; kanye

(c) nangekho ngaphezu kuka 20%,

Itholakale ukuthi inenkinga kumaphesenti ngokubhalisa kakhulu noma kancane okungaphezu kuka-5% kunoma isiphi isikalo sokuhamba kwamanzi esibaluliwe.

Ukulungiswa komthamo wamanzi ahlinzekwa ikhasimende ngemitha enenkinga

85.(1)(a) Uma kutholakala ukuthi imitha inenkinga, uMasipala kumele alinganisele umthamo wamanzi ahlinzekwe ikhasimende ngaleso sikhathi, ngokubona kukaMasipala, imitha ebinenkinga ngaso.

(b) Isilinganiso esihlongozwe endimeni (a) kumele sithathelwe kumthamo wamanzi abevele esetshenziswa yikhasimende esikhathini –

(i) esiphakathi kwezikhathi ezimbili zokufundwa kwemitha ezilandelanayo ngaphambi kokushintshwa kwemitha;

(ii)sangonyaka odlule esiqondana nesikhathi lapho imitha ebife ngaso; noma

(iii) ezinyangeni ezintathu ezedlule ezingemuva kokuba kushintshwe imitha,

Noma ikuphi uMasipala akubona kungcono.

(2) Uma umthamo wamanzi ahlinzekwe ikhasimende ngesikhathi imitha yalo inenkinga engeke akwazi ukuqagulwa ngendlela ebekwe kwisigatshana (1), uMasipala angalinganisa lowo mthamo wamanzi nganoma iyiphi enye indlela anayo.

Ukulungiswa kwe-akhawunti uma imitha inenkinga

86.(1) Ukulungiswa kwe-akhawunti yekhasimende elikhokhiswe imali ngemitha enenkinga, kumele kwenziwe ngesikhathi esinqunywe ngokuhambisana nesigaba 95(1).

(2) Ngokwenhloso yokulungisa i-akhawunti ngokwesigatshana (1) kumele kuthathwe ngokuthi kuhlinzekwe isamba esifanayo samanzi esikhathini esingamahora angu-24 ngesikhathi okukhulunywe ngaso kwisigatshana (1).

ISAHLUKO 14
UKUVIKELWA KWENGQALASIZINDA YAMANZI

Ukungena ngokungemthetho kwingqalasizinda yamanzi

87. Umuntu akavunyelwe ukungena –

(a) endaweni esetshenziswa uMasipala mayelana nengqalasizinda yamanzi –

(i) ebiyelwe ngothango; noma

(ii) ukungena okunqatshelwe ngesaziso; kanye

(b) nakwisakhiwo esisetshenziswa uMasipala ngokuhambisana nengqalasizinda yamanzi,

Ngaphandle kwemvume ebhalwe phansi kaMasipala.

Ukuphazamisa ingqalasizinda yamanzi

88. Umuntu akavunyelwe ukuphazamisa noma ukukokotela ingqalasizinda yamanzi.

Ukuxhuma okungavunyelwe

89. Umuntu akavunyekwe ukuxhuma ngokungemthetho kwingqalasizinda yamanzi.

Ukulimaza ingqalazisinda yamanzi

90.(1) Umuntu akavunyelwe ukulimanza noma ukubeka engcupheni ingqalasizinda yamanzi noma avumele noma abangele ukuthi ilimale noma ibe sengcupheni.

(2) Noma ngubani ohlose ukwenza umsebenzi ongase ulimaze ingqalasizinda yamanzi emhlabeni okungokaMasipala noma awulawulayo noma lapho enelungelo lokuwusebenzisa noma amanye amalungelo, kumele ngaphambi kokuqala umsebenzi wakhe, athole isiqinisekiso kuqala kuMasipala sokuthi imi kanjani ingqalasizinda yamanzi kuleyo ndawo, uma ikhona kanjalo nalapho ekhona.

(3) Uma umsebenzi ogunyaziwe ekholwa ukuthi noma imuphi umsebenzi owenziwa noma ozokwenziwa endaweni ehlongozwe kwisigatshana (2), noma emhlabeni oncikene nayo, ungalimaza noma ubeke engcupheni ingqalasizinda yamanzi, angacela ngesaziso esibhaliwe umuntu othintekayo ukuba angaqali, noma ayeke umsebenzi kuze kube lowo muntu uyahambisana nemibandela ebekwe kwisaziso.

Ukuvimbela ukungena kwingqalasizinda yamanzi

91.(1) Umuntu angeke avimbele noma aphazamise ukungena kwingqalasizinda yamanzi.

(2) Uma umuntu ephula izihlinzeko zesigatshana (1), uMasipala –

(a) ngesaziso esibhaliwe angacela lowo muntu ukuba ayeke ukuvimbela ukungena ngezindleko zakhe ngesikhathi esinqunyiwe kwisaziso; futhi

(b) uma ekholwa ukuthi kumele kuvulwe indlela yokungena ngokushesha, ngaphandle kwesaziso, angavula indlela yokungena bese ebiza izindleko zalokho kumuntu ophule izihlinzeko zesigatshana (1).

Ukungcoliswa kwamanzi

92.(1) Umuntu angeke anze noma yini engabangela noma engase ibangele ukungcoliseka kwamanzi –

(a) ethangini; noma

(b) kunoma iyiphi indawo okungekaMasipala, elawulwa noma esezandleni zakhe ingxenye yayo noma yonke, esetshenziselwa okuphathelene nokuhlinzekwa kwamanzi,

Ngaphandle uma lokho akwenzayo kugunyazwe ngencwadi uMasipala.

(2) Umuntu angeke, ngaphandle kwasezindaweni eziqokiwe ngesazizo noma ngezindawo ezihlinzekwe uMasipala, alahle noma achithe noma imuphi udoti ochazwe eMthethweni kaMasipala wokuLahlwa koDoti, kunoma iyiphi indawo kaMasipala okudonswa kuyo amanzi ebekwe ngebhodi lesaziso ukuthi akwenziwa lokho kuyona.

(3) Uma kwenzeka umuntu ephula izihlinzeko zesigatshana (1) noma (2), uMasipala –

(a) ungamnikeza isaziso esibhaliwe, esinxusa lowo muntu ukuba ayeke ngokushesha ukuphula umthetho bese uthatha izinyathelo ezifanele ngesikhathi esinqunyiwe; noma

(b) uma ubona ukuthi kudingeka isinyathelo esiphuthumayo, ngaphandle kokukhipha isaziso kuqala, ungathatha isinyathelo osibona sifanele ukulungisa isimo bese ubiza izindleko zalokho kumuntu ophule umthetho.

Amapayipi asezindaweni zomphakathi

93. Umuntu angeke afake ipayipi noma okuhambisana nalo, emgwaqeni noma phansi komgwaqo, endaweni yomphakathi noma kwenye indawo okungekaMasipala, ephethwe noma elawulwa uyena, ngaphandle kokuthola imvume ebhalwe phansi kuqala kumsebenzi ogunyaziwe futhi kuncike kwimigomo nemibandela engabekwa uyena.

ISAHLUKO 15
IZIMALI EZIKHOKHWAYO

Ukukhokhelwa kwamanzi ahlinzekwayo

94.(1) Wonke amanzi ahlinzekwa uMasipala kumele akhokhelwe yikhasimende ngamanani anqunyiwe kulowo mkhakha wokusetshenziswa avunyelwe ukuhlinzekwa kuwona.

(2) Ikhasimende kumele likhokhele wonke amanzi elihlinzekwe ngawo kusukela osukwini lwesivumelwano sokuhlinzekwa ngamanzi kuze kube kunqanyulwa leso sivumelwano.

(3) UMasipala ungaqagula umthamo wamanzi ahlinzekiwe izikhawu ngezikhawu phakathi kwezikhathi afunda ngazo imitha futhi angathumelela ikhasimende i-akhawunti yesamba samanzi aqaguliwe ahlinzekwe ngaleso naleso sikhawu.

(4) Isamba se-akhawunti yamanzi ahlinzekiwe kwikhasimende sikhokhwa ngosuku olunqunywe kwi-akhawunti.

(5) Uma ikhasimende lingenelisekile nge-akhawunti yamanzi eliyithole ngokusebenzisa amanzi kaMasipala, ngaphambi kosuku olubekwe kwi-akhawunti, lingabhala incwadi liphikisane ne-akhawunti ngezizathu elingazibeka: Kuncike ekutheni ukuphikisana ne-

akhawunti akusho ukuthi ikhasimende ngeke lisakhokha, ngaphandle uma lithole imvume ebhalwe phansi kaMasipala.

(6) Uma ikhasimende lisebenzisa amanzi asemkhakheni ongale kwalowo eliwucelile kuMasipala, ngalokho –

(a) lisebenzisa mahhala amanzi; noma

(b) libizwa imali encane kunaleyo okumele libizwe yona,

Lelo khasimende linejoka lokukhokha imali eliyikweleta uMasipala ngokuhambisana nezimali ezinqunyiwe mayelana –

(i) nomthamo wamanzi, ngokubona kukaMasipala, ikhasimende eliwusebenzisile elingazange libizwe izimali ngawo; noma

(ii) nomehluko wesamba samanzi asetshenziswe yikhasimende ebesisikhokha naleso okumele sisikhokhe.

Ukuchitshiyelwa kwezimali ezinqunyiwe zamanzi ahlinzekiwe

95. Uma ukuchitshiyelwa kwezimali ezinqunyiwe zamanzi ahlinzekiwe kwenziwa ngosuku oluphakathi kwezinsuku zokufundwa kwamanzi, kumele kuthathwe ngokuthi, ngokwezinhloso zokufundwa kwe-akhawunti mayelana nalezo zimali, amanzi ahlinzekwe esikhathini esingamahora angu-24 phakathi kwezinsuku zokufundwa kwemitha.

Azehliswa izimali ezikhokhelwa amanzi achithekile noma avuzayo

96.UMasipala akabophezelekile ukwehlisela ikhasimende izimali elizikhokhela amanzi eliwahlinzekwayo uma –

(a) amanzi emosekile; noma

(b) evuza epayipini lakhe kodwa engawabonanga.

Ezinye izimali ezikhokhwayo

97.UMasipala ngaphezu kwezinye izimali ezikhokhelwa amanzi asetshenzisiwe, anganquma ukubiza ezinye izimali ezimi kanje:

(a) imali yanyanga zonke ekhokhwa umnikazi wesakhiwo ngesakhiwo ngokubona kukaMasipala esingaxhunywa kwingqalasizinda kodwa ezingaxhunyiwe, izimali ziyofuneka ngosuku oluyonqunywa umsebenzi ogunyaziwe, kuze kube wusuku lwesivumelwano sokuhlinzekwa kwamanzi;

(b) izindleko ezikhokhwa yikhasimende ngepayipi ngalinye lokuxhumanoma imitha ehlinzekwe uMasipala ukusebenza esakhiweni asisebenzisayo; noma ngabe amanzi

ayahlinzekwa kuye noma cha, izindleko zikhokhwa ngosuku lwesivumelwano sokuhlinzekwa kwamanzi; kanye

(c) nezimali zanyanga zonke ezikhokhwa ikhasimende ngomthamo omncane wamanzi, noma ngabe ahlinzwekiwe noma cha.

Amanzi ahlinzekwa yi-hydrant

98.(1) UMasipala ungagunyaza ukuba i-*fire hydrant* eyodwa noma ngaphezulu akhonjwe uye ahlinzeke amanzi.

(2) Umuntu ofuna ukuhlinzekwa ngamanzi okwesikhashana njengoba kubekwe kwisigatshana (1) kumele enze isicelo ngefomu elinqunyiwe ngokuhambisana nesigaba 7.

(3)(a) Amanzi ahlinzekwa ngokuhambisana nesigatshana (1) kumele adlule kwimitha.

(b) Imitha kanjalo nemishini yokuxhuma ehambisana nayo kumele ihlinzekwe uMasipala futhi iyohlalanjalo iyimpahla yakhe.

(4) Ngaphambi kokuthi umfakisicelo anikezwe imitha ngokuhambisana nesigatshana (3), kumele akhokhe –

(a) idiphozi ehlongozwe kwisigaba 11; kanye

(b) nediphozi enqunyiwe mayelana nemitha ngayinye kanjalo nemishini ehambisana nalo ehlinzekwe uMasipala, njengesibambiso sokubuyiswa kwayo isesimweni esifanele sokusebenza.

(5) Uma uMasipala edinga ukuba umsebenzi ogunyaziwe kube nguye olawula imitha elifakwe ngokwesigatshana (3), ikhasimende yilo okumele likhokhe imali ebekelwe lokho kulawula komsebenzi ogunyaziwe.

(6) Uma uMasipala engadingi ukuba kube khona umsebenzi ogunyaziwe ngokuhambisana nesigatshana (5), ikhasimende elihlinzekwe ngemitha nemishini ehambisana nalo ngokuhambisana nesigatshana (3) ilona eliyobhekelela ukuphepha nokusetshenziswa ngendlela kwayo futhi kumele –

(a) libuyise imitha uma ilimala noma ingasebenzi;

(b) livumele ukuba kufundwe imitha engakedluli umhla ka 7 wenyanga ngayinye, noma ngalezo zikhathi ezinganqunywa umasipala, endaweni ayibekile; futhi

(c) angabuyisa imitha nemishini ehambisana nalo kuMasipala uma sekuphele isivumelwano sokuhlinzekwa kwamanzi.

(7) Ikhasimende kumele, ngaphezu kokukhokhela amanzi eliwahlinzekwayo uMasipala, likhokhe ezinye izimali ezinqunyiwe zokusebenzisa imitha elihlinzekwe lona.

(8)(a)Uma ikhaimende lehluleka ukulandela isigatshana 6(a), (b) noma (c), uMasipala angalinikeza i-akhawunti yomthamo wamanzi okuthathwa ngokuthi lihlinzekwe wona kusukela ekufundweni kwemitha kokugcina okwedlule, lowo mthamo ususelwa kwisamba esiphezulu esinqunyiwe sokusebenza kwemitha ngesikhathi esingamahora ayisishiyagalombili esiqhubekayo ngosuku izinsuku eziyisihlanu ngesonto noma leso sikhathi uMasipala asibona sifanele.
(b) Izimali ezihlongozwe endimeni (a) kumele ziqhubeke zibizwe kuze kube ikhasimende libuyisa imitha nemishini ehambisana nalo, nomalazisa uMasipala ngencwadi ukuthi alikwazi ukwenze njalo.
(c) Ngale kokulandela izihlinzeko zendima (a) no (b), uma ikhasimende selibuyisa imitha isebenza futhi nesivalo saso singalimele emva kokuba selikhokhiselwe amanzi ngokwendima (a), uMasipala kumele alungise imali elibizwe yona lelo khasimende ukuze ilingane nalelo nani lamanzi elihlinzekwe ngawo.

(9) uma ikhasimende lithola amanzi ahlinzekwa ngokwesigatshana (1) –

(a) lithola amanzi avela epayipini lamanzi elikhulu elingachaziwe umsebenzi ogunyaziwe;

(b) litholakale ukuthi lisebenzisa, noma belisebenzisa amanzi asuka epayipini elikhulu elingadluli kwimitha; noma

(c) lihluleka ukuhambisana nanoma imiphi imikhawulo yesigatshana (6),

Umasipala enganqamula ngokushesha isivumelwano sokuhlinzekwa ngamanzi.

Ukudayiswa kwamanzi ahlinzekwa nguMasipala

99.(1) Ikhasimenede elihlinzekwa ngamanzi ngokwaloMthetho kaMasipala alivumelekile ukudayisa lawomanzi ngaphandle uma –

(a) imikhawulo ibekiwe esivumelwaneni esikhethekile njengoba ihlongoziwe esigabeni 8; noma

(b) lithole imvume ebhalwe phansi kuMasipala ukuba lenze njalo.

(2) Uma ngabe uMasipala emgunyazile imvume njengoba kuhlongoziwe kwisigatshana (1), unganquma inani lokugcina lokudayiswa kwamanzi futhi ubeke nemibandela efanele.

(3) UMasipala noma ngasiphi isikhathi engahoxisa imvume ehlongoziwe kwisigatshana (1).

Izikweletu zemali ebizwayo

100. Umnikazi wendawo, hhayi isiqashi, uyena othwala icala eliphathelene nemali ebizwayo yamanzi kuleyondawo.

Imibandela ephathelene nemali ebizwayo

101.uMasipala enganquma imibandela nezimfuno eziphathelene nemitha lamanzi ahlinzekwa amakhasimende ahlukene, kanye nemibandela yalawo makhasimende yokukhokhela izimali ezibiziwe zamanzi ahlinzekwayo .

iNqubomgomo yokulungiswa kwamanzi avuzayo

102.uMasipala enganquma okulandelayo emuva kokuba eselandele uhlelo lokungenelela komphakathi oluhlongoziwe esigabeni 23:

(a)iNqobomgomo yokulungiswa kwamanzi;

(b) iNqobomgomo yokulawulwa kwezikweletu nokuqoqwa kwazo emayelana nokuhlinzekwa kwamanzi kumakhasimende asekhaya;

(c) INqubomgomo yokukhululwa ezikweletini; noma

(d) iNqubomgomo ebhekelela izidingongqangi zamanzi amahhala kubantu abampofu.

Umshwalense wamanzi asekhaya

103.(1)(a) Amakhasimende asekhaya anegunya lokuzivikela ngomshwalense kumanzi avuzayo kodwa angabonakalanga ngaphansi komhlaba ngokukhokha imali ekhishwa njalo ngenyanga, ekhishwa sekuhlanganiswe isikweletu bese idluliselwa enkampanini yemishwalense ezimele.

(b) Ubudlelwane buphakathi kwekhasimende nenkampani yomshwalense ezimele kanti uMasipala awunaso isibopho kunoma imuphi umshwalense okhethwe ikhasimende.

(2) I-Akhawunti yekhasimende inganqanyulelwa amanzi isikhathi esiyizinsuku ezingama -60 ukuqalisa uhlelo lomshwalense ohlongoziwe kwisigatshana (1).

(3) Ama-Akhawunti enganganqanyulwa uma kukhona ukuphikisana mayelana nemali ekhokhiwe inkampani yomshwalense.

(4) Ushintsho, olwenziwe ngokuhambisa nemigomo nemibandela yenqubomgomo yomshwalense wamanzi angatholakalanga emitheni lomuzi ngamunye, luzokwenziwa

ngokwezimali ezibiziwe zokuthuthwa kwendle kulelo khasimende lasekhaya noma ekhasimendeni lendawo lapho khona imali ebiziwe yokuthuthwa kwendle ikhishwe ngokulungiswa ngendlela efanele nangesikhathi sokuvuza kwamanzi ngaphansi komhlaba.

Izidingo zemali yokwelekelela

104. Amakhasimende ahlala emakhaya ahlinzekelwa ngethange elinomfutho omncane anegunya lokwehliselwa ngokwamazinga abekiwe amatharifu wokusebenzisa ama kls angama-30 ngenyanga

Amanzi asetshenzisiwe angatholakalanga

105. Uma ngabe amanzi asetshenzisiwe abhaliswe kumuzi lapho kungekho khasimende elibhalisiwe ukuze kukhishwe isikweletu egameni lalo, leyo mali ebiziwe yezidingo zamanzi kufanele ifakwe egameni lomnikazi obhalisiwe esikweletini esihlanganisiwe.

Izindawo zabangasekho emhlabeni

106.(1) Umsingathi wendawo yomuntu ongasekho uyena okufanele,ngokwesikhundla sakhe, ukuba akhokhe izonke izikweletu zendawo.

(2) Lapho khona indawo ibingaqediwe ukukhokhelwa abahlala kuleyondawo bathathwa njengabanikazi ngezinhloso zanoma iziphi izimali okufanele zikhokhwe eziphathelene nezidingo zamanzi uma nje labo abathathwa njengabanikazi bengafaka isicelo, ngokwemigomo nemibandela yeNqubomgomo yamanzi kaMasipala yoku-–

(a) kalelwa amanzi azosetshenziswa; kanye

(b) nohlelo lokukhululwa ezikweletini.

ISAHLUKO 16

IZAZISO

Izaziso nemibhalo

107.(1) Isaziso noma imibhalo ekhishwe nguMasipala ngokwaloMthetho kaMasipala kufanele ithathwe njengesifanelekile uma ngabe isayinwe ngumsebenzi ogunyaziwe .

(2) Uma isaziso noma umbhalo kufanele uhanjiswe kumuntu ngokwaloMthetho kaMasipala leso sidingo kufanele sifezwe–

(a) ngokuhanjiswa kuyena ngqo noma kwi-Ejenti yakhe egunyaziwe ;

(b) ngokuhanjiswa endaweni yakhe ahlala kuyo noma endaweni yebhizinisi noma lapho asebenza khona umuntu uma kunjalo –

(i) engekho ngaphansi kweminyaka eyi-16 (shumi nesithupha) ; futhi

(ii) ehlala khona noma eqashwe khona;

(c) uma enekheli aliqokele ukuthola kulona izaziso neminye ibhalo esemthethweni, ukuba ithunyelwe kulelo kheli;

(d) uma ngabe engaqokanga kheli azothola kulona izaziso kanye nemibhalo esemthethweni, zithunyelwe ekhelini alifakile kwisicelo sakhe sokuhlinzekwa ngamanzi, yokwamukela i-Akhawunti yamanzi ahlinzekwayo;

(e) Esigamekweni sabaphathi bebhilidi, ngokuba sihanjiswe ehhovisi elibhalisiwe noma endaweni lapho besebenzela khona abaphathi;

(f) sithunyelwe ngeposi ekhelini lokugcina elibhaliwe; noma

(g) uma ngabe izidingo zingeke zalandelwa ngokwezindima (a) kuya ku (f), ngokuba zifakwe emnyango kanhloko noma lapho kungenwa khona endaweni okukhulunywa ngayo .

Isaziso sokuthobela umthetho

108.(1) UMasipala ngesaziso esibhalwe phansi engatshela umuntu ophula loMthetho kaMasipala kanye noma imiphi eminye imibandela noma izimfuno ezinqunyiwe ngokwesigaba saloMthetho kaMasipala ukuba akayeke ukuphula umthetho esikhathini akalelwe sona esazisweni.

(2) Uma ngabe umuntu ehluleka ukuthobela isaziso esibhalwe phansi anikezwe sona ngokwaloMthetho kaMasipala kuleso sikhathi akalelwe sona, uMasipala ungathatha izinyathelo noma enze lowomsebenzi ofanelekile ukuqinisekisa ukuthotshelwa komthetho, bese ubuza izindleko zaleso senzo noma lowomsebenzi kulowomuntu.

Izitatimende noma ulwazi olungamanga

109. Umuntu akavumelekile ukwenza isitatimende noma anikeze ulwazi olungamanga kuMasipala, noma enze umgunyathi wemibhalo ekhishwe ngokwalo Mthetho kaMasipala.

ISAHLUKO 17
OKWEJWAYELEKILE

Izinto eziwumthetho

110. UMasipala, ngohlelo lokubandakanya umphakathi ngokwesigaba 23, uhlinzeke, noma imuphi umthetho, umbandela, imfuno, inqubomgomo, noma iluphi udaba oludingakalayo ukuqalisa lomthetho.

Okuxegiswa kokusebenza kwalo mthetho

111.(1) Uma kwakhishwa igunya lokwenziwa komsebenzi wokufakwa kwamanzi ngaphambi kosuku lokuqala ukusebenza kwalo Mthetho kaMasipala, noma uma kukhona umsebenzi ogunyaziwe owenziwayo ngalelo langa, lowo msebenzi kumele uthobele noma imiphi imithetho eyengamela leyo misebenzi eyayikhona kuleyo ndawo kaMasipala ngaphambi kosuku lokuqaliswa kwalo Mthetho kaMasipala.

(2) UMasipala, ezinsukwini ezingama-90 emva koku qaliswa kwalo Mthetho kaMasipala unganika igunya lokwenziwa komsebenzi okumele wenziwe ngokuthobela noma imiphi imithetho eyengamela imisebenzi eyenziwayo kuleyo ndawo kaMasipala ngaphambi kosuku lokuqaliswa kwalo Mthetho kaMasipala.

Umsebenzi wokuthobela umthetho

112. Kuwumsebenzi –

(a) womnikazi wendawo ukuba athobele izihlinzeko zalo mthetho uma kukhulunywa ngokufakwa kwamanzi; futhi

(b) nekhasimende kumele lithobele lezi zihlinzeko zalo mthetho uma kukhulunywa ngokusetshenziswa kwamanzi ezindaweni.

Amanzi asexhunyiwe njengamanje

113. (1) Umnikazi angeke adingeke ukuba athobele lo mthetho ngokuthikameza ukufakwa kwamanzi noma ingxenye yakho uma amanzi afakwa ngokuthobela yonke imithetho ngaphambi koku qaliswa kwalo mthetho.

(2) Ngale kwezihlinzeko zesigatshana (1), uMasipala ngokubhala isaziso ungacela umnikazi ukuba athobele izihlinzeko zalo mthetho ngesikhathi esibekiwe, uma ebona ukuthi ukufakwa kwamanzi noma ingxenye yakho ikhahlamezekile noma kungadala ukukhahlamezeka noma kungamosheka amanzi, kungcoliseke indawo, kungcoliseke isiphaki manzi, noma kube nobungozi kwezokuphepha.

Ukusetshenziswa kwamanzi eminye imithombo ngale kwalawa ahlinzekwayo

114.(1) Umuntu angeke akwazi ukusebenzisa noma avumele ukusetshenziswa kwamanzi atholakale komunye umthombo ngaphandle kwalowoobekelwe ukuhlinzeka ngamanzi, ngaphandle kokuthola imvume kuqala kuMasipala futhi ngokuhambisana nemibandela engase ibekelwe mayelana–

(a) namanzi asetshenziswa ekhaya, ebhizinisi noma ezimbonini

(b) namanzi afakwa ukugcwalisa ichibi lokubhukuda.

(2) Noma ubani odinga imvume okukhulunywe ngayo kwigatshana (1) kumele ahlinzeke ngobufakazi obuzogculisa uMasipala ukuthi –

(a) amanzi okukhulunywa ngawo kwigatshana ayathobela, ngenxa yokuhlanzwa kwawo noma ngenye indlela, nezidingo zakwa SABS eziku 241-1971: ezimayelana Namanzi AAhlinzekelwe Amakhayaezishicilelwe kwi*Government Gazette*ngaphansi kweSaziso 463 sangomhla ka 9 Julayi 1982 ezabekwa uMkhandlu, futhi kanjengoba zichitshiyelwa izikhathi ngezikhathi; noma

(b) Ukusetshenziswa kwalawo manzi akunakho futhi angeke kube nobungozi kwezempilo.

(3) Noma iyiphi imvume etholakale ngokuthobela isigatshana (1) ingahoxiswa uma uMasipala ebona ukuthi –

(a)umbandela obekiwe ngokuthobela isigatshana (1) wephuliwe; noma

(b) uma amanzi engahambisani nezimfuno ezibekiwe kwigatshana (2).

(4) Uma amanzi etholakale epitsini noma kunoma umuphi omunye umthombo ohlinzeka ngamanzi esetshenziswa ngenhloso yokukhiha amanzi noma ingxxenye yawo afakwe ohlelweni luka Masipala lokuthutha indle, uMasipala ungafaka imitha epayipini elisuka kulelo pitsi noma kulowo mthombo wamanzi elihamba lize lifike lapho kusetshenziswa khona lawo manzi.

(5) Izihlinzeko zesigaba 20 ziyasebenza, ngezinguquko ezifabele, maqodana nemitha okukhulunywe ngalo kwisigatshana (4).

Ukwazisa ngamapitsi

115. uMasipala ngesaziso somphakathi ungacela –

(a) kumnikazi wanoma iyiphi indawo enepitsi noma, uma umnikazi engayisebenzisi leyo ndawo, lowo oyisebenzisayo, ukuba azise uMasipala ngefomu ehlinzekiwe ngokuba khona kwalelo pitsi endaweni yakhe, futhi ahlinzeke nganoma iyiphi imininingwane engadingwa uMasipala; futhi

(b) umnikazi noma osebenzisa indawo ohlose ukufaka ipitsi kuleyo ndawo kumele agcwalise ifomu elihlinzekelwe lokho ngaphambi kokuqala umsebenzi wokufaka lelo pitsi.

Ukuthathwa kwamasampula amanzi

116.(1) uMasipala ungathatha amasampula amanzi atholakala emthonjeni wamanzi ukuze lawo masampula ezohlolwa ngokuthobela izimfuno zesigaba114.

(2) Inani elibizwayo ngokuhlola amasampula nebekwe kwigatshana (1) kumele ikhokhwe umuntu onikwezwe imvume ukuba asebenzise amanzi.

Imibandela yokuhlinzeka ngamanzi okungewona awokuphuza

117.(1) uMasipala ungakwazi uma kufakwe isicelo ngokwesigaba 7, uhlinzeke ikhasimende ngamanzi okungewona awokuphuza.

(2) Noma ikuphi ukuhinzekwa kwamanzi okugunywazwe ngokwesigatshana (1) akumele asetshenziswe ezindlini noma ingayiphi indlela, ngokubona kuka Masipala, engaba nobungozi.

Imibandela yokuhlinzeka ngamanzi okungewona awokuphuza

118.(1) Akukho siqiniseko, esibekiwe noma esihlosiwe, ngokuhlanzeka kwamanzi okungewona awokuphuza ahlanzekwa nguMasipala noma ukufaneleka kwawo ngokwenhloso ahlinzekelwe yona.

(2)(a) Ukuhlinzekwa kwamanzi okungewona awokuphuza kwenziwa ngokuzithandela kwekhasimende, ngokwemibandela nangokuwasebenzisa

(b) Ikhasimende liyobhekana ngqo nemithelela noma imiphumela yokulahlekelwa noma ukulinyalelwa okungenzeka kulo noma abanye okungadalwa ngqo noma ngandlela thile ukuhlinzekwa kwamanzi okungewona awokuphuza, okubandakanya ngisho noma iliphi iphutha lika Masipala noma ukungasebenzi kahle kwendawo ehlanza amanzi.

Ukusetshenziswa kwamanzi okungewona awokuphuza ukuze kuchelelwe

119.(1) Uma amanzi okungewona awokuphuza ehlinzekwa uMasipala ukuze kuchelelwe, ikhasimende kumele liqnisekise ukuthi lichelela ngendlele elinganayo kuzo zonke izindawo ukuze ligweme ukuthi kube namaxhaphozi.

(2) Ikhasimende kumele, ngezindleko zalo, liqinisekise ukuthi liyakugwema ukugelezela kwamazi okungewona awokuphuza kwezinye izindawo.

(3) Uma ikhasimende lihluleka ukuqinisekisa lokhu okukhulunywa ngakho kwigatshana (2), uMasipala ngokubhala incwadi ungacela ukuba enze njalo ngesikahi esibekiwe.

(4) Uma ikhasimende lihluleka ukuthobela isaziso esibhalwe phansi okukhulunywa ngaso kwigatshana (3), uMasipala ungathatha izinyathelo ezifanele bese ubiza izindleko zalokho kulelo khasimende.

Izimpawu zokuxwayisa nezaziso

120.(1) Endaweni lapho kusetshenziswa khona amanzi angahloliwe, ikhasimende kumele liqinisekise ukuthi wonke amapayipi amanzi nazo zonke izinsiza eziphaka amanzi zibhaliwe ngokucacile ngesaziso esingangenwa amanziesazisa ukuthi lawo manzi akufanele asetshenziswe ezindlini.

(2) Endaweni lapho kusetshenziswa khona amanzi endle aphehliwe, ikhasimende kumele likhombise ngesaziso esingangenwa amanzi ezindaweni ezibonakala ngokucacile sixwayisa ngokuthi lawo manzi akumele asetshenziswe ezindlini.

(3) Zonke izaziso zokwexwayisa okukhulunywa ngazo kwizigatshana (1) no (2) kumele zibhalwe ngesiNgisi, isiZulu nangesiBhunu, nanganoma iluphi ulimi uMasipala ongalibona lufanele.

ISAHLUKO 19
IZIHLINZEKO EZIYINGXUBEVANGE

128. Ukudluliswa kwamandla
129. Ukudluliswa kwesikhalazo
130. Ukuchithwa nokugcinwa kwemithetho
131. Isihloko esifingqiwe nokuqala kokusebenza komthetho

ISAHLUKO 18
UKUPHOQELELWA KOMTHETHO

Amandla okungena nokuhlola

121.(1) Umsebenzi ogunyaziwe angangena nganoma isiphi isikhathi endaweni yomuntu ngenhloso yokuphoqelela lo mthetho, noma uma kunesimo esiphuthumayo, acele imininingwane noma ahlole, abuze uma ebona kunesidingo, futhi ngalezo zinhloso asebenzise noma iyiphi ingxenye yensiza yamanzi efakiwe.

(2) Uma umsebenzi ogunyaziwe ebona kubalulekile ukuthi kwenziwe umsebenzi ukuze akwazi ukwenze umsebenzi wakhe okukhulunywa ngawo kwigatshana (1), lowo msebenzi ogunyaziwe –

(a) ngesaziso esibhaliwe, engacela umnikazi noma lowo osebenzisa leyo ndawo ngezindleko zakhe ukuba benze umsebenzi esikhathini esibekiwe; futhi

(b) uma ngokubona kwakhe isimo siphuthuma, ngaphambi kokukhipha isaziso engawenza lowo msebenzi noma adale ukuba wenziwe lowo msebenzi, ngezindleko ezizobizwa kumnikazi.

(3) Lokho okukhulunywa ngakho kwisigatshana (2) kwenziwa ngenhloso yokubona ukuthi ngabe kukhona yini ukwephulwa komthetho futhi uma kungakaze kutholakale lokho kwephulwa komthetho, uMasipala kumele akhokhe izindleko zokwenziwa kwalowo msebenzi nezokuqinisekisa ukuthi indawo ibuyela esimweni.

(4) Uma umsebenzi ogunyaziwe edinga ukuba kube khona –

(a) umnikazi uma kuhlolwa ukufakwa kwamanzi;

(b) usonkontileka obhalisiwe owenza umsebenzi wokufaka uma kuhlolwa lowo msebenzi; noma

(c) uplamba ka sonkontileka obhalisiwe uma kwenziwa lowo msebenzi ozolawulwa uyena,

Kumele anike lowo muntu isaziso esibhaliwe esingekho ngaphansi kwezinsuku ezimbili zoku sebenza, eveza usuku nesikhathi nendawo nokuthi ikuphi la okumele kuhlolwe khona.

Ukuzihlangula

122.UMasipala nanoma imuphi umsebenzi ogunyaziwe angeke bathweswe cala uma kukhona olimalayo noma ukulimala okudalwe inoma yini esemthethweni noma eshiwe uMasipala noma umsebenzi kaMasipala ogunyaziwe ngokwalo mthetho.

Umiyalelo osemthethweni

123. Ukuhluleka ukuthobela isicelo esihambisana nomthetho somsebenzi osemthethweni kusho ukwaphula lo mthetho.

Izindleko zokuqaqa okuthile

124.(a) Uma umuntu–

(i) ephula izihlinzeko zalo mthetho; noma

(ii) ehluleka noma enqaba ukuthobela isaziso esikhishwe ngokwalo mthetho,

uMasipala ungathatha izinyathelo ezibalulekile ukuze abhekane nokungathotshelwa komthetho, bese eqoqe izindleko angene kuzo kulowo muntu owehluleke ukuthobela lo mthetho.

(b) Noma iziphi izindleko okukhulunwa ngazo kwindima (a) ziyisengezo kunoma iyiphi inhlawulo angahlawuliswa yona lowo muntu.

Ukuxegiswa

125. uMsipala ngokubheka isimo ngasinye, ungaxegisa noma umise izidingo zalo Mthetho kaMasipala ngaphansi kwaleyo mibandela angayibona ifanele ukuba ayibeke uma ebona ukuthi –

(a) ukusetshenziswa noma ukusebenza kwaleso sihlinzeko kuleso simo angeke kuzwakale kahle noma kubonakala kungaba nokucwasangandlela thize obekungahlosiwe mayelana nokuhlinzekwa kwamanzi; noma

(b) ebona ukuthi –

(i) inhloso yokubekwa kwaleso sihlinzeko isifeziwe ngokuphelele kuleso simo noma izofezeka uma sekuthotshelwe leyo mibandela ebekiwe; noma

(ii) isidingo sokufeza leyo nhloso asikho kuleso simo

Amacala

126. Umuntu uyolahlwa icala ngokwalo Mthetho kaMasipala uma –

(a) evimbela ngokungemthethoukuba kungenwa endaweni yakhe noma evumele noma ubani ukuba avimbele ukuba kungenwa endaweni;

(b) evimbela noma ephazamisa umsebenzi ogunyaziwe ukuba enze umsebenzi awuzele noma evumela noma ubani ukuba aphazamise noma avimbele umuntu ozokwenza umsebenzi awuzele;

(c) enqabela noma ehluleka ukuhlinzeka umsebenzi ogunyaziwe ngemininingwane ayidingayo ukuba enze umsebenzi ngalo mthetho;

(d) Eholela ophathe noma enika iminingwane okungayona ngamabomu umsebenzi ogunyanziwe;

(e) ezenza umsebenzi ogunyaziwe;

(f) ephula noma ehluleka ukuthobela noma isiphi isihlinzeko salo Mthetho kaMasipala; noma

(g) ephula noma ehluleka ukuthobela noma imuphi umyalelo noma isaziso esikhishwe ngokusemthethweni ngokwalo Mthetho kaMasipala.

Izinhlawulo

127.(1) Noma ubani oyolahlwa icala ngaphansi kwalo Mthetho kaMasipala uyokhokhiswa inhlawulo engama R500 noma abhadle ejele isikhathi esingeqile ezinyangeni eziyi-6, noma akhokhe inhlawulo aphinde aboshwe.

(2) Maqondana nokuqhubeka kokwephulwa kwalo Mthetho kaMasipala, umuntu uyokhokha inhlawulo eyengeziwe noma aboshwe noma anikwe kokubili – inhlawulo nokuboshwa.

ISAHLUKO 19
IZIHLINZEKO EZINGXUBEVANGE

Ukudluliselwa kwamandla

128.(1) Kuncike kuMthethosisekelo nakweminye imithetho kazwelonke neyesifundazwe esebenzayo, noma imaphi –

(a) amandla, ngaphandle kwamandla okukhulunywe ngawo esigabeni 160(2) soMthethosisekelo;

(b) imisebenzi; noma

(c) amajoka,

ngokwalo Mthetho kaMasipala, athweswe uMkhandlu, uhlaka lukaMasipala lwezombusazwe, izikhulu zezombusazwe, amakhansela noma abasebenzi bomkhandlu, angadluliselwa yilolo hlaka lwezombusazwe, izikhulu zezombusazwe, ikhansela, noma umsebenzi woMkhandlu ohlakeni noma kumsebenzi oqashwe uMasipala.

(2) Ukudluliselwa kwamandla okuhambisana nesigatshana (1) kumele kwenzeke ngokohlelo lokudluliselwa kwamandla olwemukelwa uMkhandlu ngokuhambisana nesigaba 59(1) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), kuncike kwinqubo ebekwe kwisigaba 59(2) salo Mthetho okukhunywa ngawo.

(3) Ukudluliselwa kwamandla okuhlongozwe kulesi sigaba kumele kuqoshwe kwiRejista yokuDluliselwa kwaMadla, okumele iqukathe ulwazi mayelana –

(a) nohlaka noma umuntu odlulisela amandla;

(b) okudluliselwa kuye amandla; kanye

(c) nemibandela ehambisana nokudluliselwa kwamandla.

Ukudluliswa kwamacala

129.(1) Umuntu omalungelo akhe ayathikamezeka ngesinqumo esithathwe umsebenzi ogunyaziwe ngokwalo Mthetho kaMasipala angadlulisa leso sinqumo ngokwezihlinzeko zokudluliswa kwamacala eziqukethwe isigaba 62 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) ngokuthumela isaziso esibhalwe phansi ngokudlulisa kwakhe icala kwiMenenja kaMasipala ezinsukwini ezingama -21 kusukela osukwini aziswe ngalo ngesinqumo.

(2) IMenenja kaMasipala kumele ithumele ngokushesha incwadi yokudluliswa kwecala ohlakeni olubhekele ukudluliswa kwamacala.

(3) Uhlaka lokudluliswa kwamacala kumele lucubungule icala elidlulisiwe emasontweni ayisithupha bese luthatha isinqumo ngecala elidlulisiwe ngesikhathi esifanele.

(4) Uhlaka lokudluliswa kwamacala kumele luqinisekise, lushintshe noma luchithe isinqumo, kodwa akukho kuchithwa kwesinqumo okuyogudluka kumalungelo avele ngenxa yaleso sinqumo.

(5) Uhlaka lokudluliswa kwamacala kumele lukhiphe izizathu ezibhalwe phansi ngezinqumo zalo ngamacala adlulisiwe.

(6) Wonke amacala adluliswayo adluliswa kokwesigaba 62 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) hhayi ngokwalo Mthetho kaMasipala.

(7) Lapho isigwebo siqinisekiwe yinkantolo yomthetho kanti nolahlwe icla efisa ukudlulisela phambili leso sigwebo, lokho kwadluliselwa phambili kwesigwebo kumele kwenziwe ngokulandela uhlelo lwasezinkantolo hhayi ngokwezihlinzeko sesigatshana (1) kuya ku (5).

Imithetho echithwayo negcinwayo

130.(1) Imithetho ebalulwe ohlwini lwesibili lweSheduli yalo Mthetho kaMasipala ngalokhu iyachithwa ubungako obubekwe ohlwini lwesithathu lwale Sheduli.

(2) Zonke izaziso ezishicilelwe ngaphansi koMthetho kaMasipala Wokuhlinzeka Ngamanzi ka 1999 ziyaqhubeka nokusebenza sengathi lowo Mthetho kaMasipala awuzange uchithwe ngokwesigatshana (1).

(3) Noma imaphi amalungelo atholakele, izibopho ezikhona ezibekwe imithetho okukhulunywe ngayo kwisigatshana (2) ziyaqhubeka nokusebenza sengathi le mithetho ayizange ichithwe.

Isihloko esifingqiwe nokuqala kokusebenza komthetho

131. Lo Mthetho kaMasipala ubizwa ngoMthetho kaMasipala Wokuhlinzeka Ngamanzi, 2014 kanti uqala ukusebenza ngosuku oyoshicilelwa ngalo kwiGazethi yesiFundazwe saKwaZulu-Natali.

IMITHETHO ECHITHWAYO

INGXENYE A: IMITHETHO KAMASIPALA

Inombolo nonyaka woMthetho	***Isihloko***	***Ubungako obuchithwayo***
No. 87 ka 1953	Standard By-law, Mount Edgecombe	Isahluko IX
No. 104 ka 1996	uMthetho kaMasipala Wokuhlinzeka Ngamanzi, uMkhandlu wesikhashana	Wonke

	weTheku Namaphethelo	