

WEST RAND DISTRICT MUNICIPALITY

DIRECTORATE: PUBLIC SAFETY

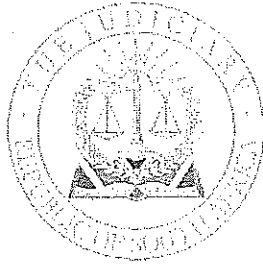
SUB-DIRECTORATE: EMERGENCY SERVICES

DETERMINATION OF PENALTIES

BYLAWS RELATING TO FIRE BRIGADE SERVICES AND THE USE AND
HANDLING OF FLAMMABLE LIQUIDS AND SUBSTANCES PUBLISHED IN
L.A.N. 2478 AS AMMENDED OF 14 NOVEMBER 2008



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Fire Risk Management
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Magistrate's Court – cnr Biccard and Commissioner Streets Krugersdorp**

Ref: 1/4/5
Enq: Ms C E Breedt
Date: 15 March 2017

Mr PW Nchefu
Manager: Traffic and Security
MCLM
PO Box 94
Krugersdorp
1740

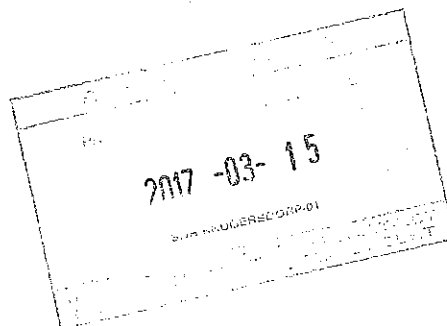
**Determination of Admissions of Guilt fines on By Laws:
Magisterial district Mogale City**

Your reference BA Murray/em SS/ Traffic dated 13 February 2017, is applicable.

Attached hereto are determination of admission of guilt fines on By Laws, in terms of section 57(5) of the Criminal Procedure Act, 1977 (Act 51 of 1977), for your attention.

Said determination will become effective on 2 May 2017.

**C E Breedt
Acting Senior Magistrate
Krugersdorp**



Registered 2/5/17
Wegman City

WEST RAND DISTRICT MUNICIPALITY

DIRECTORATE: PUBLIC SAFETY

SUB-DIRECTORATE: EMERGENCY SERVICES

DETERMINATION OF PENALTIES

BYLAWS RELATING TO FIRE BRIGADE SERVICES AND THE USE AND HANDLING OF FLAMMABLE LIQUIDS AND SUBSTANCES PUBLISHED IN L.A.N. 2478 AS AMENDED OF 14 NOVEMBER 2008

Section Clause	Description of Offence	Proposed Penalty	Approved	By-law
4(2)	Interfere with, or contravene order given by member of service at the scene of an incident	R1500	<i>R1500</i>	
4(4)	Fail to leave any street, passage or place when ordered to do so by a person having the authority to do so	R1500	<i>R1500</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
6(1)	Store or permit to be stored, combustible materials in such manner or quantity as to create a fire hazard	R500	<i>R1000</i>	
6(2)	Allow property to be overgrown with vegetation as to create a fire hazard	R500	<i>R500</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
7(1)	Make or cause or permit a fire in such a way as to endanger the safety of any building, premises or property	R1500	<i>R2000</i>	
7(2)	Burning of rubbish, wood or straw beyond the hours of 10:00 to 16:00 or in quantities in excess of 1 (one) cubic metre	R500	<i>R500</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
8(1)	Fill balloon or other gas filled toy with hydrogen	R500	<i>700</i>	Fine not exceeding R10,000 or in default of

				payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
9(2)(a)	Store, sell or deal in fireworks while not in possession of a license issued in terms of the Explosives Act 1956	R1500 plus forfeiture of goods	<i>R1500 + forfeiture</i>	
9(2)(b)	Display or cause or permit to be displayed fireworks in such a way as to allow direct access to the fireworks by a member of the public	R1500	<i>R1500</i>	
9(2)(c)	Store fireworks within 5 (five) meters of flammable liquids, acids, alkalis, matches, combustible materials or other hazardous material	R1000	<i>R1000</i>	
9(2)(d)	Make or use of open flame or permit smoking at place where fireworks are stored	R500	<i>R700</i>	
9(2)(e)	Sell or permit fireworks to be sold other than in the original packaging	R1000	<i>R1000</i>	
9(2)(f)	Sell, supply or allow handling of fireworks by any person under the age of 16 years	R1000	<i>R1000</i>	
9(3)(a)	If a dealer in fireworks, store more than 500kg of fireworks	R1000	<i>R1000</i>	
9(3)(b)	If a supplier of fireworks, store more than 1000kg of fireworks, except in an approved magazine	R1500	<i>R1500</i>	Fine not exceeding R20,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
10	Allow or cause or permit accumulation of soot or other combustible material in a chimney, flue or duct in such quantity as to create a fire hazard	R1000	<i>R1000</i>	Fine not exceeding R5,000 or in default of payment to imprisonment for a period not exceeding three months.
11(3)	Commence with construction of any new building, structure or addition to a building or structure prior to the receipt of approved building plans by the chief fire officer.	R1500	<i>R1500</i>	Fine not exceeding R20,000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such

				fine and imprisonment.
12	Use or cause or permit to be used any building, structure or land for any purpose other than that indicated on the approved plans of or as reflected in the title deeds that will result in the change of the class of occupation thereof.	R 1500	<i>R1500</i>	Fine not exceeding R1, 000 per m ² of the occupied building, structure or land or in default of payment to imprisonment for a period not exceeding twenty four months or both such fine and imprisonment.
13(1)	Erecting a new building or structure or to affect any alteration, without submitting plans to the Chief Fire Officer	R 1500	<i>R1500</i>	Fine not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.
14(2)	Occupied any building or structure, unless it complies with the conditions and requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)	R 1500	<i>R1500</i>	Fine of R1, 000 per m ² of the used or occupied building or structure or in default of payment to imprisonment for a period not exceeding twenty four months or both such fine and imprisonment
16(5)	Fail to comply with notice issued in terms of subsection (1)(b) or subsection (2) or subsection (3)	R1500	<i>R1500</i>	Fine not exceeding R20, 000 or in default of payment to imprisonment for a period not exceeding twenty four months or to both such fine and imprisonment.
17(2)	Tamper with, remove, deface or damage any apparatus or object intended for the use of summoning the fire brigade in the event of a fire	R1500	<i>R1500</i>	Fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
18	Obstructing or blocking door/doors that lead to an escape route from a public building.	R1500	<i>R1500</i>	Fine not exceeding R10, 000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
20(a)	Interfere with or hinder any member of a service in the	R1500	<i>R1500</i>	

	execution of his duties			
20(b)	Willfully or negligently drives a vehicle over a fire hose, or tampers with any such hose or appliance or apparatus of the service	R1000	<i>R1000</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
21	Willfully gives false information to the fire brigade relating to an incident	R1500	<i>R1500</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.
25(1)	Not maintaining fire hose reel, extinguisher, equipment, hydrant, fire extinguishing installation or alarm in good working order and cause it to be examined once every 12 months.	R 1500	<i>R1500</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment
26	Use of uniform, rank marking, insignia, purport or other method while not a member of the service	R1500	<i>R1500</i>	Fine not exceeding R3,000 or in default of payment to imprisonment for a period not exceeding three months or to both such fine and imprisonment
27(2)	Break, disconnect or tamper with any seal applied in terms of section 27(1)	R1000	<i>R1000</i>	Fine not exceeding R10,000 or in default of payment to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

FLAMMABLE LIQUIDS AND SUBSTANCES

Section Clause	Description of Offence	Proposed Penalty	Approved
6(1)(a)	Store more than 40 litres of class 3.1 and/or 3.2 substance while not in possession of a valid certificate of registration	R1000	R1000
6(1)(b)	Store more than 200 litres of class 3.3 substance while not in possession of a valid certificate of registration	R1000	R1000
6(1)(a)	Store more than 500 litres of class 3.4 substance while not in possession of a valid certificate of registration	R1000	R1000
6(4)	Store, use or handle quantities in excess of that stated on the certificate of registration	R1000	R1000
7(1)	Supply or deliver inflammable liquids or substances to a premises not registered in terms of these by-laws	R1500	R1500
7(2)	Supply or deliver inflammable liquids or substances to registered premises in quantities in excess of the amounts or of another class to that stated on the registration certificate	R1500	R1500
9(1)(a)	Store use or handle inflammable liquids or substances in excess of the quantity specified on the registration certificate	R1000	R1000
9(1)(b)	Store use or handle inflammable liquids or substances of a different class than that specified on the registration certificate	R1000	R1000
9(1)(c)	Store use or handle inflammable liquids or substances in a manner other than that specified on the registration certificate	R1000	R1000
9(1)(d)	Use a greater number of pumps, storage tanks or stores than specified on the registration certificate	R1000	R1000
10	Fail to display the registration certificate in a conspicuous and legible manner	R500	R500
13(1)(a)	Fail to make application for the temporary storage of inflammable liquids or substances	R1500 plus forfeiture of goods	R1500 + forfeiture of goods
13(1)(b)	Fail to provide bunds or other means of containment in the event of a spillage	R1000	R1000
13(1)(c)	Fail to provide or maintain fire fighting equipment complying with SABS specifications at temporary installation	R1000	R1000
13(1)(d)	Fail to provide or maintain "No Smoking" signs at temporary installation	R1000	R1000
13(1)(e)	Fail to provide or maintain other safety measures as directed by the Chief Fire Officer at a temporary installation	R1000	R1000
13(2)(b)	Place such temporary installation within 4.5m of	R1000	R1000

	any protected work or public thoroughfare		
14(2)	Use pump, tank, filling device, store, mixing room, spray room or other premises for storage, use or handling of inflammable liquid or substance while not in possession of a registration certificate relating to such premises	R1500	R1500
15(1)	Make alterations or additions to registered premises without receiving authorization from the Chief Fire Officer or selling mixed goods in illegal manner or improper housekeeping.	R1500	R1500
19(2)	Fail to comply with "Notice to Discontinue Dangerous Practice" issued in terms of section 19(1)	R1500	R1500
20	Cause or permit inflammable liquid or substance to enter any sewer or inlet or drain	R1000	R1000
21	Spray painting or issue or transfer of inflammable liquids or substances in a basement	R1500	R1500
23(1)	Transfer inflammable liquid from a road tanker while the engine of the latter is running	R1000	R1000
23(2)	Transfer inflammable liquid from a road tanker to an aircraft while the engines of either are running	R1000	R1000
24(2)	Take a hose for the refilling of a vehicle or container with inflammable liquids across a public sidewalk	R1000	R1000
25(1)	While on a registered premises, strike a match, smoke, or ignite a lighter or other similar device, or approach with any fire, flame or marked light within 3m of any fuel tank or any motor vehicle whilst being refilled or is open	R1000	R1000
25(2)	Refill or allow to refill any fuel tank while the engine of such vehicle is running	R500	R500
26	Refill the fuel tank of a motor omnibus or carry inflammable liquids other than in the fuel tank, while persons other than the driver* occupy such omnibus <i>*or person responsible for the</i>	R1500	R1500
27(1)	Fail to provide fire fighting equipment, alarms and appliances as required in terms of SABS 0400	R1500	R1500
27(2)	Fire fighting equipment, alarms and appliances provided do not comply with relevant SABS Standard or Code of Practice	R1500	R1500
27(3)	Fail to maintain fire fighting equipment, alarms and appliances as required	R1500	R1500
30(1)(b)	Store, use or handle inflammable liquids and substances in such a manner as to impede the escape of persons and/or animals	R1500	R1500
31(2)	Fail to disclose upon request by the Chief Fire Officer, the presence of any inflammable liquids or	R1500	R1500

	substances, or answer any questions incident thereto		
33	Fail to comply with any condition or endorsement on the approval notice or registration certificate	R1500	R1500
34(1)	Installation of storage tanks, pumps, dispensers and pipes at service stations and/or consumer installations, does not comply with relevant SABS Standard or Code of Practice as specified	R1500	R1500
34(2)	Fail to provide or maintain approved fire fighting equipment and/or appliances at service station or consumer installation	R1500	R1500
34(3)	Fail to provide or maintain approved "No Smoking" or other required safety signs	R500	R500
34(4)	Fail to comply with additional safety requirements as imposed by the Chief Fire Officer	R1500	R1500
36	Store or convey class 3.1 or 3.2 inflammable liquids in quantities in excess of 50 litres in containers not constructed of metal less than 1.5mm in thickness, with the exception of liquids contained in a vehicles' fuel tank	R1500 plus forfeiture of the goods being conveyed or stored	R1500 + forfeiture
37	Filling containers with class 3.1 or 3.2 inflammable liquids in buildings not suitable for such processes, or in places where the product is in danger of igniting	R1500	R1500
38	Fill a container in excess of 95% of its capacity	R500	R500
39	Store portable containers in an unattended place other than in a store or storage tank for periods longer than 12 hours	R1500	R1500
44(1)	Fail to provide legible and conspicuous markings on outside of inflammable liquids store	R1500	R1500
47(1)	Use inflammable liquids store for purposes other than the storage of inflammable liquids	R1500	R1500
48	Enter a inflammable liquid store without the express permission of the occupier or other responsible person in charge of such store	R500	R500
50(1)	Transport of class 3.1 inflammable liquids in excess of 200 litres and while not in possession of a transport permit	R1500	R1500
50(1)	Transport of class 3.2 inflammable liquids in excess of 400 litres and while not in possession of a transport permit	R1500	R1500
50(1)	Transport of class 3.3 inflammable liquids in excess of 600 litres and while not in possession of a transport permit	R1500	R1500
50(1)	Transport of class 3.4 inflammable liquids in excess of 1000 litres and while not in possession of a transport permit	R1500	R1500

51(1)	Transport inflammable liquids or substances in a road tanker or tanker truck not complying with the terms and conditions of the Hazardous Substances Act (15/1973), and/or SABS 1398, SABS 0189, SABS 087/4 as the case may be	R1500	R1500
52	Fail to maintain vehicle used for transport of inflammable liquids or substances	R1500	R1500
53	Fail to keep access hatches or other openings to tank closed while vehicle is in use	R500 per hatch	R500 per hatch
54(1)	Fail to keep road tanker or tanker truck under supervision of responsible person	R1000	R1000
54(3)	Fail to keep loaded road tanker or tanker truck which is not self-propelled firmly connected to suitable towing vehicle while on any street or other public place	R1500	R1500
55(1)(a)	Permit road tanker or tanker truck to stand on or across public footpath during delivery operations	R500	R500
55(1)(b)	Place the delivery hose from a road tanker or tanker truck across a footpath during delivery operations	R500	R500
55(1)(c)	Reverse a road tanker or tanker truck onto or off any premises before or after a delivery to such premises	R1000	R1000
56(1)	Fail to provide and/or maintain at least 1 (one) 9kg dry chemical powder type fire extinguisher on a vehicle used for the transport of inflammable liquids	R800	R800
56(2)	Fail to attach required extinguisher(s) in a readily accessible manner	R500	R500
57(2)	Carry matches or cigarette lighters or similar devices on a vehicle used for the transport of inflammable liquids	R500	R500
57(3)	Smoke or permit other persons to smoke during the transport of inflammable liquid or during the filling of discharging of such a vehicle while on or in such a vehicle	R1500	R1500
57(4)	Smoke or permit other persons to smoke during the filling or discharging of a vehicle transporting inflammable liquids while within 3m of such vehicle	R1500	R1500
60(1)	Spray or permit to sprayed with inflammable substances, any article on any premises, while not in possession of a spray permit relating to such premises	R1500	R1500
62(1)	Fail to construct Spray Painting Room or Booth as specified in sections 62(1)(a) through (j), 62(2)(a) through (c) and 62(3)(a) and (b), inclusive.	R1500	R1500
63	Fail to provide "No Smoking" signs at entrance to spray painting booth or room	R500	R500
65	Fail to provide mixing room as per specifications of	R3000	R3000

	spray painting booth or room as specified in section 62 <i>bis</i>		
66(1)	Recharge, decant, store, use or handle inflammable, non-flammable or poisonous gas in contravention of SABS Code of Practice 0400, 087, 089, or 0228, as specified	R1000	R1000
66(2)(a)	Use, store or handle LPG inside a building in excess of 45litres or 19kg	R1500	R1500
66(2)(b)	Use, store or handle LPG outside a building in excess of 115litres or 48kg	R1500	R1500
66(3)(a) r/w 66(3)(i)	Fill any container or vehicle with LPG in contravention of SABS Code of Practice 0400,019,086,087,089,0108 or 219, as the case may be	R1000	R1000
66(3)(b) r/w 66(3)(i)	Store, use or handle LPG in contravention of SABS Code of Practice 0400,019,086,087,089,0108 or 219, as the case may be	R1500	R1500
66(3)(c) r/w 66(3)(i)	Use vehicle for transportation of LPG in contravention of SABS Code of Practice 0400,019,086,087,089,0108 or 219, as the case may be	R1000	R1000
66(3)(a) r/w 66(3)(ii)	Fill any container or vehicle with LPG while not in possession of a registration certificate	R1000	R1000
66(3)(b) r/w 66(3)(ii)	Store, use or handle LPG while not in possession of a registration certificate	R1500	R1500
66(3)(c) r/w 66(3)(ii)	Use vehicle for transportation of LPG while not in possession of a registration certificate	R1000	R1000
67(1)	Use, store or handle LPG in quantities in excess of 19kg while not in possession of a registration certificate	R1500	R1500
70	Fail to display the registration certificate in a conspicuous and legible manner	R500	R500
73(2)	Use or permit to be used any pump, storage tank, filling device or other premises for the storage, use or handling of LPG while not in possession of a registration certificate	R1500	R1500
74(1)	Make alterations or additions to registered premises without receiving authorization from the Chief Fire Officer	R1500	R1500
76(a)	Store, use or handle LPG in such manner as to expose LPG to source of ignition	R1000	R1000
76(b)	Store, use or handle LPG in such manner as to impede escape of any person or animal in case of fire or other emergency	R1500	R1500
76(c)	Store, use or handle LPG while equipment is not free from leakage	R1000	R1000

76(d)	Store, use or handle LPG while not taking due precautions for the prevention of accidents by fire or explosion	R1500	R1500
76(d)	Fail to prevent access by unauthorized persons to LPG or LPG installation	R1000	R1000
77(2)(a)	Repair LPG container before removing all LPG and vapours	R500	R500
77(2)(b)	Fail to repair LPG container in accordance with SABS Code of Practice 019	R1000	R1000
78(1)	Do or permit act which tends or is likely to cause a fire or explosion on premises used for storage, use or handling of LPG	R1500	R1500
78(2)	Refill or allow to be refilled, an LPG container while not under the supervision of a competent person	R500	R500
79(2)	Fail to comply with "Notice to Discontinue Dangerous Practice" issued by Chief Fire Officer	R1500	R1500
80(a)	Supply or deliver LPG in excess of the quantity specified in the registration certificate	R1000	R1000
80(a)	Supply or deliver LPG to premises not in possession of registration certificate	R1500 plus forfeiture of product	R1500 + forfeiture
80(b)(i)	Transport LPG for the purposes of supply or delivery while not in possession of a transport permit	R100	R1000
80(b)(ii)	Transport LPG on a trailer, except a trailer coupled to drawing vehicle by means of a "5 th wheel"	R1000	R1000
81(1)	Fail to provide required fire fighting equipment, appliances or alarms in accordance with SABS Code of Practice 0400	R1000	R1000
81(2)	Equipment installed in terms of 81(1), does not comply with relevant SABS Code of Practice	R1000	R1000
81(3)(a)	Fail to maintain equipment installed in terms of 81(1) in good working order	R1000	R1000
82(1)	Fail to service and/or inspect, or cause such to be done, all equipment installed in terms of section 81(1) every 12 (twelve) months	R1000	R1000
83	Fail to report incident involving LPG occurring on registered premises to Chief Fire Officer	R1500	R1500
84(2)	Fail to provide information or answer questions posed by Chief Fire Officer relating to LPG or disclose presence of LPG on premises	R1500	R1500
85	Fail to comply with stipulations or endorsements on approval notice or certificate of registration	R1000	R1000
90(1)	Store carbide in excess of 900kg while not in possession of registration certificate	R1500	R1500
92(1)	Store carbide in excess quantity to that stated on registration certificate	R1500	R1500
95(1)	Make alterations or additions to registered premises without receiving authorization from the	R1500	R1500

	Chief Fire Officer		
96	Fail to provide fire buckets as stipulated in section 96	R500	R 500
97(a)	Fail to store carbide away from sources of ignition	R1500	R 1500
97(b)	Fail to store carbide in dry and well ventilated place	R1500	R 1500
97(c)	Store carbide in such manner as to impede escape of persons or animals in case of fire or other emergency	R1500	R 1500
97(a)	Fail to store carbide in closed metal containers	R1500	R 1500
98(2)	Fail to provide information or answer questions posed by Chief Fire Officer relating to carbide or disclose presence of carbide on premises	R1500	R 1500
100	Fail to properly label carbide store as described in section 100	R500	R 500
101	Store, use or sell or expose for sale carbide which is not commercially pure	R1500 plus forfeiture of product	R 1500 + forfeiture of product

Any person contravening any of the provisions of this chapter, shall be guilty of an offence and on conviction be liable to a fine of not exceeding R3000.00 or, in default of payment, to imprisonment not exceeding 3 months, or to both such fine and imprisonment.

