

POLOKWANE MUNICIPALITY BUILDING GUIDE

Frequently asked questions.

What rules guide building control and why do we need them?

The Act on National Building regulations was promulgated in 1977 (Act 103 of 1977) in order to regulate all building work and in doing so to ensure structural stability is maintained together with satisfactory health conditions.

Is it necessary to submit a building plan for approval?

Yes, Section 7 of the Act clearly stipulates that, building plans are to be submitted to the local authority for all building work that is to be erected. Failure to submit building plans will constitute non-compliance to the Act.

Why is it required to have inspections done and what is the procedure?

Inspections are conducted at several stages of the building whilst under construction. The inspections are conducted to ensure that the building standards and materials comply with the National Building Regulations and building standards Act. Inspections should be requested, from the building inspectorate at least one working day prior to the inspection date.

What is an Occupation certificate and why do I need one to occupy the building?

An application for occupation certificate is to be submitted to the inspectorate once the building has been completed. By issuing the certificate, the Municipality confirms that the building, in its opinion, has been erected in accordance with the Building Regulations and is found safe for occupation.

SERVICES PROVIDED BY THE BUILDING INSPECTORATE

To apply the applications, disciplines, regulations and standards of the National Building Regulations and Building Standards (Act 103 of 1977) in the Polokwane Municipal area of jurisdiction.

Functional application of the Act (103 of 1977)

Building plans and applications.

Scrutinising and approval of building plans, building inspections, hoarding applications and demolition requests in terms of the following:

The applications and regulations of the National Building Regulations (Act 103 of 1977)
Act on architects (Act 35 of 1970)
The Pietersburg/Polokwane Town Planning Scheme (TPS)

Inspections conducted by the Polokwane Municipality.

Foundation excavation and site inspections.
Open sewer inspections
Final sewer and Occupation certificate inspections

Other inspections conducted:

Backfill compaction inspections (NHBC)
Roof inspections (ITC)
Inspections relating to demolition applications.

Enforcement of the Act (103 of 1977)

Routine inspections are conducted in order to ensure compliance. These include:

Illegal building operations
Contentious building materials and designs
Legislation and compliance
Illegal occupation of buildings

Enforcement measures.

Issuing of contravention notices.
Issuing of fines to offenders of the National Building Regulations
Direct summons to appear in the Magistrates Court and or Supreme Court of South Africa.

DURATION FOR APPLICATIONS

	REGISTRATION PROCESS	CIRCULATION PROCESS							
		Electrical Department	Health Department	Town Planning	Storm Water and Roads	Water and Sanitation	Fire Department	Building Section	Approval Date
Commercial (Business)	Day 1	3Days	3 Days	3 Days	3 Days	3 Days	5 Days	3 Days	DAY 24
Town Houses	Day 1	3 Days	3 Days	3 Days	3 Days	3 Days	5 Days	3 Days	DAY 24
Residential Single Unit	Day 1	3 Days	Maybe sent to one or more of these departments if deemed necessary					3 Days	DAY 7

NOTE The National Building Regulations clearly outlines deadlines with respect to the approval of plans in two categories: Building with floor area bigger and less than 500 m² with minimum approval of 60 and 30 days respectively.

The Inspectorate endeavours to approve residential plans within 7 days from receipt and Commercial plans within 4–6 weeks. This period can fluctuate depending on whether there are problems on the plan as well as reaction time from Architect to address these matters.

The powers required by a local authority in the process of enforcing the regulations contained in Act 103 include:

Section 4, which contains the primary requirements, which prohibits the erection of any building without prior approval;

Section 10, which enables the local authority to take action where it considers any building to be objectionable;

Section 11, which outlines the action to be taken when no work has been done on a building under construction;

Section 12, allows a local authority to take action when a building becomes dilapidated or dangerous in any way;

Section 13, which gives the building control officer power to authorize minor building work while exempting him from the obligation to submit a plan to the local authority;

Section 14, imposes a duty to issue a "certificate of occupancy" if the building is completed in accordance with the regulations;

Section 15, which gives power to a person authorized by the local authority to enter any building in connection with the consideration of any application submitted or any condition imposed by the local authority in connection with the Act;

Section 18, which makes provision to permit a deviation or grant an exemption from any regulation;

Section 21, which allows the local authority to obtain a court order to stop any work on any building;

Section 22, which, allows the local authority to charge monies in respect of any building for the examination of plans;

Section 23, provides protection to the local authority in the sense that it indemnifies the local authority against any loss, damage, injury or death resulting from the way a building is erected, altered or demolished;

Section 29, restrains the power of a local authority to make, building bylaws and indicated that any existing bylaw, which has been replaced by, or which is repugnant to any National Building Regulation, is repealed.
