UMTHETHO KAMASIPALA WETHEKU WOKULAWULWA KWAMANZI EMVULA, 2017

Wemukelwe uMkhandlu mhla ka:

Washaywa mhla ka:

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Wokuhlinzekela ukushaywa kwemithetho yezinhlelo zokulawula amanzi emvula; wokuhlinzekela izindlela zokumelananokuguquguquka kwesimo sezulu nokwanda kwezibalo zabantu ezindaweni zokuhlala eziminyene; wokuvikela nokonga imvelo; wokuhlinzekela ukwakhiwa kwentuthuko ngendlela ephephile neyonga imvelo uma kubhekelelwa izimvula namanzi emvula; wokuhlinzekela ukongiwa kwemvelo ngesikhathi esifanayo kuqhutshekwa nokuthuthukiswa komnotho; nokuhlinzekela okunye okuphathelene nalokho.

ISENDLALELO

NJENGOBA uMasipala enejoka ngokomthetho, futhi enelungelo lokulawula izindaba ezithinta umasipala ezivela eNgxenyeni B kaSheduli 4 eziphathelene nezinhlelo zokulawulwa kwamanzi emvula ezindaweni ezakhiwayo;

NJENGOBA uMthethosisekelo uhlinzeka wonke umuntu ngelungelo lokuphila endaweni engenabo ubungozi empilweni nakwinhlalakahle yakhe;

NJENGOBA uMthethosisekelo uhlinzekela ukuvikelwa kwemvelo ukuze izokwazi ukongeka nokuthuthuka;

NANJENGOBA uMthethosisekelo udinga ukuthi oHulumeni Basekhaya bagxile kakhulu ekuthuthukiseni imvelo nokukhuthaza imvelo ephephile nenempilo;

NGAKHO-KE, MANJE uMkhandlu kaMasipala kuMkhandludolobha weTheku, ngokwesigaba 156 sifundwa noSheduli 4 (Ingxenye B) yoMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika, futhi sifundwa nesigaba 11 soMthetho Wezinhlelo Zomasipala Wohulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), ngalokhu usungula lo Mthetho kaMasipala olandelayo:

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ISAHLUKO 1
UKUHUNYUSHWA

Izincazelo

1. Kulo Mthetho, ngaphandle uma ingqikithi isho okwehlukile –

"**uMthetho**" kushiwo uMthetho Wezamanzi Kazwelonke, 1998 (uMthetho No. 36 ka 1998);

"**umsebenzi ogunyaziwe**"kushiwo umuntu ogunyazwe ukusebenzisa izinhlinzeko zalo Mthetho kaMasipala, kubandakanya phakathi kokunye –

(a) iphoyisa lomthetho njengoba lichazwe esigabeni 334 soMthetho weNqubo yamaCala, 1977 (uMthetho No. 51 ka 1977);

(b) iphoyisa likaMasipala noma loMkhandludolobha njengoba lichazwe eMthethweni wamaPhoyisa aseNingizimu Afrika, 1995 (uMthetho No. 68 ka 1995); kanye

(c) nalowo msebenzi, i-ejenti, abaqokiwe, izithunywa nabahlinzeka ngezidingo kumasipala njengoba bengagunyazwa uMasipala mayelana nalokhu: Kuncike ekutheni ngezinhloso zokuphenya nokudla impahla, uma lowo muntu kungelona iphoyisa lomthetho kumele aphekezelwe yiphoyisa lomthetho;

“**indawookwakhiwe kuyo**” kushiwo indawo kaMasipala eklanywe ngosaveya yaba yiziza noma amapulazi noma ezungezwe iziza namapulazi aklanywe ngosaveya; kanti ibandakanya imigwaqo yomphakathi enqamula kuyo noma indawo lapho kugcwele khona abantu, izakhiwo noma ezinye izinhlaka ezakhiwa abantu nemisebenzi eyenziwa abantu;

“**ipayipi elixhumayo**” kushiwo indawo emapayipini amanzi emvula lapho exhumana khona nepayipi elithutha amanzi angcolile;

“**ipayipi elixhumayo lamanzi angcolile**” kushiwo ipayipi likaMasipala, elixhuma epayipini lamanzi emvula elisuka esakhiweni liya epayipini elingaphandle kwemingcele yesakhiwo noma elisendaweni eshiyiwe noma endaweni yendlela;

“**isigameko esilimazayo**” ushiwo isigameko esihlongozwe esigabeni 5(1) no (2) salo Mthetho kaMasipala;

“**umakhi**” kushiwo umuntu owenza isicelo noma okwenziwa egameni lakhe isicelo sokwakha noma sokugunyazwa komhlaba;

“**ukwakha**” kushiwo ukuhlukaniswa iziqephu komhlaba, ukusetshenziswa noma kushintsha ukusetshenziswa komhlaba, isakhiwo noma uhlaka okudinga ukugunyazwa uMasipala ngokwanoma imuphi umthetho;

“**umsele**” kushiwo ingxenye yepayipi lamanzi okungeyona ekaMasipala futhi ehambisa wonke amanzi aphuma emapayipini asuka esakhiweni eya emiseleni amanzi emvula;

“”**imisele yamapayipi**” kushiwo noma imuphi umsele wamanzi, okokuthumela amanzi, ukungcola nanoma iliphi ipayipi noma uhlelo lwamapayipi oluphathelene nokuchithwa koketshezi noma kwendle kunoma iliphi ipayipi lamanzi angcolile noma ipayipi lamanzi emvula noma elixhumene nepayipi nepayipi lokuchitha lanoma isiphi isakhiwo;

“**ileveli yokuxhumana**” kushiwo ukuphakama komhlaba okuhlanganela kuwo ipayipi endleleni engena esakhiweni noma ekhoneni lomgwaqo noma esitaladini ezingenela esakhiweni;

“**izindleko zezemvelo**” kushiwo izindleko eziphelele zakho konke okwenziwayo okudingekayo ukuze kubuyiselwe imvelo esimweni ebiyiso ngaphambi kokuba kube nesigameko esiyilimazayo;

“**ukumba**” kuhlanganisa ukuxegiswa, ukukhishwa noma ukususwa kwetshe, kwenhlabathi noma kwenye into embiwayo;

“**ukugqiba**” kushiwo ukubekwa kwenhlabathi, itshe noma okunye ngendlela ephakamisa izinga lenhlabathi;

“**amazinga ezikhukhula**” kushiwo amazinga okufinyelela kuwona amanzi ezikhukhula ngenxa yokuna ngamandla kwemvula esikhathini esithile noma ngezikhathi eziphindaphindayo;

“**indawo ehamba amanzi ezikhukhula**” kushiwo indawo evamise ukuhamba amanzi ezikhukhula uma linile ngezikhathi ezithile noma ezikhathini eziphindayo;

“**amanzi angcolile**” kushiwo amanzi anenhlabathi, amanzi angcolile noketshezi olukhiqizwa yizimboni;

“**Indawo eqinile**” kushiwo zonke izindawo ezikhonkiwe, uphahla, imigwaqo engenayo ekhonkiwe, isindawo ezizungeze iphuli, izakhiwo ezinompheme;

“**iNhloko**” kushiwo umsebenzi kaMasipala waseThekwini obhekele umnyango kuMasipala osebenza ngezindaba ezithinta ukulawulwa kwamanzi emvula;

“**ukunakekela**” kushiwo, phakathi kokunye, ukulungiswa, ukuvuiselelwa, ukukhandwa, ukwakhiwa kabusha noma ukushintshwa kwemisele uyamanzi emvula;

“**umkhandlu kamasipala**” noma “**umasipala**” kushiwo umkhandlu kaMasipala waseThekwini okungumkhandlu kaMasipala okukhulunywa ngawo esigabeni 157(1) soMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika;

“**uMasipala**” kushiwo uMasipala waseThekwini okungumasipala osemkhakheni A njengoba kushiwo esigabeni 155(1) soMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika, 1996 futhi osungulwe ngokweSaziso Somphakathi No. 343 sika 2000 (KwaZulu-Natali);

“**imenenja kaMasipala**” kushiwo umuntu oqokwe ngokwesigaba 54A soMthetho Wezinhlelo Zomasipala njengenhloko yezokuphatha emkhandlwini kaMasipala;

“**umhlaba kaMasipala**” kubandakanya umhlaba owenganyelwe, ophethwe noma olawulwa uMasipala ngale komhlaba kaMasipala oqashiwe;

“**uMthetho Wezinhlelo Zomasipala**” kushiwo uMthetho Wezinhlelo Zomasipala Wohulumeni Basekhaya, 2000 (uMthetho No. 32 ka 2000);

“**umnikazi**” kushiwo umnikazi, osebenzisa noma obheke izakhiwo;

“**umuntu**” kubandakanya umuntu siqu kanye nohlaka olusemthethweni;

“**inqubomgomo**” kushiwo kushiwo iNqubomgomo kaMasipala waseThekwini Yezikhukhula Namanzi Emvula eyemukelwa uMkhandlu, njengoba ingachitshiyelwa izikhathi ngezikhathi;

“**ukungcola**” kushiwo noma ikuphi ukungcoliseka komthombo wamanzi ngenxa yodoti, amakhemikhali noma yemvelo okungabangela ukuthi lawo manzi angabe esakwazi ukusebenziseka ngokwezinhloso asetshenziselwa zona noma abe yingozi okanye kubeke engcupheni –

(a) ihlalakahle, impilo noma ukuphepha kwabantu;

(b) okuphila emanzini noma ngaphandle kwamanzi;

(c) amazinga omthombo wamanzi; noma

(d) impahla;

“**isigameko sokungcola**” kushiwo isigameko noma isehlakalo esinomthelela omubi noma esingaba nomthelela omubi emazingeni amanzi asohlelweni lwamapayipi amanzi emvula okungabeka engcupheni impilo yomphakathi noma yemvelo;

“**izakhiwo**” kushiwo umhlaba othuthukisiwe noma ongathuthukisiwe;

“**okunqunyiwe**” kushiwo okunqunywe ngesivumelwano soMkhandlu izikhathi ngezikhathi;

“**uhlelolwemiseleyamanzi emvula lwangasese**” kushiwo uhlelo lwemiseleyamanzi emvula olulawulwa, olunakekelwa noma okungelomunye umuntu hhayi uMasipala;

“**umgwaqo womphakathi**” kushiwo noma imuphi umgwaqo, isitaladi, indlela nanoma iyiphi enye indawo (okungaba yindlela noma cha) ejwayele ukusetshenziswa umphakathi noma ingxenye yaleyo ndawo umphakathi oyisebenzisayo, okubandakanya –

(a) unqenqemalwalowo mgwaqo, isitaladi noma indlela;

(b) ibhuloho, umsinga noma udonga olwehlela kulowo mgwaqo, isitaladi noma indlela;

(c) noma imuphi umsebenzi noma into eyingxenye noma exhumene noma okungeyalowo mgwaqo, isitaladi noma indlela;

“**isikhathi sokuphinda**” kushiwo isikhathi ngokwemininingwane okulindeleke ukuthi kuphinde ngaso isigameko esifana nemvula enamandla, izikhukhula noma ukugcwala komfula;

“**amanzi emvula**” kushiwo amanzi abangelwe ukuna kwemvula noma amanzi emvula esehlangene namanzi avela emhlabathini neziphethu agcina ehamba ngemiseleyamanzi emvula;

“**uhlelo lwemisele yamanzi emvula**” kushiwo imisele eyakhiwe noma yemvelo, okubandakanya imigwaqo, amakhevu, amapayipi, amakhanali, impambanamigwaqo, amabhuloho, imisele yamanzi kanjalo nezindawo zezikhukhula, okungaba ngaphansi noma ngaphezu komhlaba kahulumeni noma womuntu ozimele, esetshenziswa noma edingekayo ukuze kuphathwe, kuqoqwe, kuthubeleziswe, kugcinwe isikhashana, kulawulwe, kuqashwe, kuphehlwe, kusetshenziswe noma kuchithwe amanzi emvula;

"**izindawo ezinamanzi**" kushiwo umhlaba onamathantala amanzi, okungaba umhlaba ohlale unamanzi ngezikhathi ezithile, futhi okungumhlaba ongakwazi ukuthi kumile kuwo izitshalo ezikwazi ukumila emhlabathini onamanzi.

Ukuhunyushwa koMthetho kaMasipala

2. Uma kuba nokushayisana phakathi kombhalo wesiNgisi walo Mthetho kaMasipala nalowo ohunyushiwe, kuyosebenza owesiNgisi.

Izinhloso zoMthetho

3. Izinhloso zalo Mthetho kaMasipala –

(a) ukushaya umthetho mayelana nokulawulwa kwamanzi emvula endaweni kaMasipala waseThekwini; kanye

(b) nokulawula izenzo ezingaba nomthelela ongemuhle ekwakhiweni, ekulawulweni nasekunakekelweni kwezinhlelo zemisele yamanzi emvula.

Ukusebenza koMthetho kaMasipala

4. Lo Mthetho kaMasipala usebenza kuzo zonke izinhlelo zemisele yamanzi emvula ezingena ngaphansi kolawulo lukaMasipala futhi ubophezela bonke abantu kukho konke okushoyo.

USAHLUKO 4
IZINHLELO ZEMISELE YAMANZI EMVULA

Ukuvikelwa kohlelo lwemisele yamanzi emvula

5.(1) Kuncike kwimvume ebhalwe phansi kaMasipala nakunoma imiphi imibandela uMasipala angayibeka, umuntu angeke –

(a) abangele, achithe noma avumele ukuba kungene ohlelweni lwemisele yamanzi emvula –

(i) okuqinile, okuwuketshezi, amanzi angcolile noma okunesisi;

(ii) okunye okungale kwamanzi emvula;

(iii) noma yini engalimaza umsele wamanzi emvula;

(iv) noma yini engaphazamisa ukusebenza kwemiseleyamanzi emvula;

(v) nanoma yini engangcolisa noma yonakalise amanzi emseleni wamanzi emvula;

(b) aphazamise, avale noma anciphise ikhono lokusebenza komsele wamanzi emvula;

(c) avule ipayipi, imbobo noma umsele oyingxenye yohlelo lwemiseleyamanzi emvula;

(d) akhe noma amise noma iluphi uhlaka ngaphezu noma ngendlela ezokonakalisa, ezolimaza, ezobeka engozini, ezovala noma ezophazamisa uhlelo lwemisele yamanzi emvula nokusebenza kwalo;

(e) adonse, amome noma aphambukise amanzi avela emseleni wamanzi emvula;

(f) agcwalise, ambe, agwegwise, acwecwe, avule noma asuse umhlabathi ongaphezulu, ophakathi noma ongaphansi noma oseceleni kwemisele yamanzi emvula;

(g) ashintshe ukuma, ukusebenza noma ashintshe noma yini ohlelweni lwemisele yamanzi emvula;

(h) enze noma yini okungathi leyonto noma uma isihlangene nokunye okuyokwenziwa, ibangele ukwanda kwamazinga amanzi ezikhukhula futhi idale ingcuphe yokuthi kube nezikhukhula;

(i) ongenza noma yini ezophazamisa uhlelo olwakhiwe lwemisele yamanzi emvula;

(j) ongenza noma yini noma ngokubona kukamasipala engakhubaza ukusebenza kohlelo lwemisele yamanzi emvula;

(k) ongachitha amanzi avela kwimpophoma, isigwedlo, umthombo, ithangi noma iphuli yokubhukuda ohlelweni lwemisele yamanzi emvula;

(l) ongavimba noma avalele noma imuphi umsele noma ipayipi lamanzi emvula eliyingxenye yempahla kaMasipala;

(m) ongasusa izivalo zemigodi, izisefo nanoma iyiphi enye impahla eyingxenye yemisele yamanzi emvula; futhi

(n) ongenza noma yini engaholela ekugugulekeni komhlabathi noma engadala ukulimala kwesakhiwo somunye umuntu.

(2) Umuntu ngeke abangele noma avumele ukuba umsele wamanzi emvula uchithele emapayipini okuthuthwa kwendle.

(3) Uma kwehlakala isigameko esibalulwe ku (1) noma (2) ngasenhla ingekhoimvume ebhalwe phansi kuqala kuMasipala, futhi leso sigameko singazidalekelanga sona –

(a) umuntu okunguyena owenze leso sigameko; noma

(b) umnikazi womhlaba okwenzeke noma okwenzeka kuso leso sigameko,

kumele abike ngokushesha kuMasipala.

(4) Umuntu okukhulunywe ngaye kwisigatshana (3) kumele, ngemali yakhe, enze yonke imizamo ukugwema nokunciphisa umthelela waleso sigameko, okungabandakanya phakathi kokunye –

(a) ukuqala imizamo yokuhlanza indawo; futhi

(b) uma kunesidingo, ahlumelelise imvelo eseduzane nalapho nanoma iziphi izindleko eziphathelene naleyo mvelo.

Izicelo zokuthuthukisa umhlaba

6.(1) Noma isiphi isicelo sokugunyaza ukwakha kunoma imuphi umhlaba kumele sibandakanye ipulani yemiseleyamanzi emvula ngokuhambisana nendlela yokudweba amapulani ejwayelekile ebekwe kwinqubomgomo.

(2) Ukugunyazwa kwesicelo sokuthuthukisa umhlaba kuncike–

(a) ekutheni umakhi uletha ipulani yokulawulwa kwamanzi emvula ehambisanayo nezidingo zokudwetshwa kwezindawo zamanzi nezamanzi emvula noma nemikhombandlela ebekwe kwinqubomgomo;

(b) kunoma isiphi esinye isidingo noma imikhombandlela ebekwe kwinqubomgomo ukuze kugunyazwe isicelo sokuthuthukisa umhlaba; kanye

(c) nanoma isiphi isichibiyelo uMasipala angayalela umakhi ukuba asenze esicelweni sakhe sokuthuthukisa umhlaba mayelana nepulani yokulawulwa akwamanzi emvula.

Ijoka labanikazi

7.(1) Umnikazi wesakhiwo kumele –

(a) alawule futhi ahlinzekele ukulawulwa nokuncishiswa kwamanzi emvula asuka ezindaweni eziqinile;

(b) alawule amanzi emvula; futhi

(c) achithe ngendlela amanzi emvula,

avelaesakhiweni angena emiseleni yamanzi emvula njengoba kushiwo kwinqubomgomo.

(2) Umnikazi wesakhiwo kudingeka ngemali yakhe anakekele imisele yamanzi emvula esesakhiweni sakhe, okungabandakanya ukuyilungisa nokuyakha kabusha leyo misele yamanzi emvula, ngaphandle uma uMasipala ezibophezele ukuthi uzowenza lowo msebenzi

okungaba yingesivumelwano sokuyinakekela noma ngokwemibandela ephathelene nendawo eshiyelwe imisebenzi kaMasipala.

(3) Uma umasipala engumnikazi wendawo eshiyiwe esakhiweni esinomnikazi, umnikazi kumele avumele umsebenzi ogunyaziwe ukuba angene kuleyo ndawo ngenhloso yokuyihlola, ukuyinakekela, ukuyilungisa noma ukufaka amapayipi amanzi emvula noma ipayipi elikhulu kuleyo ndawo eshiyiwe.

(4) Umnikazi wesakhiwo kumele athathe izinyathelo ezifanele ukunqanda izinto ezingalimaza ezempilo ngenxa yokusetshenziswa kwamanzi emvula akhongozelwe noma asemathangini amanzi emvula.

(5) Umnikazi wesakhiwo kumele athathe izinyathelo ezifanele ukugcina kahle izisefo, uphahla, ogadasi, amapayipi ehlayo nanoma yini esetshenziselwa ukulawula nokuphatha amanzi agobhozela emiseleni yamanzi emvula.

Amazinga okungena

8.(1) Ukuphakama kwendawo yokungena esakhiweni kungadingeka ukuba kushintshwe ukuze kuhambisane nezidingo ezikhona ezibekwe kwinqubomgomo.

(2) UMasipala unazisa umnikazi womhlaba ngencwadi ngezizathu zokuthi alungise ukuphakama kwendawo yokungena.

(3) UMasipala unelungelo lokukhulula noma isiphi isakhiwo ekutheni sigcine okushiwo isigatshana (1).

Izigameko zokugcola kwamanzi

9.(1) Wonke umuntu noma umnikazi kumele ngokushesha abike noma isiphi isigameko sokungcoliseka kwamanzi emvula kuMasipala.

(2) Isigameko sokungcoliseka kwamanzi emvula sincike kokushiwo yilo Mthetho kaMasipala nanoma imuphi omunye umthetho okhuluma ngokungcola osebenzayo.

Amandla kaMasipala

10.(1) UMasipala –

(a) angabhidliza, angashintsha noma enze okuthile kunoma isiphi isakhiwo, uhlaka noma okunye okwakhiwe, okumiswe noma okubekwe ngendlela ephambana nalo Mthetho kaMasipala;

(b) angagqiba, angasusa noma alungise noma imuphi umhlaba ombiwe, osusiwe noma obekwe ngokuphambanayo noma ngokungaholela ekushayisaneni nalo Mthetho kaMasipala;

(c) angasusa noma yini elahlwe emseleni wamanzi emvula noma emseleni wamanzi ngokuphambanayo nalo Mthetho;

(d) angalungisa noma akhande umonakalo owenzeke ngokwephulwa kwalo Mthetho;

(e) angasusa noma yini elimaza, ephazamisa, ebeka engcupheni noma engalimaza noma iphazamise ukusebenza kohlelo lwemisele yamanzi emvula;

(f) angavala noma avimbele ipayipi eliphuma esakhiweni uma ukuchitha kwalelo payipi kuphambene nokushiwo yilo Mthetho kaMasipala, kungakhathaleki noma ipayipi lisemthethweni;

(g) angahoxisa imvume ekhishwe ngokwalo Mthetho kaMasipala uma imibandela ekhishelwe phezu kwayo ingasalandelwa; futhi

(h) angachithela amanzi emvula kunoma iyiphi indawo ehamba amanzi noma ngabe kungeyangasese.

(2) UMasipala angayalela ngesaziso esibhalwe phansi, noma imuphi umnikazi womhlaba ukuba alungise uhlelo lwemisele yamanzi emvula noma afake amapayipi amanzi emvula noma ogadasi endaweni efanele engakhonjwa uMasipala.

(3) Uma kukhona isenzo noma ubudedengu obenziwa umnikazi wesakhiwo okungaholela ekutheni kwephulwe lo Mthetho kaMasipala, uMasipala anganikeza umnikazi womhlaba isaziso esibhaliwe sokuthi ahloniphe leyo miyalelo njengoba uMasipala engabona kufanele ukugwema lokho kwephulwa komthetho.

(4) Uma kwenzeka umnikazi womhlaba noma umuntu owengamele uma kungumhlaba kaMasipala, ehluleka ukuhlonipha isaziso esikhishwe ngokwalo Mthetho kaMasipala ngokuthi angalungisi njengoba eyalelwe uMasipala, uMasipala angazenzela lowo msebenzi bese ekhokhisa zonke izindleko zalokho umnikazi womhlaba noma umuntu owengamele.

(5) UMasipala angangena esivumelwaneni nomuntu lapho lowo muntu ngemali yakhe eyofaka uhlelo lwemisele yamanzi emvula noma ingxenye yalo, kuncike ekugunyazeni nakwimibandela engabekwa uMasipala.

ISAHLUKO 3
AMACALA NEZINHLAWULO

Amacala

11.(1) Umuntu wenza icala uma –

(a) ephula izinhlinzeko zalo Mthetho kaMasipala;

(b) ephula noma imuphi umbandela, umyalelo noma okwenqatshelwe ngokwalo Mthetho kaMasipala;

(c) ephazamisa, evimbela, noma ephazamisa nganoma iyiphi indlela umsebenzi ogunyaziwe owenza imisebenzi yakhe ngokwalo Mthetho kaMasipala; noma

(d) ehluleka ukuhlonipha umyalelo osemthethweni awunikezwa ngokwalo Mthetho kaMasipala.

Izinhlawulo

12.(1) Noma ngubani olahlwa yicala ngaphansi kwalo Mthetho kaMasipala uyohlawuliswa imali engeqi ku-R10 000 noma agwetshwe ukubhadla ejele isikhathi esingeqile ezinyangeni ezingu-6, noma kokubili inhlawulo nokubhadla ejele.

(2) Kumuntu wenza icala ephindelela, kuyokwengezwa enye ihlawulo engeqi ku-R200 noma ukubhadla ejele okungeqi ezinsukwini ezingu-10, ngosuku ngalunye aqhubeka ngalo ukwenza lelo cala, noma akuthwale kokubili ijele nenhlawulo.

ISAHLUKO 4
IZINHLINZEKO EZEJWAYELEKILE

Ukudluliswa kwamacala

13.(1). Umuntu omalungelo akhe ayacindezeleka ngenxa yesinqumo esithathwe yiNhloko nanoma imuphi umsebenzi ogunyaziwe ngokwalo Mthetho kaMasipala angadlulisa icala mayelana naleso sinqumo ngokwezinhlinzeko zokudluliswa kwamacala zoMthetho Wezinhlelo Zomasipala Wohulumeni Basekhaya, 2000 (uMthetho No. 32 ka 2000) ngokubhala isaziso sokudlulisa icala nezizathu zalokho asibhekise kwiMenenja kaMasipala zingakedluli izinsuku ezingu-21 ethole isaziso ngesinqumo.

(2) IMenenja kaMasipala kumele idlulisele lelo cala egatsheni elifanele lokudluliswa kwamacala.

(3) Igatsha lokudluliswa kwamacala kumele licubungule icala emasontweni angu-6 bese linquma ngecala elidlulisiwe ngesikhathi esifanele.

(4) Igatsha lokudluliswa kwamacala kumele liqinisekise, lishintshe noma lihoxise isinqumo, kodwa akukho ukushintsha noma kuhoxiswa kwesinqumo okuyochezuka emalungelweni atholakele ngenxa yaleso sinqumo.

(5) Igatsha lokudluliswa kwamacala kumele liveze izizathu ezibhalwe phansi ngesinqumo salo odabeli oludlulisiwe.

(6) Wonke amacala adlulisiwe acutshungulwa ngokoMthetho Wezinhlelo Zomasipala Wohulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) hhayi ngokwalo Mthetho kaMasipala.

(7) Uma ukulahlwa yicala kuqinisekiswe yinkantolo futhi olahlwe yicala efisa ukulidlulisa, ukudluliswa kwalo kumele kwenzeke ngokohlelo lokudluliswa kwamacala lwenkantolo hhayi ngokwezigatshana (1) kuya ku (5).

Ukudluliselwa kwamandla

15.(1) Kuncike kuMthethosisekelo nasemithethweni kazwelonke neyesifundazwe esebenzayo –

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

(b) imisebenzi; noma

(c) amajoka,

athweswe, ngokwalo Mthetho kaMasipala, uMkhandlu, nanoma iluphi uhlaka lukaMasipala lwezombusazwe, osopolitiki, amakhansela noma abasebebenzi, angadluliselwa noma anikezelwe yilolo hlaka lwezombusazwe, usopolitiki, ikhansela noma umsebenzi, kunoma iluphi uhlaka lukaMasipala noma umsebenzi oqashwe uMasipala.

(2) Ukudluliselwa kwamandla ngokwesigatshana (1) kumele kwenziwe ngendlela ehambisanayo nezinhlelo zokudluliselwa kwamandla ezemukelwa uMkhandlu ngokuhambisana nesigaba 59(1) soMthetho Wezinhlelo Zomasipala Wohulumeni

Basekhaya, 2000 (uMthetho No. 32 ka 2000), kuncike kwinqubo ebekwe esigabeni 59(2) salowo Mthetho.

(3) Noma ikuphi ukudluliselwa kwamandla okukhulunywe ngakho kulesi sigaba kumele kuqoshwe kwiRejista yokudluliselwa kwamandla, okumele iqukathe ulwazi mayelana –

(a) nomuntu noma uhlaka oludlulisa amandla;

(b) umuntu noma uhlaka okudluliselwa kulo amandla;

(c) nemibandela ehambisana nokudluliselwa kwamandla.

Imithetho echithwayo negcinwayo

15.(1) Imithetho ebalulwe ohlwini lokuqala nolwesibili lweSheduli yalo Mthetho kaMasipala ngalokhu iyachithwa ngendlela ebekwe ohlwini lwesithathu lwale Sheduli.

Isihloko esifingqiwe nokuqala kokusebenza komthetho

16.(1) Lo Mthetho kaMasipala ubizwa ngoMthetho Kamasipala Wokulawulwa Kwamanzi Emvula, 2017 kanti uqala ukusebenza ngosuku oyoshicilelwa ngalo kwiGazethi yesiFundazwe.

USHEDULI 1 – IMITHETHO ECHITHWAYO

Inombolo nonyaka woMthetho	**Isihloko**	**Okuchithwayo**
Isaziso Sesifundazwe No. 179 sika 1989 esemukelwa ngeSaziso Sesifundazwe No. 4696 sika 1989 sendawo yase-Yellow Wood Park	IMithethonqubo Yamapayipi Amanzi	Izigaba 24 no 25.
Isaziso Sesifundazwe No. 407 sika 1975 esemukelwa ngeSaziso Sesifundazwe No. 3870 sika 1975 sendawo yaseQueensburgh	Uketshezi Lwezimboni	Isigaba 2.
Isaziso Sesifundazwe No. 1830 sika 1970 esemukelwa ngeSaziso Sesifundazwe No. 2894 sika 1970 selokishi laseHillcrest	IMithetho kaMasipala Yokwakha	Izigaba 9, 16, 20, 89, 90, 101, 108, 110.
Isaziso Sesifundazwe No. 60 sika 1973 esemukelwa ngeSaziso Sesifundazwe No. 3721 sika 1973 saseCato Ridge	Amapayipi Amanzi	Izigaba 24 no 25
Isaziso Sesifundazwe No. 153 sika 1990 esemukelwa ngeSaziso Sesifundazwe No. 4750 sika 1990 saseCato Ridge	IMithethonqubo Yoketshezi Lwezohwebo	Izigaba 2, 3, 4 no 5. Ushedluli 2 no 3.
Isaziso Sesifundazwe No. 287 sika 1963 esemukelwa ngeSaziso Sesifundazwe No. 3164 sika 1963 selokishi laseVeulam	Okwejwayelekile	Izigaba 13, 18A, 25 no 26.
Isaziso Sesifundazwe No. R.1830 sika 1970 esemukelwa ngeSaziso Sesifundazwe No. 2894 sika 1970 sendawo yaseMhlanga	Ukwakha	Izigaba 9, 16(2)(g), 20, 23, 89, 90, 101 no 108.

Isaziso Sesifundazwe No. 23 sika 1973 esemukelwa ngeSaziso Sesifundazwe No. 3718 sika 1973 sendawo yaseMhlanga	Imithetho kaMasipala ephathelene nokwakhiwa kwemigwaqo emisha na-maPayipi amanzi emvula abheke ezingxenyeni eza-biwe kabusha zomhlaba	Izigaba 2, 3, 4, 8, 9, 10 no 12.
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953 saseMhlanga Rocks	IMithetho kaMasipala Yamazinga	Isigaba 7(m) no 9(f).
Isaziso Sesifundazwe No. R1830 sika 1970 esemukelwa ngeSaziso Sesifundazwe No. 2894 sika 1970 saselokishini lasoThongathi	Amazinga Okwakha	Izigaba 9(a), 16(2)(g), 20(d), 89(1), 90(1), 101(1), 108(b) no 110(1)(f).
Isaziso Sesifundazwe No. 54 sika 1972 esemukelwa ngeSaziso Sesifundazwe No. 3659 sika 1972 saselokishini lasoThongathi	Imithetho kaMasipala ephathelene namakotishi	Isigaba 2(q).
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953 saseCato Ridge	Imithetho kaMasipala Yamazinga	Izigaba 4(2)(g), 26(a) (b) & (c), 27, 55*bis*, 62 no 229.
Isaziso Sesifundazwe No. 375 sika 1954 esemukelwa ngeSaziso Sesifundazwe No. 2562 sika 1954 selokishi laseMkhomazi	Imithetho kaMasipala Yokwakha	Isigaba 43.
Isaziso Sesifundazwe No. 595 sika 1972 esemukelwa ngeSaziso Sesifundazwe No. 3709 sika 1972 selokishi laseMkhomazi	Imithetho kaMasipala ephathelene namakotishi	Isigaba 2(q).
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika	Amazinga Okwakha	Izigaba 26(10(b)&(c) no 27.

1953 selokishi laseMkhomazi		
Isaziso Sesifundazwe No. 236 sika 1977 esemukelwa ngeSaziso Sesifundazwe No. 2984 sika 1977 saseWidenham	Imithethonqubo Yethange Lendle	Isigaba 4(d).
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953 saseKingsburgh	Imithetho kaMasipala Yamazinga	Izigaba 4(2)(g), 26(a) (b) & (c), 27, 55*bis*, 62 no 229.
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953	Imithetho kaMasipala Yamazinga	Isigaba 27, 27.
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953 yaseSiphingo	Imithetho kaMasipala Yamazinga	Izigaba 18(a), (b) no (c) no 19(a)
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953	Imithetho kaMasipala Yamazinga	Izigaba 18(a), (b) no (c); 19(a), (d), (h), (l) no (m); 26(a), (b) no (c); 27; 88(c)(ii); 55*bis*; 62 no 229.
Isaziso Sesifundazwe No. 27 sika 1999 esemukelwa ngeSaziso Sesifundazwe No. 5356 sika 1999 saseThekwini	Ukuchithwa Kwendle	Isigaba 2.4(1)(a) no (3).
Isaziso Sesifundazwe No. 82 sika 1932 esemukelwa ngeSaziso Sesifundazwe No. 1250 sika 1932 sendawo yaseThekwini	Ukwakha	Isigaba 1(1); 18(1); (2); (3); (4) no (5); 32.
Isaziso Sesifundazwe No. 149 sika 1975 esemukelwa ngeSaziso Sesifundazwe No. 3849 sika 1975 seDolobha iTheku	Imithetho kaMasipala Yezimakethe: Imakethe Yezolimo kaZwelonke yeTheku	Isigaa 43(2)(m).
Isaziso Sesifundazwe No. 36 sika 1986 esemukelwa ngeSaziso	Ukuklanywa Iziqephu Komhlaba Nemigwaqo	Isigaba 3(3)(e), (g), (n); 12(6)(b)(ii); 13; 14.

Sesifundazwe No. 4512 sika 1986 seDolobha iTheku	Emisha	
Isaziso Sesifundazwe No. R1830 sika 1970 esemukelwa ngeSaziso Sesifundazwe No. 2894 sika 1970 sendawo yaseQueensburgh.	Amazinga Okwakha	Izigaba 9(a); 20(d); 89; 90; 101; 108(b) no 110(1)(f).
Isaziso Sesifundazwe No. 502 sika 1984 esemukelwa ngeSaziso Sesifundazwe No. 4438 sika 1984	Umthetho kaMasipala Wokuhlanganiswa nokuHlukaniswa Iziqephu komhlaba Nemisebenzi Yokwakha Kumhlaba Nokunye okuphathelene nalokho	Isigaba 3(xii).
Isaziso Sesifundazwe No. R1830 sika 1970 esemukelwa ngeSaziso Sesifundazwe No. 2894 sika 1970 sendawo yasePinetown	Ukwakha	Isigaba 9(a); 16(2)(g); 20(d); 20(5); 89; 90; 101; 108(b); 110(1)(f).
Isaziso Sesifundazwe No. 461 sika 1981 esemukelwa ngeSaziso Sesifundazwe No. 4258 sika 1981 sendawo yasePinetown	Ukuhlanganiswa nokuHlukaniswa Iziqephu komhlaba Nemisebenzi Yokwakha Kumhlaba Nokunye okuphathelene nalokho	Isigaba 4(3)(xiii)
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953 sendawo yasePinetown	Amazinga	Isigaba 2(3)(xi), (xii), (xiii).
Isaziso Sesifundazwe No. 87 sika 1953 esemukelwa ngeSaziso Sesifundazwe No. 2461 sika 1953	Amazinga	Izigaba 26; 27; 118; 119; 55bis; 62 no 229.
Isaziso Sesifundazwe No. 755 sika 1971 esemukelwa ngeSaziso Sesifundazwe No. 3654 sika 1971	Imithetho kaMasipala Yethange Lendle	Isigaba 4(e).