



DIVISION: INTEGRATED WASTE MANAGEMENT

POLICY ON LOCAL NORMS & STANDARDS & TARIFFS FOR

WASTE MANAGEMENT SERVICES

2022

Introduction

Section 9 of waste Act no. 59 of 2008 requires that municipalities should apply their executive authority to deliver waste management services in their area of jurisdiction. The formulation and adoption of waste management's local norms and standards are an efficient tool to improve the delivery of waste management services in any local area.

The local norms and standards outlined below will seek to impose minimum requirements to be met by all in MCLM to improve the hygienic and living conditions in the city. All residents and businesses in the city are expected to strictly adhere to the local norms and standards highlighted in this document in line with the National Domestic Waste Collection Standard of 2010 and General Waste Collection Standards of Gauteng 2010.

These local norms and standards impose fines to be paid in case of contravention to ensure that the standards are adhered to and implemented by all those involved with waste management. This is to prevent unscrupulous citizens and waste management companies from penetrating into the sector. The municipality shall expect all waste generators to play their role in and to observe their duty of care to avoid environmental pollution and harm to public health.

This policy is meant to strengthen waste management service delivery and equally introduce other measures to ensure sustainability of waste management services and the affordability thereof to the local communities. Enforcement of National Domestic Waste Collection Standard of 2010 and General Waste Collection Standards of Gauteng 2010, MCLM waste management policies and bylaws will be fundamental the basis for this policy;

All the strategies proposed are underpinned by waste management hierarchy. The punitive measures are meant to strengthen enforcement, and to ensure compliance as well as to bring all major generators of waste to adhere to the principles of duty of care as outline in National Environmental Management Act, No. 107 of 1998, (NEMA). The challenges related to illegal dumping, littering, uncontrolled generation of waste, undeveloped stands, 240l bins, shopping centers waste minimization initiatives, waste levy, body corporates service points and minimization initiatives, waste transporters, denial of access to municipal officials and all other aspects of waste management services are all addressed in this policy. Furthermore, the policy deals with new tariffs for waste management service to aggressively enforce the policy.

1.0 Notice for Waste service

- a) The owner of any premises in the municipality shall inform the municipality 14 days prior to occupation and generation of waste that the premises are ready to be occupied and will soon start generating waste, failure to do so shall attract the fine of R10 000 in the municipal account of such offender.
- b) No one is permitted to keep waste within their premises for more than seven (7) days without municipal permit with conditions for such storage even if such waste is kept for longer due to sorting and separation at source.
- c) The municipality has the mandate and authority to collect and transport waste within MCLM unless the municipality grant permission to other service providers who should in turn be properly registered with the municipality to collect and transport waste, in line with municipal conditions and policies as well as bylaws.
- d) Nobody shall collect or transport waste in MCLM without prior arrangement with MCLM and is granted permission to do so or is a waste transporter whose permit shall state the need to adhere to National Domestic Waste Collection Standard of 2010 and General Waste Collection Standards of Gauteng 2010 and MCLM waste management policies and bylaws.
- e) All waste transporters and waste collection service providers shall apply to the municipality for registration before transportation of waste within MCLM area of jurisdiction.
- f) Waste transporters without valid registration will be detained at municipal landfill site and or traffic municipal grounds until the fine of R10 000 is paid.
- g) Every premises be it residential, business, commercial, industrial and or farm, whether such is developed or not, whether occupied or not, must pay applicable waste management levy as determined by the municipality.
- h) Every generator of waste shall be liable to report accurate waste quantities generated and comply with all municipality requirements.
- i) All residents of MCLM and businesses are expected and required to progressively reduce waste generated by themselves and are required to do all in their power to avoid generating waste and are therefore expected to sort, separate reuse, recover and or recycle the waste they generate.
- j) Once waste has been generated all measures should be taken to minimize, reuse, separate, sort, recover or recycle such waste.

- k) Large and big waste generators shall be required in writing in terms of this policy to put in place progressive measures to submit a plan to introduce measures mentioned in paragraph (h) above of this policy.
- l) All waste generators required to produce and submit a plan to introduce measures outlined in (h) above of this policy shall be given a period of 60 days within which they should submit such a plan and failure to do so the municipality shall include R10 000 in the municipal account of the offender.

2.0 Waste Container, Collection and 240l Bins

- a) MCLM must provide the community of Mogale City with 240l bins, where feasible and accessible in compliance with National Domestic Waste Collection Standard of 2010 and General Waste Collection Standards of Gauteng.
- b) MCLM shall provide waste collection throughout the city as mandated by Waste Act no.59 of 2008, unless a dully registered waste transporter with the municipality takes such responsibility.
- c) Where municipality fails to render scheduled weekly curbside waste collection service, the municipality shall inform the community through ward councilor and other means or if the situation is still unpredictable regarding the normalization to return to normal collection schedule, then no notice will be made.
- d) As a basic refuse removal service, the municipality shall provide skip container services to informal settlements and rural areas as part of the rural waste management strategy.
 - i) During each collection operation, only general waste shall be removed, no additional waste shall be removed if not placed inside the 240-l bin unless prior notification to arrange for extra service, at a cost, is made between the resident or business with the municipality (in line with the applicable municipal tariffs).
 - ii) After emptying, each bin shall be returned to its designated place i.e. curbside;
 - iii) The waste collection teams shall be responsible for immediately cleaning up all spillage caused by their operations. This will be done by the vehicle crew responsible for the spillage.
 - iv) The waste collection teams shall not create undue noise/ nuisance in residential areas in and through which they operate.
 - v) Waste collection service shall, under normal circumstances, not take place before between 06:00 and after 17:00

- vi) For multi-dwelling complexes (townhouses, flats, clusters, residential complexes etc.), containers brought to the specified communal collection area shall be collected by the municipality and the management of the complex or waste transporter shall ensure proper access to the storage areas.
 - vii) Multi-dwelling complexes shall implement waste hierarchy and submit their waste management plan with progressive annual waste minimization and separation at source.
- d) The municipality has the authority to determine the waste storage type and number of bins to as well as the size of such storage facilities for all waste generators in the city.
- e) The owner or the occupier of the premises shall allow municipality waste management official access to their premises to determine the waste storage, size and number of storage facility as well as the kind of sorting separation activity in the premises to ensure that they are adequate and hygienic.
- f) Should the official of the municipality be denied access to the premises for any waste investigation including but not limited to determine the condition storage facilities, sorting and separation at source in line with waste management hierarchy - in such a case the official shall inform the owner or the occupier of the premises of the intention to determine the type or number of storage facilities, conditions for sorting and separation / bins and must charge extra new number of bins on the municipal account even without accessing the premises if the access is denied.
- g) In addition to the above, the municipality shall include in the owner's monthly municipal account an amount of R5 000 as penalty for denying municipal official access to the premises.
- h) Should anyone verbally abuse municipal official such owner of the premises shall pay an amount of R5 000 on their monthly municipal account.
- i) The owner or the occupier of the premises shall make sure that the waste management officials are allowed access to the premises. Should the access be denied the official shall proceed to determine the number of bins needed and conditions for sorting and the separation of waste without necessarily entering the premises and incorporate the extra charge of the bins on the monthly municipal account of the owner or occupier.
- j) The 240l bins remain the property of the municipality, thus if a person migrate to other areas outside MCLM's area of jurisdiction must return the bin to MCLM

- i) MCLM shall provide weekly waste collection in an area where 240l bins have been distributed to the community.
- ii) In the event that 240l bins are not available the weekly waste collection will still be provided, and the affected residents shall similarly be liable to pay as if the 240l bins have been provided and the municipality shall make available such bins as soon they are available to such community or residents as well as businesses.
- iii) In such circumstances the municipality shall endeavor to remove all the refuse bags (4 transparent bags to equal 1 bin) and such shall not contain any sharp objects or any prohibited domestic waste should the municipal team collecting waste be of the view that the waste contain sharp objects and prohibited waste they shall not collect such waste;
- iv) Should anyone request that their bin be emptied after waste teams have been to the area they shall be serviced if it is possible, and they will have to pay R500.
- m) Should the municipality be unable to render waste collection as scheduled for reasons beyond municipality's control such as community unrest, trade disruptions or strike and go-slow, weather conditions, operational circumstances or if such was missed during operation, the collection of waste will be scheduled for the subsequent week or when the situation is under control and there will be no refunds payable for the areas or residents affected.
- l) where the municipality has not been able to provide 240l bins the residents shall nevertheless if feasible be provided with weekly waste collection and the payment thereof shall be similar to weekly 240l bin service charge or tariff, until such bins are provided.
- m) For residents or businesses with more than one bin, such owners have the responsibility to ensure that the correct number of bins reflect on their municipal accounts and over charged shall not be entertained if it is not more than six months old.
- n) Any municipal account with over charge which is supported by documents shall only be entertained or processed if the period does not exceed 6 months, the same is expected of new occupants of property in MCLM, they should report to the municipality the number of bins they need since if they claim to have less bins than the previous owner that will not be treated as over charge unless they inform the municipality with six (6) months of occupation of this fact.
- o) Municipality will replace waste bin without charge if the 240l bin is damaged by municipal employee and reported within 24hours unless the damage occurred on Friday and is reported on the following Monday will be replaced free.

- p) Should the bin be damaged or lost, the owner shall replace it at applicable replacement fee;
- q) The use of non-municipal bins is prohibited, anyone found using non-municipal bin/s shall be fined R1 000 in their municipal account.

- r) The use of black refuse bags is prohibited for storage of domestic waste instead transparent refuse bags are acceptable. The use of transparent bags is for safety reasons to ensure that waste teams should be able to identify what inside the refuse bag and that there are no sharp objects.
- s) All waste companies and service providers shall use transparent refuse bags;

3.0 Waste Transporters

- a) Anyone transporting waste in MCLM must register as waste transporter and they must ensure that they comply with the registration conditions.
- b) Anyone found transporting waste without registering with the municipality shall be fined R10 000 on their municipal account and if they come from outside MCLM they shall pay an amount of R10 000 before they can be allowed to continue with their trip.
- c) Any vehicle found littering shall be fined on their municipal account an amount of R10 000 and if they come from outside MCLM they shall pay an amount of R10 000 before they would be allowed to proceed with their trip.
- d) Anyone found transporting waste without a net/ cover/ trampoline or transporting waste without being registered with the municipality shall be fined R10 000.
- e) The owner of the premises or body corporate whose waste collection is rendered by registered waste transporter shall be responsible for the payment of the monthly service point which pays for individual unit and or household monthly fee as determined, and which shall be part of the municipal account.
- f) The owner of the premises or body corporate has a responsibility to disclose the correct number of units or service points (households) in their premises or complex to the municipality to enable the municipality to determine the payable total monthly service point fee.
- g) Should the service point payable tariff be unpaid for any month the municipality must charge the payable amount and add it into the municipal account of the body corporate and further recommend to the Chief Financial Officer that such municipal holder should be subjected to credit control measures including suspension of other municipal service.

- h) Body corporates shall submit business waste management plan annual report to the municipality about their waste minimization plans which must progressively seek to achieve principles of waste hierarchy by setting new target annually with clear measures to meet the targets.
- i) Should the body corporate fail to report annually on the date determined by the municipality the body corporate shall be liable to pay R10 000 on their municipal account.
- j) In submission of the business waste management plan annual report the body corporate shall respond and address all issues requested by the municipality to be reflected in such a report.
- k) Any premises or owner who separates and sorts of waste shall pay an applicable tariff.
- l) Any waste transporter failing not complying with municipal requirements may be detained at municipal traffic department until applicable fine has been paid.

4.0 Residential Premises

- a) Any premises which practice waste separation at source or waste minimization and sorting shall pay basic waste collection fee as decided by the municipality.
- b) Any premises or owner who separates and sorts of waste shall report to the municipality and shall comply with all requirements of the municipality and failure to do so, such premises or owner shall be issued with a notice to pay R10 000 in their municipal account.

5.0 Vacant Stands / Plots / Undeveloped / Unoccupied Sites

- a) All premises, owners of vacant sites or unoccupied sites or unoccupied buildings or undeveloped sites must pay monthly waste levy as determined by the municipality.
- b) For any illegal dumping found on their premises or vacant sites, unoccupied sites or undeveloped sites the municipality shall include in their municipal account an amount of R10 000 every month until such a time that the illegal dumping has been cleared to the satisfaction of the municipality by the owner who shall report to the municipality about the date and time when such clearing of illegal dumping shall take place.

6.0 Waste Management Construction Certificate

- a) Anyone building, renovating their buildings, or extending or demolition their buildings shall apply for waste management construction certificate and applicable fee will be charged for the certificate,
- b) Anyone who starts construction without the waste management construction certificate shall be fined R10 000 which shall be included in municipal account of the owner.

c) Anyone who leaves construction and demolition waste on the pavement outside their premises shall be fined R10 000 which shall be included on their municipal account of the owner.

7.0 Shopping Centers and Malls

a) Shopping centers and malls must inform the municipality 14 days before they open for public.

b) All shopping centers and malls must have a dedicated waste storage area to sort and separate waste.

c) Such waste storage area shall not be used or converted into any other use other than as waste storage area.

d) All shopping centers and malls shall ensure that the waste area is kept clean that no nuisance arises from it.

e) The waste area shall be covered to ensure that waste is not exposed to wet weather.

f) Shopping centers and malls must sort waste to minimize the waste transported to the landfills and such sorting areas shall be always kept clean

g) Shopping centers and malls shall provide the public with sufficient refuse bins to the satisfaction of the municipality on the parking grounds and immediate access roads (sphere of influence) and ensure that access roads and parking grounds are always kept clean.

h) No business premises shall allow litter or refuse bags on their pavements if such is found on the front pavement of the premises where public walk, they will be liable to pay an amount of R10 000 in their municipal account.

i) Shopping centers and malls shall submit to the municipality the business waste management plan annual report indicating progressive and incremental targets on the implementation of waste management hierarchy with clear annual targets to reduce and minimize waste.

j) Any shopping Centre or mall or premises who fails to submit the business waste management plan annual report indicated above (i) must pay R10 000 which must be included in their municipal account, and such fine shall be included in their municipal accounts until the said shopping center or mall complies with provisions of (i) above.

k) The shopping centers and malls shall apply for the waste management handling permit and shall pay applicable tariff.

l) The municipality shall render waste collection to the shopping centers and malls unless the owner applies to the municipality to utilize the services of registered waste transporter.

8.0 Residential complexes / shopping malls / retail centers / any business

a) All large waste generators should register with the municipality and are expected to compile business waste management plan.

b) All large waste generators are expected to keep their premises and surroundings always clean including access roads and provide public refuse bins on those access roads.

c) large waste generators shall be determined by the municipality and the list will be forwarded to affected residential complexes, shopping malls and retail centers or any establishment identified by the municipality.

d) Any business with litter on their front pavement, refuse bags on their front pavement or premises shall pay an amount of R10 000 on their municipal account.

9.0 The sphere of influence

a) the sphere of influence shall mean an area immediately around the business premises or establishment which includes access road to the business and immediate roads around such business.

b) No litter allowed within the premises of any business and on the immediate streets around any business, therefore the business shall provide public with sufficient bins in the premises and nearby streets as well as access road to the business.

b) All retail centers should actively promote waste minimization and sorting and encourage their customers as far as is possible not to litter within the premises and within their sphere of influence

c) Litter accumulating in the premises and its surrounding streets or sphere of influence shall be fined an amount of R10 000 which shall be included in premises or owner's monthly municipal account.

d) The municipality shall determine the sphere of influence and determine the type of waste facilities which should be used for the public accessing or leaving the premises.

e) No litter shall be allowed in front of the business premises pavements. If litter or refuse bags are found in front of the business premises the municipality shall collect such waste from the

business premises and such premises shall be fined R10 000 on their monthly municipal account and such business shall be instructed not to allow the same to recur.

10.0 The contents of the business waste management plan shall include the following;

- i) Proof of registration with the municipality
- ii) The type of waste generated
- iii) The volumes generated
- iv) Shall describe waste storage system and collection to the onsite storage area
- v) Shall describe the sorting of waste at the onsite storage area annual targets.
- vi) Waste shall always be separated within the onsite storage area and processed in anyway hygienic with clear annual target.
- vii) Describe measures taken to minimize the nuisance from waste in onsite storage area
- viii) Indicate the next destination of waste sorted in their premises and transportation thereof
- ix) Indicate the number of employees and outline the employees' gender and age.
- x) Indicate the customer base who supplies them with waste to them and the volumes and waste types from each generator as requested by the municipality.
- a) Failure to compile a plan the business shall be liable to pay a fine of R10 000 which will be included in the municipal account of the premises, the business fails to compile the plan.
- b) The plan should have clear annual target to minimize and sort waste generated from the premises
- c) The target shall include the measure to be implemented on incremental basis to minimize and sort waste in the premises
- d) The plan and its content will be reviewed annually for approval by the municipality.
- e) Failure to submit the reviewed annual plan shall attract a fine of R10 000 monthly until the plan is submitted which shall be included in the municipal account of the premises.

11.0 Recycling, Buy-back, Sorting Facility,

Compost Centers, Scrap Yards, Waste Handling Facility and similar entities:

- a) Any person operating these facilities, must apply and register the facility with the municipality and pay annual permit fee applicable.
- b) Should the facility owner, operator, occupier fail to pay the annual fee the municipality must add the annual fee into the municipal account of that premises.

c) And shall at all times observe the conditions of the permit and keep their area hygienic at all times as well as their surroundings.

d) shall report any waste pickers not registered and refer them to the municipality.

e) shall report to the municipality about the volumes of waste brought by types of customers and what types of waste was brought to the facility including by waste pickers and shall supply any other information monthly required by the municipality.

f) Shall only deal with waste pickers registered with the municipality, failure to do such facility shall be liable to pay R10 000 in their municipal account.

g) Failure to comply with permit requirements or any other municipal requirements, such a facility shall be liable to pay R10 000 in their municipal account.

12.0 Waste Pickers

a) All waste pickers shall register with the municipal and shall be given conditions to comply with.

b) No unregistered waste picker shall operate in MCLM without municipal permission.

c) Any unregistered waste picker found on any part of the city shall pay the fine of R200.

d) No buyback center and any other facility shall have any dealing with unregistered waste picker.

e) If it is found that buyback center or any other facilities is dealing with unregistered waste picker shall be fined R10 000 in their municipal account.

13.0 Illegal Dumping

a) Any person found causing illegal dumping on any part of the city shall pay R10 000.

b) Anyone causing illegal dumping using a vehicle, the registration number of the vehicle shall be used to fine the owner R10 000 on their municipal account.

c) If the owner is not traceable or comes from another municipality or province or the vehicle does not have number plates, such vehicle shall be kept in the custody of the municipal traffic department (impound) until the owner pays the amount of R10 000.

14.0 Healthcare Waste

- a) Anyone who is generating handling healthcare waste must register with the municipality and must have an accredited service provider/Transporter to transport healthcare waste to a suitable disposal site.
- b) The generator/handler of health care waste should have disposal certificate of the waste disposed of, their quantities and with the name of the disposal site.
- c) Anyone transporting healthcare waste within the MCLM must register with the municipality, transportation /generation /handling of medical waste within the MCLM without registration all be liable to pay R10 000.
- d) Anyone dumping healthcare waste illegally shall be liable to pay R10 000 on their municipal account.
- e) Should labels be found on the pile of waste dumped anywhere in the city, those labels will constitute sufficient evidence to include R10 000 in the municipal account of such medical facility or healthcare service provider

15.0 Nuisance and Pollution

- a) Anyone causing nuisance and or pollution or dumping waste or littering on public or unoccupied private open space in any part of the city shall be liable to pay an amount of R10 000 in their monthly municipal account as part of their responsibility imposed by National Environmental Management Act of 1998 under section 28 – Duty of Care and as their responsibility towards MCLM in terms of these norms and standards.

16.0 Waste disposal

- a) Waste generated in the municipal area must be disposed of at a waste disposal facility where such disposal is permitted by the Municipality.
- b) In disposing of waste, a licensee must comply with the provisions of any other law regulating the disposal of waste.
- c) No person may burn waste either in a public or private place, for the purpose of disposing of that waste.
- d) No person may incinerate waste either in a public or private place, except in an incinerator at a place where the relevant national or Gauteng provincial authorities permit such incineration, or at a place designated by the Municipality for that purpose.

e) Anyone found contravening the above will be liable to pay R10 000 fine

17.0 Appeals and disputes

a) Anyone looking to appeal the fines will inform the waste management officer or authorized official in writing of such appeal or dispute and the reasons for such appeal.

b) the original copies of such appeal shall be submitted to the municipal manager who shall within 14 days appoint the Head of Municipal Legal Services or his representative to hear, mediate and give final decision on the matter within two months.

c) The Head of Municipal Legal Services may extend the period by maximum of 60 days to allow the matter to be fully finalized.

c) the decision of the Head of Municipal Legal Services shall be final and binding to the parties involved.

17. Amendment of Existing Waste Tariffs

a) Private bulk containers in business premises which serviced by the municipality shall be charged R500 per collection which shall be reviewed annually.

b) Replacement of 240l bin shall be charged R895 which shall be reviewed annually.

c) Public gathering events fee of R5 000 from organizers who would have applied for such events and have received approval from the municipality

d) All other tariffs in this policy shall form part of municipal tariff amendments for waste management in 2022/23 financial year.

Annexure 1

Tariff	Proposed Tariff Fees 2022/23
Illegal dumping fine and contravention	R10 000
Vehicle dumping fine and contravention	R10 000
Healthcare Waste fine and contravention	R10 000
Waste handling facilities contravention	R10 000
Nuisance & Pollution fine and contravention	R10 000
Business waste management plan and contravention	R10 000
Litter accumulating around the sphere of influence and contravention	R10 000
Waste transporter permit and contravention	R10 000
Waste pickers not registered with municipality	R200
Waste Management Construction Certificate	R10 000
Buyback center illegal dealings	R10 000
Separation and sorting of waste contravention	R1 000
Non-municipal bins	R1 000
Public gathering fee (cleaning of area around the event- routes to and from venue)	R5 000
Replacement of a bin	R895
Call back service for unserviced bin	R500