



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

COMMUNITY FIRE SAFETY FURTHER AMENDMENT BY-LAW, 2015

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CITY OF CAPE TOWN

Community Fire Safety Amendment By-law, 2015

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from the existing enactments.

— Words underlined with solid line indicate insertions in existing enactments.

DRAFT COMMUNITY FIRE SAFETY AMENDMENT BY-LAW, 2015

To amend the City's Community Fire Safety By-law, 2002; to amend the Community Fire Safety Amendment By-law, 2007; to provide for the safety of premises keeping flammable gas; and to provide for matters connected thereto.

BE IT ENACTED by the Council of the City of Cape Town, as follows: —

Substitution of section 9 of the City of Cape Town: Community Fire Safety Amendment By-law, 2007

1. The following section hereby substitutes section 9 of the City of Cape Town: Community Fire Safety Amendment By-law, 2007:
" (i) a flammable gas in excess of 100 kilogram, or".

Substitution of section 10 of the City of Cape Town: Community Fire Safety Amendment By-law, 2007

2. The following section hereby substitutes section 10(b) of the City of Cape Town: Community Fire Safety Amendment By-law, 2007:

Section 38 of the By-law is hereby amended by —

- (b) The substitution of subsection 38(7) with the following subsection

“(7) A supplier may not —

- (a) supply in excess of 100 kilogram of a flammable gas or 200 litres of a flammable liquid of danger group (i), (ii), (iii) or (iv), as the case may be, to any person without proof that the person being supplied is in possession of a valid flammable substance certificate as contemplated in section 37(6);
- (b) deliver to the owner or person in charge of a premises, in excess of 100 kilogram of a flammable gas or 200 litres of a flammable liquid of a danger group (i), (ii), (iii) or (iv), as the case may be, unless the owner or person in charge of a premises is in possession of a valid flammable substance certificate as contemplated in section 37(6); or

(c) deliver or supply a flammable gas or flammable liquid of danger group (i), (ii), (iii) or (iv) to the owner or person in charge of a premises where, in terms of section 37(6), a flammable substance certificate is not required; unless the premises, storage facility or installation complies with the provisions of the relevant SANS or any other relevant national legislation."

Short title

3. This By-law is called the Community Fire Safety Amendment By-law, 2015.

STAD KAAPSTAD

Gemeenskapsbrand- veiligheid Wysigings- verordening, 2015

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vetdruk tussen vierkantige hakies dui skrappings uit bestaande verordeninge aan.

_____ Woorde met 'n volstreep daaronder dui invoegings in bestaande verordeninge aan.

KONSEPWYSIGINGSVERORDENING OP GEMEENSKAPSBRANDVEILIGHEID, 2015

Om die Stad se Verordening op Gemeenskapsbrandveiligheid, 2002 te wysig; om die Wysigingsverordening op Gemeenskapsbrandveiligheid, 2007 te wysig; om voorsiening te maak vir die veiligheid van persele waar vlambare gas aangehou word; en om voorsiening te maak vir sake wat daarmee verband hou.

DERHALWE VERORDEN die Stad Kaapstad soos volg: —

Vervanging van artikel 9 van die Stad Kaapstad: Wysigingsverordening op Gemeenskapsbrandveiligheid, 2007

1. Die volgende artikel vervang hiermee artikel 9 van die Stad Kaapstad: Wysigingsverordening op Gemeenskapsbrandveiligheid, 2007:

"(i) 'n ontvlambare gas van meer as 100 kilogram, of".

**Vervanging van artikel 10 van die Stad Kaapstad:
Wysigingsverordening op Gemeenskapsbrandveiligheid, 2007**

2. Die volgende artikel vervang hiermee artikel 10(b) van die Stad Kaapstad: Wysigingsverordening op Gemeenskapsbrandveiligheid, 2007:

Artikel 38 van die Verordening word hiermee gewysig deur —

(b) die vervanging van subartikel (7) van die volgende subartikel:

“(7) ’n Verskaffer mag nie —

- (a) meer as 100 kilogram van ’n ontvlambare gas of 200 liter van ’n ontvlambare vloeistof in gevaargroep (i), (ii), (iii) of (iv), wat die geval ook al mag wees, aan enige persoon voorsien sonder bewys dat die persoon aan wie dit voorsien word in besit is van ’n geldige sertifikaat vir ontvlambare middels soos in artikel 37(6) beoog word nie; of
- (b) meer as 100 kilogram van ’n gas of 200 liter van ’n ontvlambare vloeistof in gevaargroep (i), (ii), (iii) of (iv), wat die geval ook al mag wees, aan enige perseel voorsien nie, tensy die eienaar of persoon in beheer van ’n perseel in besit is van ’n geldige sertifikaat vir ontvlambare middels soos in artikel 37(6) beoog; of

(c) 'n ontvlambare gas of ontvlambare vloeistof in gevaargroep (i), (ii), (iii) of (iv) aflewer by of verskaf aan die eienaar of persoon in beheer van 'n perseel waar 'n sertifikaat vir ontvlambare middels nie ingevolge artikel 37(6) vereis word nie; tensy die perseel, bergingsfasiliteit of installasie aan die bepalings van die betrokke SANS of enige ander toepaslike nasionale wetgewing voldoen."

Kort titel

3. Hierdie Verordening word die Wysigingsverordening op Gemeenskapsbrandveiligheid, 2015 genoem.

CITY OF CAPE TOWN

**UMthetho kaMasipala
oLungisiweyo
ongoKhuseleko loLuntu
kwiMililo, 2015**

INGCACISO GABALALA:

[] Amagama angqindilili akwizibiyeli ezisikwere abonisa oko kususiweyo kumthetho okhoyo ngoku.

_____ Amagama akrwelelwe umgca ngaphantsi abonisa oko kufakelweyo kumthetho okhoyo ngoku.

**UMTHETHO KAMASIPALA OLUNGISIWEYO WOKHUSELEKO LOLUNTU
KWIMILILO OSAYILWAYO, 2015**

Ukwenza izilungiso kuMthetho kaMasipala woKhuseleko loLuntu kwiMililo, ka-2002; ukwenza izilungiso kuMthetho kaMasipala oLungisiweyo woKhuseleko loLuntu kwiMililo, ka-2007; ukubonelela ngokhuseleko kwizakhiwo ezigcina irhasi enokudubula idale imililo; kunye nokubonelela ngemiba ehambelana noko.

IBhunga leSixeko saseKapa MALIMISELE ngolu hlobo lulandelayo: —

**Ukutshintshwa kwecandelo 9 loMthetho weSixeko saseKapa: uMthetho
kaMasipala oLungisiweyo woKhuseleko loLuntu kwiMililo, ka-2007**

1. Eli candelo lilandelayo lingena endaweni yecandelo 9 kuMthetho kaMasipala oLungisiweyo woKhuseleko loLuntu kwiMililo, ka-2007:

“(i) igesi enokuvutha ezikhilogramu ezingaphezu kwe-100, okanye”.

Ukutshintshwa kwecandelo 10 loMthetho weSixeko saseKapa: uMthetho kaMasipala oLungisiweyo woKhuseleko loLuntu kwiMililo, ka-2007

2. Eli candelo lilandelayo lingena endaweni yecandelo 10(b) kuMthetho kaMasipala oLungisiweyo woKhuseleko loLuntu kwiMililo, ka-2007:

Icandelo lama -38 lalo Mthetho kaMasipala kungoku nje lilungiswa ngolu hlobo —

- (b) ukutshintshwa kwecandelwana le-(7) kufakelwe eli candelwana lilandelayo:

“(7) Umboneleli ngenkonzo akanakho —

- (a) Ukunikezela ngegese enokuvutha engaphezu kweekhilogram ezili-100 okanye kweelitha ezingama-200 ento engamanzi enokuvutha ekwiqela lezinto ezinobungozi ezikwiqela (i), (ii), (iii) okanye (iv), nokuba leliphi na, kuye nabani na ngaphandle kwesiqinisekiso sokuba loo mntu unikwa loo nto inokuvutha unesiqinisekiso esisemthethweni sokugcina izinto ezinokuvutha njengoko kuchaziwe kwicandelo lama-37(6);
- (b) Ukuthuthela kuyo nayiphi na indawo igese enokuvutha engaphezu kweekhilogramu ezili-100 okanye iilitha ezingaphezu kwama-200 ento engamanzi enokuvutha ekwiqela lezinto ezinobungozi ezikwiqela (i), (ii), (iii) okanye (iv), nokuba leliphi na, kuye nabani na ngaphandle kwesiqinisekiso sokuba loo mntu

unikwa loo nto inokuvutha unesiqinisekiso esisemthethweni sokugcina izinto ezinokuvutha njengoko kuchaziwe kwicandelo lama-37(6); okanye

(c) ukuthuthela okanye ukubonelela igesi enokuvutha okanye into engamanzi enokuvutha ekwiqela lezinto ezinobungozi ezikwiqela (i), (ii), (iii) okanye (iv) kumnini okanye umntu ojongene nesakhiwo, apho ngokwecandelo 37(6), kungadingeki satifikethi sezinto ezinokuvutha, ngaphandle kokuba eso sakhiwo, loo ndawo yokugcina okanye yokufakela, iyayithobela imiqathango ye-SANS echaphazelekayo okanye nayiphi na eminye imithetho yesizwe."

Isihloko esifutshane

3. Lo Mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala oweNziwe iZilungiso woKhuseleko loLuntu kwiMililo, ka-2015.