



Mogale City

Local Municipality

ANNEXURE 17

PUBLIC SAFETY TARIFF POLICY

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PREAMBLE

Within the context of Sections 74 and 75 of the Local Government: Municipal systems Act, 2000 and Regulation 317 of the National Road Tariff Act 93 of 1996, this document intends to facilitate the approval of a Tariff Policy which will serve as a Framework for the levying of fees, charges or tariffs for Municipal services provided by Traffic and Security Officials.

Also significant to indicate is that the implementation of the Policy will be in line with the principles stipulated in Section 74 (2) of the Local Government: Municipal systems Act, 2000. Where the Municipality chooses to differentiate amongst various categories of service users, such differentiation will not be based on nor will it amount to unfair discrimination.

DEFINITIONS

Charitable and welfare institutions and organisations include but are not limited to-

Any institution managed on a non-profitable basis by a church association or a registered charity organisation for example:

- a) Old age homes
- b) Pre-Primary schools
- c) Care-centre for pre-primary kids
- d) Care facilities for the homeless and children homes

Community services are services that the council has classified as such.

Special Events are unusual or an uncommon activities or happening of a particular sort, for a certain person or purpose.

Municipality shall mean Mogale City Local Municipality

Economic services are services that the 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.

Educational and communal institutions include but are not limited to schools, colleges, pre-primary schools not operated by a registered charity or welfare organisations, libraries, museums, churches, hospitals, clinics, correctional institutions, schools hostels and communal halls.

Public Safety: means the Section within the Municipality, including all the officials and equipment deployed within the Section.

The Act means either or both the Local Government: Municipal Systems Act, 2000 (Act No: 32 of 2000) or the National Road Traffic Act 1996 (Act No: 93 of 1996)

Total Cost is the sum of all fixed and variable costs associated with a service

Overtime Work additional/extra work performed outside or normal working hours by an employee of the Municipality.

Double Time means time and work performed by an employee of the Municipality on a Sundays or Public Holidays.

Safe and Secure environment means an environment free of any Health or Safety risks or identifiable hazards.

Indigent means any household which is responsible for the payment of services and rates, earning a combined gross income equivalent to or less than two times the Government pension grant as prescribed by the National Department of Social Development or in line with the National Indigence Framework issued by the Department Local Government (DLG), who qualify, according to the policy, for rebates/remissions or a services subsidy. Examples thereof include pensioners, the unemployed and child-headed families who are unable to fully meet their obligations for municipal services consumed and property taxes on their monthly accounts. Any other Government grants received by such households will not be considered as additional income.

PURPOSE OF THE POLICY

The Municipality wishes to achieve the following objectives by adopting this policy:

- ‡ To comply with the provisions of section 74 and 75 of the Local Government: Municipal systems Act, 2000 (Act 32 of 2000) and Regulation 317 of the National Road traffic Act.
- ‡ To prescribe procedures for calculating tariffs where event organisers contribute towards the costs of managing their special events.
- ‡ To create and sustain a safe and secure environment for other road users and passer-bys.
- ‡ To give guidance to the CFO regarding tariff proposals that must be submitted to Council annually during the budget process.

TARIFF PRINCIPLES

In setting the annual tariffs, the Council shall at all times take due cognisance of the tariff applicable elsewhere in the economic region, and of the impact which its own tariffs may have on local economic development.

Service tariffs imposed by the Municipality shall be viewed as taxes, and therefore the ability of the relevant consumer or user of the Special Event services to pay shall not be considered as a relevant criterion (except in the case where the Municipality's Indigent Management Policy is applicable).

The Municipality shall ensure that its tariffs are uniformly and fairly applied throughout the Municipal jurisdiction.

Services covered by this Policy context include:

- ‡ Law enforcement and security
- ‡ Traffic control and regulation
- ‡ VIP protection services
- ‡ Technical services
- ‡ Response to emergencies (i.e. accident and incident management and complaints) calls.
- ‡ Any related or similar service as may emerge post adoption of the Policy.

Special Events envisaged in this context include:

- ‡ Political, Social, Religions and protest marches.
- ‡ Temporary Road closures for purposes of, for example, filming sessions, road races, VIP functions, exhibitions, etc.
- ‡ Helicopter landings
- ‡ Escorts for VIPs, dignitaries, abnormal loads, funeral processions

- ‡ Filming in public places
- ‡ Road races along public roads
- ‡ Stadium/ Hall events, e.g. soccer, rugby, cricket, concerts or festivals
- ‡ Functions for schools, churches and charitable and welfare institutions and organisations
- ‡ Functions for other Council or Government Departments e.g. Health Services, Parks dept, Housing, etc
- ‡ Any other type of Special Events as may emerge post adoption of the Policy.

The tariff which a particular Event Organiser or service user pays shall be directly related to the amount, quantity and quality of resources the Municipality availed in the rendering of the services.

The Municipality may differentiate between various categories of users/consumers of services in regard to the tariffs levied. Such differentiation shall, however, at all times be reasonable, and shall form part of the annual budget

Further the following principles shall apply:

- i. The fees will be charged based on cost recovery in respect of the employees and vehicles involved in the special event.
- ii. In the case of indigent burials, funeral escort services will not be levied.
- iii. Services rendered to other Council Departments will be deducted from the budget of such departments where possible.
- iv. For Charitable and Welfare institutions, a 50% discount shall be granted, provided the applicant can prove that the event is not already funded by another level of government or a private entity.
- v. Event organisers will not be levied for Administrative overheads (planning and organising for the event) provided these sessions do not have overtime cost implications for the Municipality. Where there are costs to be incurred, such costs will be passed over to the Organizers.
- vi. Tariffs are based purely on cost recovery plan, and are not in any way meant to be a source of profit for the Municipality.
- vii. Tariffs charged will be inclusive of VAT.

CATEGORIES OF CUSTOMERS

Separate tariffs structure may be raised for the following categories of Customers:

- a) Charitable and welfare institutions and organisations
- b) Entertainment industry.
- c) Social, political, religions and protest marches
- d) Special Events for Council and government departments.
- e) Educational and communal institutions.
- f) Any other organizations or formations as may emerge post adoption of the Policy.

Where Customers or special Events Organisers utilise Council infrastructure or council open spaces, Halls, Stadiums, Parks or amenities, the relevant department shall levy consumers, separately, for the facilities utilized.

CALCULATION OF TARIFFS FOR MISCELLANEOUS PUBLIC SAFETY RELATED SERVICES

In order to determine the tariffs which must be charged for the rendering of services during Special Events, the Municipality shall identify all resources deployed to the event concerned, including specifically the following:

- ‡ Hourly rate of pay for the official concerned.

- ‡ Lease agreement (hourly rate) for the vehicle so deployed.
- ‡ Kilometres travelled for the duration of the event (especially for the abnormal load escorts)
- ‡ The time and day of the event day, night, or Sunday) as rates of pay are different

Tariffs shall be approved by the council in each annual budget, and shall, when deemed appropriate by the Council, be subsidised through other revenue sources of the Municipality.

Tariffs will be adjusted annually by increasing the tariff in line with personnel hourly rate of pay, vehicle type in use or any other inflation-related costs.

NOTIFICATION OF TARIFFS, FEES AND SERVICE CHARGES

The Council will give Notice of all tariffs approved at the annual budget meeting, prior to the date that the tariffs become effective.

IMPLEMENTING AND PHASING IN OF THE POLICY

The principles contained in this Policy will be reflected in the Public Safety Section's budget proposals submitted to Council on an annual basis.

ADJUSTMENT OF ACCOUNTS

Where incorrect calculations are raised, the accounts under query will be considered for rectification and, subject to analysis and findings, correct amounts will be levied to the service recipient.

LEGAL AND CONSTITUTIONAL MANDATE

In terms of section 74 and 75 of the Local Government : Municipal Systems Act, 2000, and Regulation 317 of the National Road Traffic Act 93 of 1996, the Council is authorized to levy fees, charges and tariffs in respect of any function or services of the Municipality, in this instance, Public Safety services.

FINANCIAL IMPLICATIONS

The impact of the users-pay charge on the operational budget will be a positive effect in that the Municipality will recover costs involved in the provision of specific services.