



SOLID WASTE MANAGEMENT TARIFF POLICY

POLICY HISTORY

TITLE OF POLICY	Solid Waste Management Tariff Policy					
POLICY OWNER	Chief Financial Officer (in conjunction with Executive Director: Public Health)					
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PREAMBLE

Whereas section 74(1) of the Local Government: Municipal Systems Act, No. 32 of 2000, requires a municipal council to adopt and implement a tariff policy on the levying of fees for municipal services;

And whereas the tariff policy at least should include the principles contained in section 74(2) of the Act; thus, giving effect to the By-Law required in terms of section 75 of the Act;

And whereas the tariff policy in terms of section 74(3) of the Act, may differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas and other matters if the differentiation does not amount to unfair discrimination;

Now therefore the Municipal Council of Nelson Mandela Bay Municipality adopts the following Solid Waste Management Tariff Policy, to clearly set out the factors that influence solid waste tariff setting. Also to note that the tariff schedule will be as approved by Council during the budget approval process.

ABBREVIATIONS

ATTP	Assistance to the Poor
CRR	Capital Replacement Reserve
DORA	Division of Revenue Act
GRAP	Generally Recognised Accounting Practice
mSCOA	Municipal Standard Chart of Accounts
NEMWA	National Environmental Management: Waste Act 59 of 2008
VAT	Value Added Tax

1. DEFINITIONS

In this policy, unless the context indicates otherwise:

“Accounting Officer/Municipal Manager” means the Accounting Officer appointed in terms of section 82 of the Local Government: Municipal Structures Act 117 of 1998 and being the head of administration and Accounting Officer in terms of section 55 of the Local Government: Municipal Systems Act 2000 32 of 2000;

“availability charge” means a charge payable on all *vacant land*;

“building and demolition waste” means waste, excluding *hazardous waste*, produced during the construction, alteration, repair or demolition of any structure either man made or natural, and includes rubble, earth and rock and wood displaced during that construction, alteration, repair or demolition, which include discarded concrete, bricks, tiles, and ceramics, discarded wood, glass and plastic, discarded metals, discarded soil, sand, stone and dredging spoil and other discarded building and demolition wastes excluding Asbestos waste;

“Community services” are services that the Council has classified as such, and the tariffs have been compiled with the intention that the costs of the services cannot be recovered fully from public service charges and are of a regulatory nature;

“Consumer, customer, owner, occupier, and accountholder” refers to individuals and other legal entities against whom a tariff, fee, charge or other levy specific to identifiable services are levied. The levying of tariffs, fees, charges, etc. depends on

statutory clauses, an approved tariff in terms of by-laws, contracts, agreements or tacit uses of services in certain circumstances. Such levies are payable on presentation of any invoice or monthly statement issued by the Chief Financial Officer who oversees the Budget and Treasury Office established in terms of Chapter 9 of the Local Government: Municipal Finance Management Act 56 of 2003. Payments are due by the date indicated for the transaction, in an agreement / contract or on an invoice or monthly statement;

“domestic waste” means waste excluding *hazardous waste* that emanates from premises used wholly or mainly for residential, educational, health care, sport or recreational purposes;

“economic services” are services that Council has classified as such, and the tariffs have been compiled with the intention that the total costs of the services are recovered from customers;

“Executive Director” means a person appointed by Council in terms of section 56(1)(a) of the Act as a manager directly accountable to the *Municipal Manager*;

“Fixed costs” are costs which do not vary with consumption or volume produced;

“garden waste” means organic waste which emanates from gardening or landscaping activities at *Residential Properties*, business or industrial properties, which includes but is limited to grass cutting, leaves and branches, and includes any biodegradable material and includes such waste emanating from *Residential Properties* and business properties, but excludes waste products of animal origin;

“general waste” means a generic term for waste (excluding garden waste and builder’s rubble) that, because of its composition and characteristics, does not pose a significant risk to public health or the environment if managed properly, and typically consists of plastics, paper, food and liquids that are not considered to be infectious or contaminated with hazardous or toxic substance;

“hazardous waste” means waste that may, by circumstances of the production, use, quantity, concentration or inherent physical, chemical or toxicological characteristics, therefore, have a significant adverse effect on the environment, or the health of a

person or other living organisms. Such waste has a high-risk rating of 1 and 2 and may not be disposed off at Council landfills. An example is health care risk waste;

“informal settlement” means an area where no subdivision of individual erven has taken place in terms of Town planning legislation;

“Indigent Household” are those households that are registered in terms of the Assistance to the Poor (ATTP) Policy of the *Municipality* meeting the qualifying criteria;

“Municipality” means the means the Nelson Mandela Bay Metropolitan Municipality a, Category A Municipality established in terms of Part 2 of Schedule 1 of Notice 85 in the Eastern Cape Provincial Gazette No. 654 on 27 September 2000, promulgated in terms of Section 12(1) of the Local Government: Municipal Structures Act 117 of 1998;

“Non-Residential Properties” means any property not used for human habitation, encompassing commercial (shops, offices), industrial (factories, warehouses), institutional (hospitals, schools, government buildings), and other land/buildings for business, public, or economic activities, as opposed to private homes or dwellings;

“recyclable material” means waste that can be reclaimed for further use, and/or converted into raw material that can be reused to make new products or resources;

“receptacle” refers to a container, holder, or device designed to receive and store objects, materials etc.;

“Resident” means a person who ordinarily resides in the jurisdictional area of Nelson Mandela Bay Municipality;

“Residential Properties” means a type of real estate that is specifically designed and constructed for the purpose of providing a space for people to live or reside. These properties are intended for personal use by the residents and are not intended for any commercial or industrial activities.

“Service Provider” is any person or organization contracted by a Municipality to supply goods or services;

“*The Act*” means the Local Government: Municipal Systems Act, No 32 of 2000;

“*total cost*” is the sum of all fixed and variable costs associated with a service;

“*Trading services*” are services that the Council has classified as trading services and the tariffs have been compiled with the intention that the Council makes a profit to sustain the delivery of the services;

“*Vacant Land*” means property that is currently categorised as vacant land and where construction has commenced but which is incomplete, will be deemed to be vacant land and will remain categorised as such until the completion of the building works and the use of the property is determined by the Municipal Valuer for categorisation purposes.

2. POLICY APPLICATION

- 2.1 This Policy will be applicable to all the recorded *accountholder/s* (or users) of applicable services charged based on solid waste fees and charges within the Nelson Mandela Bay Municipality’s area of jurisdiction as well as other institutions that may be outside the municipal boundary, for as long as they enjoy the service recorded in the *Municipality’s* records as per an agreement or contract to that effect between both parties (i.e. the *Municipality & the accountholder/s* or user).
- 2.2 The English version will be regarded as the official version of this policy (i.e. Solid Waste Tariff Policy).

3. PURPOSE OF SOLID WASTE MANAGEMENT TARIFF POLICY

- 3.1 The *Municipality* wishes to achieve the following objectives by adopting this Solid Waste Management Tariff:
- (a) To comply with the provisions of section 74 of the Local Government: Municipal Systems Act 32 of 2000;
 - (b) To give guidance to the Executive Mayor and responsible Mayoral Committee member/s regarding refuse collection and waste disposal tariff proposals that must be submitted to Council annually during the

- budget process for approval;
- (c) To establish guidelines for the determination of waste management tariffs

4. TARIFF PRINCIPLES

4.1 The following tariff principles will apply for all various services:

- (a) All users of municipal services will be treated equitably as practically possible;
- (b) The amount payable by *consumers* and / or *owners* will generally be in proportion to usage of the service and compliance with municipal by-laws;
- (c) *Indigent households* must have access to basic services, however, relief will be granted to poor households in line with the applicable Assistance to the Poor Policy (ATTP) or Indigent Policy from financial year to financial year, and approved by Council;
- (d) Free basic services will only be possible if National Government pay to the *Municipality* in terms of the Division of Revenue Act (DORA) an equitable share allocation which covers the full costs of the free basic services;
- (e) Tariffs must reflect the *total cost* of services or must be cost reflective;
- (f) Tariffs must be set at a level that facilitates the sustainability of services.
- (g) Sustainability will be achieved by ensuring that:
 - (i) Cash inflows cover cash outflows. This means that sufficient provision for working capital and bad debts will be made;
 - (ii) Access to the capital market is maintained. This will be achieved by providing for the repayment of capital, maintaining sufficient liquidity levels and making profits on *trading services* to subsidise rates and general services;
 - (iii) *Service providers* retain a fair rate of return on their investments;
 - (iv) There is constant improvement on key financial ratios that are utilised to measure financial performance of the *Municipality*.
- (h) Provision may be made in appropriate circumstances for surcharges on tariffs based on Council approval;
- (i) Efficient and effective use of resources may be encouraged by limiting

certain residential areas in close proximity of formal drop-off sites, on the number of garden refuse bags placed out for collection. This will be implemented by the *Municipality* as operational demand dictates.

- (j) The extent of subsidisation of tariffs will be disclosed and such disclosure will include the extent of subsidisation of the poor or incentives made / given for local economic development;
- (k) Provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users, more especially when they are to promote job opportunities around the metropolitan area or improve the economic viability of the municipal area;
- (l) VAT is excluded from all tariffs and will be additional to these tariffs when applicable;
- (m) The *Municipality* can introduce new tariffs or revenue raising strategies thereof as part of the budget process, which must be subjected to due processes and final approval by Council.
- (n) This Solid Waste Management Tariff Policy will be binding on all Municipality's waste management or refuse tariffs other than those governed by legislation, which supersedes the Local Government: Municipal Systems Act 32 of 2000; and
- (o) The *Municipality* may introduce rebates to *customers* should they be actively recycling and reducing the amount of refuse for disposal, as part of the budget process, which must be subjected to due processes and final approval by Council.

4.2 Notwithstanding any of the above principles, *indigent households* identified as such would qualify for relief in terms of the Assistance to the Poor Policy (ATTP) / Indigent Policy of the *Municipality*.

5. SERVICES

5.1 The following solid waste management services will be rendered:

5.1.1 Waste Collection

- (a) A kerb-side collection service of *domestic waste, recyclable material* and a limited amount of *garden waste* in a council approved *receptacle*.

- (b) A central collection service of *domestic waste* in formal and *informal settlements, recyclable material* and a limited amount of *garden waste* in a council approved *receptacle*.
- (c) A Trade contract service is for business waste and other user categories that are not regarded as *residential properties* in terms of the Solid Waste Management Tariff Policy.

5.1.2 **Cleansing**

- (a) Removal of litter and illegal dumping Council owned *vacant land* according to placement on a schedule.
- (b) The supply, servicing and emptying of street litter bins.
- (c) Street sweeping according to predetermined street sweeping beats.

5.1.3 **Waste Minimisation**

- (a) Any activity to prevent or reduce the volume of waste that is generated or disposed through mechanisms such as re-use, reduce and recycling.

5.1.4 **Waste Disposal**

- (a) The disposal of *general waste, building and demolition waste, garden waste, domestic waste, business waste*.

6. **USER CATEGORIES**

6.1 The *Municipality* may differentiate between different categories of users, debtors, *service providers*, services, service standards, geographical areas and other matters if the differentiation does not amount to unfair discrimination.

6.2 Where there are substantial differences between the infrastructure used to provide services to specific groups of users within a category and / or standard of services provided, the Council may, after considering a report by the *Accounting Officer* or the relevant *Executive Director* of a Directorate in conjunction with the Chief Financial Officer determine differentiated tariffs for the different *consumers* within the specific category.

- 6.3 The *Municipality* will distinguish all waste collection services between two user categories: *Residential Properties* and *Non-Residential Properties*.
- 6.4 Both user categories, apart from *vacant land*, must have a legal waste collection service as prescribed in the Waste Management by-laws.
- 6.5 Free standing *residential properties* are compelled to use the service of NMBM and may not use private contractors.
- 6.6 *Non-residential properties* may opt to use either the services of the *Municipality* or a private contractor directly.
- 6.7 The *Municipality* may impose a charge for availability to all *vacant land* within the predetermined serviced areas, irrespective of its current or future intended usage, until developed.
- 6.8 The following user categories are serviced as *non-residential properties* in terms of the Solid Waste Management Tariff Policy:
- (a) Hotels,
 - (b) Bed & Breakfasts,
 - (c) Airbnb's,
 - (d) Student accommodation,
 - (e) Block of flats/ complexes,
 - (f) Childcare centres,
 - (g) Schools,
 - (h) Places of worship,
 - (i) Government sector properties,
 - (j) Shops,
 - (k) Businesses,
 - (l) Old age homes and frail care centres.

7. WASTE DISPOSAL

- 7.1 Disposal of waste at one of the two licensed disposal facilities is based on a fixed rate per mass and category of waste disposed.

7.2 As per the National Environmental Management: Waste Act 59 of 2008 (NEMWA), tyres may no longer be accepted at the Municipality's disposal facilities.

7.3 All *customers* using the two disposal facilities need to have a municipal account, if not, a Registration of new Disposal Client Application Form needs to be completed prior to using the facilities.

8. SUPPLY OF SERVICES TO NON-RESIDENTIAL PROPERTIES

8.1 Application

8.1.1 In the following instances the completion of a Hire Contract Application Form by the registered property owner is required for a new service or a change in service by *non-residential properties*

8.1.2 In the case of change of ownership of the property, the service level will be retained, pending completion of a new Hired Contract signed by the new owners

8.2 Termination

8.2.1 The hire contract may be terminated by either party giving to the other one calendar month written notice.

8.2.2 The termination of a hire contract will not affect the right of the council to recover from the hirer any monies due to the Municipality at the date of such termination or to recover damages in respect of any breach by the hirer in terms of the hire contract.

8.3 Service

8.3.1 The hirer will keep the contents of every container on his premises covered and protected against unauthorised access or disturbance at all times.

8.3.2 Access must be made available for the emptying of the container(s) between the hours of 06:00 and 18:00 daily except Sundays.

8.4 Billing

8.4.1 The hirer will pay to the *Municipality*, the appropriate hire and service charge per month or part thereof.

8.4.2 The hire and service charge is payable monthly in advance. In the event of termination of the contract, the proportional share will not be repayable by the *Municipality*.

8.5 **Adjustments to accounts**

8.5.1 Any adjustment of an account due to errors, non-billing or any tariff related reason may only be applied for a max period of one year, except if otherwise instructed by a promulgated by-law or higher level of legislation.

8.5.2 Accounts to be adjusted on documented proof of an amended service level agreement (letter, email, etc.) may be corrected in line with above

8.5.3 If the *Municipality* has proof of initial service, but neither *Municipality* nor the *owner* has proof of an amendment to the service and the current service level verified by the council is different to the financial billing, then the billing may be corrected in line with above.

8.5.4 If the *Municipality* does not have any documented proof of the initial service, the adjustment may be corrected in line with above.

8.5.5 During data clean-up exercise the council may adjust the account in line with above, if the City has provided a service, but the financial billing is different to the current service level agreement.

9. **SERVICE AT A FORMAL DROP-OFF FACILITY**

9.1 No commercial, trade or business waste is accepted.

9.2 The Service at the drop-off facilities is free to *residents*, provided that users adhere to conditions including that waste must be transported in a vehicle (car, trailer or LDV) with a total carrying capacity not exceeding 1 tons.

10. **INVESTMENTS AND INCENTIVE POLICY**

10.1 The *Municipality* may introduce different Tariffs to incentivise businesses that are being established in the municipal area of jurisdiction.

10.2 The incentive scheme as per the previous point may be implemented in terms of a separate policy that deals with such matters.

- 10.3 The economic benefit for the municipal area must be quantified (including but not limited to job creation potential, contribution to the economic situation of the area, etc.).
- 10.4 The main objective of the investment and incentive policy must rather be to subsidise qualifying businesses in terms of their municipal accounts for services and not provide cash incentives or exchange cash.
- 10.5 All such incentives will be reflected, accounted for and disclosed separately in invoices / account statements, budgets, annual financial statements or reports that must be tabled to Council.
- 10.6 Such incentives must be reported to Council as and when they are approved and implemented.

11. INDIGENT RELIEF (ASSISTANCE TO THE POOR)

- 11.1 Tariffs will not reflect relief granted to poor households. Such incentives will be developed in separate policies (e.g. Credit Control & Debt Collection Policy, Indigent Policy and Property Rates Policy of the *Municipality*) and be subject to the discretion of Council to enhance sustainability.
- 11.2 Indigent relief will be reflected, accounted for and disclosed separately in invoices, account statements, budgets, annual financial statements, or reports.
- 11.3 During implementation of these policies, cognisance will be taken of the fact that the existing tariffs and procedures may require amendment to accommodate the above clauses and that such amendments may be phased in over a period of time.
- 11.4 Poor households are expected to manage their consumption beneath the levels of relief granted and are responsible for the payment of electricity, water and Solid Waste Management services, consumption above the levels of relief granted.

- 11.5 Assistance and management of poor households is contained in the Assistance to the Poor Policy / Indigent Policy approved by Council.
- 11.6 The *Municipality*, however, retains the right to limit consumption, where applicable, through prepaid meters or restriction of services if the account of an assisted household falls into arrears.

12. SERVICE AND EXPENDITURE CLASSIFICATIONS AND COST ELEMENTS

12.1 Service Classification

- 12.1.1 To isolate the costs associated with a service, the Chief Financial Officer will, subject to guidelines provided by National Treasury and / or the Municipal Council, make provision for inter alia the following classification of services:

(a) **Trading Services**

- (i) Water;
- (ii) Fresh Produce Market;
- (iii) Electricity;
- (iv) Solid Waste Management Services.

(b) **Economic Services**

- (i) Refuse removal; and
- (ii) Sanitation disposal.

(c) **Community Services**

- (i) Air pollution;
- (ii) Administration and Treasury services;
- (iii) Fire-fighting services;
- (iv) Local tourism;
- (v) Town planning;
- (vi) Public Health;
- (vii) Storm water management system in built-up areas;
- (viii) Cemeteries;
- (ix) Control of public nuisances;
- (x) Control of undertakings that sell liquor to the public;

- (xi) Crime prevention including Metro Police Services;
- (xii) Facilities for accommodation, care and burial of animals;
- (xiii) Fencing and fences;
- (xiv) Housing facilitation;
- (xv) Dog Licensing;
- (xvi) Licensing and control of undertakings that sell food to the public;
- (xvii) Local Economic development;
- (xviii) Local amenities;
- (xix) Local sport facilities;
- (xx) Marketing;
- (xxi) Municipal parks and recreation;
- (xxii) Municipal roads;
- (xxiii) Noise pollution;
- (xxiv) Pounds;
- (xxv) Public places;
- (xxvi) Street trading / street lighting;
- (xxvii) Trading licenses;
- (xxviii) Traffic and parking;
- (xxix) Building control;
- (xxx) Licensing of motor vehicles and transport permits;
- (xxxi) Nature reserves;
- (xxxii) Disposal Service;
- (xxxiii) Cleansing Services; and
- (xxxiv) Any other service that Council may classify as forming part of this category.

(d) **Subsidised Services**

- (i) Health and ambulance “if applicable”;
- (ii) Libraries and museums; and
- (iii) Proclaimed roads.

12.1.2 The *Municipality* must, always, limit the exposure and financial risk resulting from continuous rendering of unfunded / under-funded mandates. These are services that do not necessarily fall under the *Municipality* in terms of the Constitution of the Republic of South Africa Act 108 of 1996. These are

services such as Provincial Roads, Library Services, etc.

12.2 **Expenditure Classification**

12.2.1 Expenditure categories will be classified in accordance with Generally Recognised Accounting Practice (GRAP) and the Municipal Standard Chart of Accounts (mSCOA).

12.3 **Cost Elements**

12.3.1 The following cost elements may be used to calculate the tariffs of the different services:

(a) **Fixed Costs:**

- (i) Employee related costs applicable to the service to ensure that the service can be rendered on an on-going basis at the desired service level;
- (ii) Capital costs on external loans; depreciation on assets obtained through grants; as well as depreciation on assets obtained through own funds, whichever are applicable to the service; and
- (iii) Any other costs of a permanent nature as determined by Budget and Treasury Directorate from time to time.

(b) **Variable Cost:**

- (i) This includes all other variable costs that have reference or linked to the service.

(c) **Total Cost:**

- (i) This is equal to the fixed cost, plus variable cost.

13. **TARIFF TYPES**

13.1 In determining the type of tariff applicable to the type of service, the *Municipality* will make use of any of the following options or a combination thereof, where applicable:

(a) ***Single tariff:***

- (i) This tariff will consist of a cost per unit consumed. All costs will be recovered through unit charges at the level where income and expenditure break even. Subject to a recommendation by

the Chief Financial Officer, the Council may decide to approve profits on *trading services* during the budget meeting. Such profits will be added to the fixed and variable cost of the service for the purpose of calculating the tariffs.

(b) **Cost related two-to-four-part tariff:**

- (i) This tariff will consist of two to four parts. Management, capital, maintenance and operating costs may be recovered by grouping certain components together e.g. management, capital and maintenance costs may be grouped together and may be recovered by a fixed charge, independent of consumption for all classes of *consumers*; or the *total costs* may be recovered by a unit charge per unit consumed.

(c) **Cost plus mark-up tariff:**

- (i) This tariff is for other services rendered.

13.2 The *Municipality* may introduce any new tariff structure during the budget process for as long as the due processes are being followed to implement same.

14. CALCULATION OF TARIFFS FOR ALL MAJOR SERVICES

14.1 To determine the tariffs which must be charged for the supply of the four major services (electricity, solid waste management services, sanitation and water), the *Municipality* will use service and expenditure classifications and cost elements, and identify all the costs associated with the service concerned, including specifically the following:

- (a) Cost of bulk purchases in the case of water and electricity;
- (b) Distribution costs, including distribution losses in the case of water and electricity;
- (c) Depreciation and finance charges;
- (d) Operations and Maintenance of infrastructure and other fixed assets;
- (e) Administration and service costs, including:
- (i) Service charges levied by other support services such as finance, human resources, legal services, information

- technology services, etc.;
 - (ii) Reasonable general overheads such as the costs associated with the office of the Accounting Officer etc.;
 - (iii) Adequate contributions to the provisions for bad debts, working capital and obsolescence of stock; and
 - (iv) All other ordinary operating expenses associated with the service concerned including in the case of the Solid Waste Management Services the cost of clearing illegal dumping, provision of *receptacles*, etc.
- (f) The cost of the democratic process in the *Municipality* (all expenses associated with the political structures of the *Municipality*) will form part of the expenses to be financed from property rates and general revenues and will also be included into the costing of the major services of the *Municipality*;
- (g) The intended surplus to be generated for the financial year, such surplus to be applied:
- (i) As an appropriation to the Capital Replacement Reserve (CRR); and /or
 - (ii) Generally, in relief of rates and general services; and
- (h) The *Municipality* will be guided by its Assistance to the Poor Policy (ATTP) or Indigent Policy to provide free Solid Waste Management Services to all approved *indigent households* and may extend the provision of free Solid Waste Management Services per month free of charge to all other domestic *consumers* subject to the affordability levels in terms of the budget. This approach will be applicable in the provision of free Solid Waste Management Services to qualifying *indigent households* in line with the requirements of the Assistance to the Poor (ATTP) Policy.

14.2 **Refuse Removal (Waste Management) Tariff Calculation**

14.2.1 A separate fixed monthly refuse removal charge will apply to each category of users based on the costs of the service concerned and the applicable level of service that can vary from once a week up to 3 times a week for non-residential customers.

14.3 **Residential Refuse Collection**

14.3.1 The fixed basic charge approved by Council annually through the budgeting processes, will be levied to each *accountholder* based on the service provided as determined from time-to-time.

14.4 **Non- Residential Household Refuse Collection/ Trade Services**

14.4.1 The fixed hire and service charge approved by Council annually through the budgeting processes, will be levied to each *accountholder*, based on the number of containers or refuse bags removed and the costs associated with its disposal, as determined from time-to-time.

14.4.2 An *availability charge* per month may be charged for all erven situated within the service areas of the *Municipality's* jurisdiction.

14.4.3 The *Municipality* may introduce tariffs such as general cleanliness charge to deal with environmental matters pertaining to rendering the refuse removal and or cleansing service and the income / revenue raised from this tariff will be used to finance same operations (i.e. within the same service).

14.4.4 The introduction of new refuse or waste management tariff may be implemented to increase capacity of the operations of the service, such as introduction of By-Law enforcement teams, etc.

15. NOTIFICATION OF TARIFFS, FEES AND SERVICE CHARGES

15.1 After a draft budget, as required by the Local Government: Municipal Finance Management Act 56 of 2003, has been tabled, the *Accounting Officer* must invite the local community to submit representations for consideration by Council. Such invitation includes the draft resolutions on taxes and tariffs proposed.

15.2 After approval of the annual budget in terms of section 24 of the Local Government: Municipal Finance Management Act (56 of 2003), Council will give notice in terms of section 75A of *the Act* of all tariffs approved at the annual budget Council meeting and the *Municipal Manager* will without delay conspicuously display a copy of the resolution for a period of at least 30 days at the main administrative office/s of the *Municipality* and at such other place/s within the *Municipality* to which the public has access as the *Municipal Manager* may determine, as indicated in the advertisement.

15.3 A notice stating the purpose of the Council Resolution, date on which the new tariffs will become operational and invitation for objections, will be advertised by the *Municipality* in terms of section 75A(3)(b) of *the Act*

15.4 All tariffs approved must have been considered at the annual budget meeting of Council.

16. IMPLEMENTING AND PHASING IN OF THE POLICY

16.1 All tariffs approved in line with this policy must have been considered at the annual budget meeting of Council for implementation at the beginning of the new financial year.

16.2 The principle contained in this policy will be reflected in the various budget proposals submitted to Council on an annual basis, service by-laws as promulgated and adjusted by Council from time to time and the tariff by-laws referred to in Section 75 of *the Act*.

16.3 Council may determine conditions applicable to a community service of a regulatory nature. These conditions will be reflected in the standing orders of Council.

17. REVIEW OF THE SOLID WASTE MANAGEMENT TARIFF POLICY

17.1 This policy holds precedence over any previously adopted solid waste tariff management policies sanctioned by the Council.

17.2 *The Policy's* review will be initiated at the end of the third year following its adoption anniversary.

17.3 Earlier review may be considered during the budgeting processes of Council or as circumstances dictate.

18. SHORT TITLE

18.1 This policy is the Solid Waste Management Tariff Policy of Nelson Mandela Bay Municipality.