

MAKHADO MUNICIPALITY

DRAFT ENVIRONMENT: INFLAMMABLE LIQUIDS AND SUBSTANCES BY-LAWS

TABLE OF CONTENTS

CHAPTER 1 DEFINITIONS

1. DEFINITIONS
2. PROVISIONS OF OTHER LAWS

CHAPTER 2

APPLICATION FOR THE APPROVAL OF PLANS

3. APPLICATION FOR THE APPROVAL OF PLANS
4. CERTIFICATE OF REGISTRATION FOR STORAGE
5. SUPPLY OF INFLAMMABLE LIQUIDS
6. EXEMPTIONS
7. WHEN APPROVAL OF PLANS NULL AND VOID
8. CONDITIONS OF CERTIFICATE OF REGISTRATION
9. DISPLAY OF CERTIFICATE OF REGISTRATION
10. RENEWAL OF CERTIFICATE OF REGISTRATION
11. TRANSFER OF CERTIFICATE OF REGISTRATION
12. TEMPORARY STORAGE
13. INSTALLATION AND ERECTION
14. ADDITIONS AND ALTERATIONS TO REGISTERED PREMISES
15. REMOVAL AND DISMANTLING
16. STORAGE, USE AND HANDLING ON REGISTERED PREMISES PROHIBITED
IN CERTAIN CIRCUMSTANCES
17. PROHIBITION OF CERTAIN ACTS
18. NOTICE TO DISCONTINUE DANGEROUS METHOD
19. INFLAMMABLE LIQUID ESCAPING INTO DRAINS
20. PROHIBITION AGAINST USE OF DEVICES AND PUMPS IN BASEMENTS

CHAPTER 3

FILLING OPERATIONS

21. FILLING OPERATIONS
22. FILLING ON OR ACROSS PUBLIC SIDEWALKS
23. REPLENISHING FUEL TANKS
24. REPLENISHING OF PUBLIC OMNIBUSES
25. FIRE APPLIANCES
26. EXAMINATION OF FIRE APPLIANCES
27. REPORTING ACCIDENTS
28. RULES TO BE OBSERVED ON UNREGISTERED PREMISES
29. INSPECTION OF PREMISES
30. TAKING OF SAMPLES
31. BREACH OF CONDITIONS

CHAPTER 4

STORAGE TANKS, PUMPS PIPELINES AND CONTAINERS

32. CAPACITY OF UNDERGROUND STORAGE TANKS
33. CONSTRUCTION OF TANKS
34. INSTALLATION OF STORAGE TANKS
35. VENTILATION OF UNDERGROUND STORAGE TANKS
37. ABANDONED TANKS
38. ENTERING OF STORAGE TANKS
39. POSITION OF PUMPS
40. PUMPS ON RAMPS
41. DIPPING STICKS
42. PUMP HOSES
43. SITUATION OF FILLING PIPES AND PUMPS
44. NAKED LIGHTS AND ELECTRICAL APPARATUS
45. MAINTENANCE OF TANKS, PIPELINES AND PUMPS
46. CONSTRUCTION OF PORTABLE CONTAINERS
47. FILLING OF CONTAINERS
48. QUANTITY IN CONTAINERS
49. CONTAINERS AFTER DELIVERY
50. STORAGE OF EMPTY CONTAINERS
51. REPAIRING OF CONTAINERS
52. MARKING OF CONTAINERS

CHAPTER 5

STORES

53. CAPACITY OF STORE
54. DANGER NOTICE ON STORE
55. CONSTRUCTION AND SITUATION OF STORES (OTHER THAN STORES IN RECOGNIZED BULK DEPOTS AND INSTALLATIONS)
56. LIGHTING OF STORE
57. USE OF STORE
58. UNAUTHORIZED PERSONS ENTERING STORE

CHAPTER 6

BULK DEPOTS

59. DANGER NOTICE AT ENTRANCE
60. STORAGE
61. TANK DISTANCES
62. ELECTRIC MOTORS
63. FIRE APPLIANCES
64. FILLING OF ROAD TANK WAGONS
65. STARTING OF ENGINE AT FILLING POINT
66. STEAM ENGINES
67. ADMISSION TO DEPOTS
68. SUPERVISION OF DEPOTS

CHAPTER 7

TRANSPORT OF INFLAMMABLE LIQUID

69. TRANSPORT PERMIT
70. ISSUE OF TRANSPORT PERMIT
71. CONSTRUCTION OF VEHICLES
72. MAINTENANCE OF VEHICLES
73. OPENING OF TANK
74. SUPERVISION OF WAGON BY RESPONSIBLE PERSON
75. FIRE EXTINGUISHERS
76. AGENCIES LIKELY TO IGNITE INFLAMMABLE LIQUID
77. PRECAUTIONS
78. RESTRICTION OF SCOPE OF CERTAIN BY-LAWS

CHAPTER 8

DRY-CLEANING ROOMS – GENERAL

79. CERTIFICATE FOR DRY-CLEANING ROOM
80. USE OF DRY-CLEANING ROOM
81. INSTALLATION OF MACHINERY
82. BOILERS
83. DRAINING OF MACHINERY
84. ELECTRICAL EQUIPMENT
85. HANDLING OF INFLAMMABLE LIQUID
86. DANGER NOTICE AT ENTRANCE
87. REMOVAL OF FOREIGN MATTER AND METALLIC SUBSTANCES FROM GARMENTS
88. INSTRUCTIONS TO EMPLOYEES
89. UNAUTHORIZED PERSONS OR ACTS
90. POSITION OF MACHINERY
91. SHAFTING
92. SCOURING OR BRUSHING TABLE
93. PORTABLE LAMPS

CHAPTER 9

SPECIAL PROVISIONS WHERE CLASS A AND B INFLAMMABLE LIQUIDS ARE USED FOR DRY-CLEANING

94. CONSTRUCTION OF DRY-CLEANING ROOMS
95. STEAM PIPES
96. VENTILATION OF DRY-CLEANING ROOM

CHAPTER 10

SPECIAL PROVISIONS WHERE CLASS C INFLAMMABLE LIQUID IS USED FOR DRY-CLEANING

97. CONSTRUCTION OF DRY-CLEANING ROOM
98. VENTILATION OF DRY-CLEANING ROOM

**CHAPTER 11
SPRAYING ROOMS**

- 99. REGISTRATION OF SPRAYING ROOMS
- 100. ISSUE OF SPRAYING-ROOM PERMIT
- 101. CONSTRUCTION OF SPRAYING ROOM
- 102. DANGER NOTICES AT ENTRANCE
- 103. WHEN PERMITS IS NOT REQUIRED
- 104. AUTHENTICATION AND SERVICE OF NOTICES
- 105. PENALTY FOR BREACH OF THESE BY-LAWS

**CHAPTER 12
CARBIDE**

- 106. DEFINITIONS
- 107. CERTIFICATE OF REGISTRATION FOR STORAGE
- 108. APPLICATION FOR A CERTIFICATE OF REGISTRATION
- 108. CONDITIONS OF CERTIFICATE OF REGISTRATION
- 110. RENEWAL OF CERTIFICATE OF REGISTRATION
- 111. TRANSFER OF CERTIFICATE OF REGISTRATION
- 112. ADDITIONS AND ALTERATIONS TO REGISTERED PREMISES
- 113. FIRE APPLIANCES
- 114. RULES TO BE OBSERVED
- 115. INSPECTION OF PREMISES
- 116. CONSTRUCTION OF STORE
- 117. DANGER NOTICE ON STORE
- 118. PURITY
- 119. SEIZURE AND REMOVAL OF CARBIDE
- 120. BREACH OF CONDITIONS

**CHAPTER 13
REVOCAION OF BY-LAWS
SHORT TITLE**

**CHAPTER 14
SCHEDULES**

SCHEDULE I

TARIFF OF FEES FOR CERTIFICATES OF REGISTRATION AND TRANSFERS IN TERMS OF SECTIONS 3, 10 AND 11 (2)

SCHEDULE II

FEES FOR EXAMINING VEHICLES FOR TRANSPORT PERMIT

SCHEDULE III

TARIFF OF FEES PAYABLE FOR CERTIFICATES OF REGISTRATION AND TRANSFERS IN TERMS OF SECTIONS 112 AND 113

CHAPTER 1 DEFINITIONS

1. Definitions

In these by-laws, unless the context otherwise indicates –

“**above-ground storage tank**” means a tank situated above or partly above ground and used or intended to be used for the storage of inflammable liquid;
“**bulk depot**” means any premises used or intended to be used for the storage in bulk of inflammable liquid from where inflammable liquid is to be distributed by road tank wagon or otherwise;

“**bulk store**” means any building or structure, or part thereof, which is used or intended to be used for the storage of inflammable liquids in portable containers;

“**certificate of registration**” means a certificate issued by the Council authorizing any person to use the premises therein specified for the storage, use or handling of inflammable liquids;

“**container**” means any case, tin, barrel, drum or other vessel used or intended to be used for the holding of inflammable liquids, but does not include the fuel tank of a motor vehicle or stationary engine in normal use as such:

“**Council**” means the Council of the Makhado Local Municipality, established in terms of section 12 of the Local Government: Municipal Structures Act, no 117 of 1998;

“**habitable room**” means a room constructed or adapted to be used as a living room or workroom, and includes shops, workshops and offices, and the term “**habitable**” has a like meaning;

“**dry-cleaning room**” means any premises used or intended to be used for the cleaning or treatment, for the purpose of acquiring gain or for reward, of garments or textiles with the aid of inflammable liquid.

“**dry-cleaning machinery**” means any machinery used or intended to be used for the cleaning or the treatment of garments or textiles with the aid of inflammable liquids;

“**inflammable liquids**” means and includes all inflammable liquids or inflammable substances having a true flash point below 200° Fahrenheit and shall be classified as follows:

- Class A inflammable liquid means petrol (motor spirit);
- Class B inflammable liquid means any inflammable liquid other than petrol having a flash point of 70° Fahrenheit and lower;
- Class C inflammable liquid means any inflammable liquid having a flash point of over 70° Fahrenheit, but under 200° Fahrenheit;

“**person**” includes any individual, company or closed corporation or corporate body or partnership or other association of persons;

“**protected works**” means any house or building or other structure used or intended to be used or available for use for human habitation or public

assembly and includes schools, clubs and similar institutions and also includes any animal stable, but does not include any administrative offices, change rooms or mess rooms in a bulk depot;

“**pump**” means any pump used or intended to be used for the supply, delivery, propulsion or pumping of inflammable liquid or substances and includes all apparatus, pipes and appliances used for or in connection therewith, but does not include pumps in bulk depots;

“**road tank wagon**” means a vehicle constructed and intended for the purpose of conveying inflammable liquid for distribution principally or solely for the purpose of spraying vehicles or articles with inflammable liquid and purposes incidental thereto;

“**spraying booth**” means any subdivision or separate compartment of any spraying room, when such subdivision or separate compartment is used or intended to be used for the purpose of spraying vehicles or articles with inflammable liquid and purposes incidental thereto;

“**store**” means any building or structure other than a bulk store, which is used or intended to be used for the storage of inflammable liquid in containers;

“**tank**” means a metal tank of adequate strength for the use intended, used or intended to be used for the storage of inflammable liquid;

“**tariff**” means the tariff of charges as determined from time-to-time by the Council in terms of section 10 G (7) of the Local Government Transition Act, 1993;

“**transfer under seal**” means the transfer of inflammable liquid from or to a road tank wagon in such a manner as to prevent the escape of inflammable liquid or its vapour at any point in the system except at such points where the vapour necessarily expelled is discharged through a vent pipe;

“**transport permit**” means a permit authorizing the transportation by road of inflammable liquid;

“**underground storage tank**” means a tank used or intended to be used for the storage of inflammable liquid wholly sunk in and surrounded by earth or solid rock or any such tank situated in a basement below ground level and totally enclosed by a liquid-tight concrete or brick structure, and wholly surrounded by a sand filling;

“**vent pipe**” means a pipe constructed and installed to allow the escape of inflammable liquid vapour into the atmosphere.

2. Provisions of Other Laws

- (1) The provisions of these by-laws shall be in addition to, and not in substitution for, any other by-laws of the Council.
- (2) The provisions of these by-laws shall be in addition to the Occupational Health and Safety Act, no 85 of 1993 and any regulations published under the said Act.

CHAPTER 2 APPLICATION FOR THE APPROVAL OF PLANS

3. Application for the approval of plans

- (1) Every application for the approval of plans shall be made in writing to the Council.
- (2) Every such application shall be accompanied by a plan of the premises in respect of which a certificate is required, drawn to a scale of not less than 25,4mm to 304,8mm which shall specify –
 - (a) the premises, including their elevation with regard to adjacent buildings or structures above or below the ground, the inside dimensions shown in figures of any room, building, structure or storage tank in which inflammable liquid is to be stored, used or handled, and the material shown in writing with which such room, building, structure or storage tank is or is proposed to be constructed;
 - (b) full particulars, including position of any pump, storage tank, store, pipeline, dry-cleaning machinery, spraying room, spraying booth or ventilating equipment.
- (3) Every such application shall also be accompanied by a block plan of such premises drawn to a scale of not less than 25,4mm to 12,192 meters which shall specify -
 - (a) the premises and all open spaces with stand numbers thereof and the materials of which such premises are constructed or to be constructed;
 - (b) stands with numbers thereof immediately adjoining;
 - (c) names of any streets on which the site abuts and the township in which situated;
 - (d) the north point.
- (4) Where the plan relates to existing premises in respect of which a certificate of registration has been issued and wherein it is proposed to make alterations or additions to any apparatus lawfully used or intended to be used thereon for the storage or handling of inflammable liquid, a ground plan together with such application form only shall be submitted. Such ground plan shall be drawn to a scale of not less than 25,4mm to 304,8mm and shall not show such additions or alterations in relation to such existing premises or apparatus.
 - (a) All plans shall be –
 - (b) signed by the owner or his agent;
 - (c) drawn in Indian ink on tracing linen or clear prints on cloth with white ground;

- (d) coloured with fixed colours as follows:
 - (i) Block Plan – proposed premises, red; other existing buildings, grey or neutral tint; open spaces, uncoloured;
 - (ii) Other Plans – ventilation ducts, trunks or enclosures, blue; storage tanks, pumps, pipelines, dry-cleaning machinery and spraybooths, red; buildings in which inflammable liquid is to be stored, used or handled, uncoloured; other existing buildings where required, grey or neutral tint.
- (5) The prescribed tariff for every application for the approval of a plan or plans shall be paid on submission thereof, and on approval, such plan or plans shall become the property of the Council. On approval of such plans a written notice shall be issued with such conditions endorsed thereon as are deemed necessary in accordance with these by-laws.
- (6) The approval of plans of premises shall in no way imply the acceptance of any responsibility on the part of the Council in regard to such premises.

4. Certificate of Registration for Storage

- (1) No person shall store, use or handle inflammable liquid on any premises in excess of the under mentioned quantities –
 - (a) Class A and Class B inflammable liquids: A total quantity of 45,46 liters.
 - (b) Class C inflammable liquid: A total quantity of 272,76 liters unless such person is in possession of a certificate of registration in respect of such premises.
- (2) No certificate of registration shall be issued in respect of any premises for the storage, use, or handling of inflammable liquids, unless application is made in writing to the Council, and accompanied by the prescribed fee as set out in Schedule I, and until the provisions of this chapter have been complied within in respect of such premises.
- (3) Such certificate may be issued subject to such conditions as are deemed necessary by the Council having regard to the circumstances pertaining to each application.
- (4) Such certificate shall state the maximum amount of each class of inflammable liquid to be stored, used or handled, the manner in which such liquid shall be stored, used or handled and the number of pumps, storage tanks and stores permitted on the premises.
- (5) Every such certificate shall be valid only for the period terminating on the

next succeeding thirty-first day of December.

- (6) No certificate of registration other than a renewal thereof shall be issued in respect of any premises until the provisions of section 3 have been complied with and the application therefore has been approved by the Council.

5. Supply of Inflammable Liquids

No person shall supply or deliver or cause or permit any inflammable liquids to be supplied or delivered –

- (a) to any premises in excess of the quantities specified in section 4, the occupier of which is not in possession of a certificate of registration issued in terms of these by-laws in respect of the said premises;
- (b) to any premises in excess of the amount specified on the certificate of registration, relating to such premises.

6. Exemptions

Notwithstanding anything contained in this chapter –

- (a) inflammable liquids shall not be deemed to be stored or conveyed or transported when contained in the fuel tank of a motor vehicle or stationary engine in normal use as such;
- (b) any person may keep varnish, lacquer, vulcanizing cement or similar substances which are inflammable on any premises where –
 - (i) such substances are entirely contained in sealed metal containers;
 - (ii) no container is opened on such premises except in the open air or in a store as defined in section 1; provided that:
 - (aa) where 909 liters or more of such substances are kept in any room or building –
 - (i) such room or building shall be constructed of noninflammable material
 - (ii) fire appliances shall be installed at the satisfaction of the Council's technical assistant and building inspector;
 - (bb) where the total quantity of such substances is in excess of 4 546 liters, such excess quantities shall be kept in a separate fireproof room or building or in a store as defined in section 1 –
 - (i) where the total quantity of such substances is greater than 22 730 liters, but such quantity does not exceed 4 546 liters above such 22 730 liters, such excess quantity shall be kept as provided in proviso (aa) (i) hereof;

- (ii) where the total quantity of such substances is greater than 22 730 liters, such excess quantity shall be kept as provided in proviso (cc) hereof;
- (cc) where such room or building is situated in an area outside the area described in Schedule IV to these by-laws 22 730 liters of such substances may be kept in such room or building, which shall be constructed in such a manner and surrounded by walls or bunds of such character that the substances contained in such room or building cannot escape therefrom, such walls or bunds to be of sufficient capacity to contain not less than 75 per cent of the maximum quantity capable of being stored therein.

7. When Approval of Plans Null and Void

The approval by the Council under section 3 of any plans shall be null and void if the provisions of this chapter have not been complied with within 1 (one) year after the date of such approval.

8. Conditions of Certificate of Registration

- (1) No person shall store, use or handle or cause or permit to be stored, used or handled on any premises –
 - (a) any quantity of inflammable liquid in excess of the amount stated on the certificate of registration, relating to such premises;
 - (b) any inflammable liquid other than the class or classes specified on the certificate of registration, relating to such premises;
 - (c) any inflammable liquid in a manner other than that stated on the certificate of registration, relating to such premises;
 - (d) a greater number of pumps, storage tanks or stores than specified on the certificate of registration relating to such premises.
- (2) Any person in lawful possession of any certificate of registration may make written application to the Council for permission to amend the total quantity or class of inflammable liquid stated in such certificate. Such application shall only be granted by the Council when the proposed amendments is in conformity with the provisions of these by-laws. Where the Council has granted any such application, such person shall surrender the certificate of registration to the Council for amendment.

9. Display of Certificate of Registration

Every person to whom a certificate of registration has been issued shall affix and maintain such certificate in a conspicuous position on the registered premises.

Such certificate shall be maintained at all times in such position and in legible condition.

10. Renewal of Certificate of Registration

Application for the renewal of a certificate of registration shall be made not later than the 15th day of December of the year prior to that for which such renewal is required on a form to be provided by the Council and shall be accompanied by the prescribed fee as set out in Schedule I. No plans of the premises in terms of section 3 shall be required in the case of a renewal of a certificate of registration unless called for by the Council.

11. Transfer of Certificate of Registration

- (1) A certificate of registration may be transferred from one person to another.
- (2) The person desiring such transfer shall make application in writing to the Council on a form to be provided by it for such purposes. Such application shall be accompanied by the prescribed fee as set out in Schedule I, together with the certificate of registration relating to the premises in respect of which such transfer is desired.
- (3) No certificate of registration shall be transferable from one premises to another.

12. Temporary Storage

- (1) The Council may in writing exempt from the provisions of section 4 for such period as it may deem necessary, any person wishing to store not more than 272,7 liters of Class A or Class B inflammable liquid or not more than 454,6 liters of Class C inflammable liquid required for or in connection with any excavation, building, road-making or other like operation of a temporary nature: Provided that –
 - (a) application is submitted in writing to the Council on a form to be obtained from it;
 - (b) suitable provision has been made to surround the containers of such inflammable liquid by walls or bunds of such a character that such inflammable liquid cannot escape from such walls or bunds either under the action of fire or otherwise;
 - (c) at least one efficient chemical fire extinguisher of the foam type has been provided as set out in section 25.
- (2) Any person to whom an exemption has been made in terms of this section shall ensure that at all meant times –

- (a) all reasonable precautions are taken to prevent any fire flame or other agency likely to ignite inflammable liquid or inflammable liquid vapour being brought into contact with such inflammable liquid or its vapour.
- (b) such inflammable liquid is not placed within 4,6 meters of any protected work or public thoroughfare;
- (c) the provisions of paragraphs (b) and (c) of subsection (1) hereof are observed.

13. Installation and Erection

- (1) Immediately the installation of any pump, storage tank, filling device, drycleaning room, store, spraying room or other premises intended for the storage, use or handling of inflammable liquid has been completed, the occupier of the premises shall notify the Council in writing on a form to be obtained from it, of the date on which the work will be ready for inspection.
- (2) No person shall use or cause or permit to be used such pump, storage tank, filling device, dry-cleaning room store, spraying room or other premises for the storage, use or handling of inflammable liquid until such person is in possession of a certificate of registration relating thereto.

14. Additions and Alterations to Registered Premises

- (1) No additions or alterations to any existing registered premises shall be made unless and until a plan of the existing premises, together with the proposed work, has been submitted to the Council and approved by it in writing.
- (2) Such plan shall comply with the provisions of section 3.

15. Removal and Dismantling

- (1) Every person who removes or causes or permits to be removed any pump, storage tank or filling device from any registered premises other than a bulk depot shall give notice of such removal in writing to the Council on a form to be obtained from it.
- (2) The removal of any such pump, tank or filling device shall ipso facto cancel the certificate of registration in so far as it refers to such pump, tank or filling device, as the case may be, together with any other authority including any exemption granted under these by-laws and no such pump, tank or filling device shall be re-erected on such site unless and until a new certificate of registration has been obtained in the manner provided under these by-laws: Provided that the

provisions of this section shall not apply in respect of any pump, storage tank or filling device which is temporary removed for the purpose of effecting repairs or replacements, excluding underground tanks.

16. Storage, Use and Handling on Registered Premises Prohibited in Certain Circumstances

Except as otherwise, provided in this chapter, no person shall store, use or handle, or cause to be stored, used or handled any inflammable liquids, on any registered premises -

- (a) where such inflammable liquid or its vapour comes or is likely to come into contact with any fire, flame, naked light or other agency likely to ignite such inflammable liquid or its vapour;
- (b) unless such premises are so situated or constructed or so protected by surrounding walls as not to expose any adjoining premises, room, building or other property to the risk of danger from fire;
- (c) so situated as to prevent or impede the escape of any person or animal in the case of fire or otherwise;
- (d) unless all equipment and apparatus used in such premises for the storage, use or handling of inflammable liquids is maintained in good and proper order and free from leakage of inflammable liquid;
- (e) unless such person has taken all due precautions for the prevention of accidents occasioned by fire or explosion on such premises, and for the prevention of unauthorized persons obtaining access to the inflammable liquid kept thereon.

17. Prohibition of Certain Acts

No person who stores, uses or handles or causes or permits to be stored, used or handled any inflammable liquid on any premises shall do or cause or permit to be done any act which tends or is likely to cause fire or explosion.

18. Notice to Discontinue Dangerous Method

- (1) Where on inspection of any premises it appears that any method of storage, use, transport or handling of inflammable liquid is in conflict with the provisions of these by-laws and is calculated to endanger the safety of the public or of any person employed in or on such premises, any duly authorized servant of the Council may require the immediate discontinuance of such method or the removal of the inflammable liquid to a place of safekeeping.
- (2) Any person failing to comply with any instructions of any duly authorized servant of the Council issued in terms of this section shall be guilty of an offence under these by-laws.

19. Inflammable Liquid Escaping into Drains

No person shall cause inflammable liquid to enter any sewer or inlet or drain communicating with any sewer or any surface-water drain.

20. Prohibition Against Use of Devices and Pumps in Basements

No person shall use or cause or permit to be used in any basement any device for spraying inflammable liquid or any pump or other device for the issue or transfer of inflammable liquid to vehicles or containers.

CHAPTER 3 FILLING OPERATIONS

21. Filling Operations

- (1) No person shall transfer, other than at a bulk depot, any inflammable liquid from or to any road tank wagon unless such transfer is carried out under seal and in the case of such wagon the engine thereof is stopped and switched off.
- (2) The refueling of aircraft at an aerodrome or landing ground may be performed from a road tank wagon equipped with an approved power pump: Provided that the engine or engines of such aircraft are stopped and switched off.

22. Filling On or Across Public Sidewalks

No person shall -

- (a) take on or across any public sidewalk or cause or permit to be so taken the hose of a pump for the purpose of replenishing any vehicle or container with inflammable liquid;
- (b) so replenish or cause or permit to be so replenished any vehicle or container which is standing on any public sidewalk.

23. Replenishing Fuel Tanks

No person shall -

- (a) upon any registered premises strike a match or smoke a pipe, cigar or cigarette or ignite a petrol lighter or other similar contrivance or approach with any fire, flame, naked light or other agency likely to ignite inflammable liquid or its vapour within a distance of 3 meters of any fuel tank of any motor vehicle whilst such fuel tank is being replenished or is open;

- (b) replenish or permit to be replenished any such fuel tank while the engine of such motor vehicle is in motion.

24. Replenishing of Public Omnibuses

No person shall replenish or cause or permit to be replenished the fuel tank of any motor omnibus or carry or cause or permit to be carried any inflammable liquid in or on any motor omnibus except in the fuel tank thereof whilst any person other than the driver or person responsible therefore is within or upon such omnibus.

25. Fire Appliances

- (1) Except where otherwise provided in these by-laws, the person to whom the certificate of registration has been issued in terms of this chapter shall install or cause to be installed in all premises to which such certificate refers in an easily accessible and visible position on a wall or other suitable position not less than 1 meter above the level of the floor of the premises, fire extinguishers and fire buckets on the following scale:
 - (a) for each storage tank or store on the premises 2 (two) such fire extinguishers, which shall be of the foam type and 2 (two) such fire buckets: Provided that not more than 3 (three) such extinguishers and 6 (six) buckets shall be required to be installed in any premises;
 - (b) for each dry-cleaning room on the premises 3 (three) such fire extinguishers of the foam type and 2 (two) such fire buckets;
 - (c) for each spraying room 2 (two) such fire extinguishers, one of which shall be other than of the foam type, and 2 (two) such fire buckets.
- (2) Such extinguishers shall be efficient chemical fire extinguishers each of a capacity of 9 liter: Provided that where the Council's chief fire officer is of the opinion that foam type fire extinguishers will not serve the purpose, he may permit the installation of other efficient fire extinguishers.
- (3) Fire buckets shall be a metal fire bucket of a capacity of 9 liters, painted red with the words "FIRE/BRAND" painted in white and legibly maintained thereon and kept filled with dry sand.
- (4) Where, in terms of this chapter, any 9 liter chemical fire extinguisher is required to be installed, such extinguisher shall be a vessel or machine manufactured as a fire appliance in which the pressure necessary to project the extinguishing fluid or medium is generated automatically by chemical action and shall withstand an internal hydraulic test pressure of 136 kilogram per 6,45cm², which pressure shall be maintained for at least five minutes without leakage or distortion.

- (5) The person to whom a certificate of registration, spraying-room permit or transport permit has been issued in terms of these by-laws, shall maintain at all times on the premises or vehicle to which such certificate or permit refers –
 - (a) all fire extinguishers, buckets, appliances and alarms in accordance with the provisions of these by-laws; and
 - (b) all such equipment in good order and ready for immediate use.

26. Examination of Fire Appliances

- (1) Where, in terms of these by-laws, any chemical fire extinguisher, fire fighting equipment, or fire alarm has been installed on any premises, the occupier of such premises shall cause such extinguisher, equipment or alarm to be examined once every 12 months by the makers thereof or their duly authorized representatives or other qualified person.
- (2) Every such extinguisher, equipment and alarm shall bear a label on which such person examining it shall endorse his name, the date of examination and the condition, in his opinion, of the extinguisher, equipment or alarm at that date.

27. Reporting Accidents

The occupier of any premises shall immediately report to the Council any fire or accident involving inflammable liquid that has occurred in connection with any such premises, where such fire or accident has resulted in damage to any property or injury to any person.

28. Rules to be Observed on Unregistered Premises

- (1) No person shall store, use or handle or cause or permit to be stored, used or handled any inflammable liquid on any unregistered premises unless such inflammable liquid is stored, used or handled in such a position or in such a manner that –
 - (a) no inflammable liquid or its vapour comes or is likely to come into contact with any fire, flame or naked light or other agency likely to ignite such inflammable liquid or its vapour;
 - (b) in the case of fire the escape of persons or animals will not be prevented or impeded.
- (2) No person shall use or handle or cause or permit to be used or handled any inflammable liquid on unregistered premises except in a suitable place in the open air so that the fumes escape easily, or in a room provided with adequate ventilation to remove the fumes therefrom and effectively prevent the accumulation of fumes therein.

- (3) On unregistered premises inflammable liquid shall be stored only in a substantial container which shall be kept securely closed when not in immediate use.

29. Inspection of Premises

- (1) Any duly authorized servant of the Council may, for any purpose connected with the carrying out of the provisions of this chapter in accordance with the provisions of section 72 of the local Government Ordinance, 1939, enter upon any premises and make such examination and inquiry thereon as he may deem necessary.
- (2) The owner or occupier, or failing their presence on the premises, any other person employed thereon, shall upon demand disclose to such member or authorized servant the presence of any inflammable liquid in or upon such premises and shall answer all inquiries relating either to the observance of the provisions of this chapter or to any condition in connection with the certificate of registration.

30. Taking of Samples

Upon inspection of any premises by a member of the police or an authorized servant of the Council, such member or servant may take samples for the purpose of analysis or examination of any inflammable liquid or substance, or of any liquid or substance suspected of being inflammable, which is found upon such premises: Provided that -

- (a) any sample so taken shall be taken in the presence of the owner, occupier or other person in charge, as the case may be;
- (b) the owner, occupier or other person in charge may require the member or servant taking the sample to divide it into two parts and to mark, seal and deliver to him one such part.

31. Breach of Conditions

Any person who commits any breach of any condition endorsed on the approval notice or certificate or registration issued in terms of these by-laws shall be guilty of an offence under these by-laws.

CHAPTER 4 STORAGE TANKS, PUMPS PIPELINES AND CONTAINERS

32. Capacity of Underground Storage Tanks

The capacity of any storage tank, if not within a bulk depot or an aerodrome or landing ground used by aircraft, shall not exceed 13 638 liters: Provided that a tank with a greater capacity than 13 638 liters may be installed on any premises where such tank is to be used for manufacturing purposes only.

33. Construction of Tanks

- (1) Every storage tank shall be constructed of iron, steel or other suitable metal plates of adequate strength and properly riveted and caulked, welded, brazed or otherwise secured by some equally satisfactory process.
- (2) The top and sides of such tank shall be supported and strengthened by such uprights, girders, angle-irons and ties as, having regard to the capacity, shape and situation of the tank, may be necessary to render it sufficiently strong for the purpose to which it is being put.
- (3) Every opening in any underground storage tank other than a vent pipe all be securely closed by an effective and properly secured cap, cover, or valve.
- (4) All pipes other than a ventilating pipe connected to the underground storage tank shall be carried down to within 100mm of the bottom of the tank.
- (5) Every above-ground storage tank shall have an adequate system of ventilation so as to prevent excessive internal pressure.
- (6) Every storage tank shall be maintained at all times in accordance with the respective provisions of this section.

34. Installation of Storage Tanks

- (1) Every underground storage tank shall –
 - (a) be so installed that the top of the tank is not less than 610mm below the surrounding ground level, or covered with not less than a 153mm concrete mat and not less than 153mm of earth or sand;
 - (b) be set in firm foundations and wholly surrounded with soft earth or sand or encased in concrete;
 - (c) with the exception of any opening to the manhole, be covered with concrete adequately reinforced in all cases where vehicular traffic passes over such tank;
 - (d) be situated within the building line of the premises;

- (e) where such tank is situated in or within 1,52 meters of any basement, be installed in a chamber of concrete not less than 153mm thick or brick not less than 230mm thick west in cement mortar with the space within the pit surrounding the tank completely filled with closely packed earth or stand: Provided that the provisions of this section shall not apply to any bulk depot.
- (2) Above-ground storage tanks shall be installed within a bulk depot only.

35. Ventilation of Underground storage Tanks

Every underground storage tank shall have a ventilating pipe of not more than 50mm nor less than 25mm internal diameter, which pipe shall –

- (a) be carried up to a height of not less than 3,65 meters into the open air;
- (b) have the upper end protected with a non-corrodible wire gauze of not less than 28 (twenty-eight) meshes to the 25,5mm secured in such a manner that such gauze may be removed for examination and cleaning;
- (c) terminate at least 6 meters away from any fire, flame or naked light or other agency likely to ignite inflammable liquid or its vapour.

36. Installation of Storage Tanks in Buildings

No storage tank shall be installed in or below any building which is more than one storey high, unless the ceiling above such tank is constructed of reinforced concrete.

37. Abandoned Tanks

In the event of any underground storage tank being abandoned, the owner of such tank shall cause same to be removed or filled with sand or concrete.

38. Entering of Storage Tanks

No person shall –

- (a) enter or cause or permit any person in his charge to enter any storage tank which has contained inflammable liquid until such tank has been totally freed from any inflammable liquid vapour, unless such person is wearing an efficient gas mask;
- (b) enter any storage tank at any time unless he is bound to a life-line which at surface level is under the control of a reliable person continuously responsible for the safety of the person in the storage tank.

39. Position of Pumps

- (1) No pump or other device used or intended to be used for the issue or transfer of inflammable liquid to any vehicle shall be erected outside the building line of any premises or within 3,65 meters of any entrance, or exit of a building adjoining any public place: Provided that –
 - (a) where such entrance or exit is set back from such public place the pump or device shall be erected not less than 3,65 meters from such public place;
 - (b) no such pump or device shall be erected in such a position that a hose can be used for the issue or transfer of inflammable liquid on or across any public place.

- (2) Sub-paragraph (i) of paragraph (e) of subsection (2) of section 60 shall not apply to pumps or filling devices already erected on registered premises at the time of coming into operation of these by-laws, or when a change of control or ownership of such premises occurs, unless the position of such existing pumps or filling device constitutes or is likely to cause a danger or obstruction to the public or vehicular traffic.

40. Pumps on Ramps

Pumps or other devices used or intended to be used for the issue of inflammable liquid to motor vehicles or containers shall not be erected on any ramp or within 3,65 meters of the beginning of the ramp.

41. Dipping sticks

Dipping sticks shall be made only of wood or brass or other non-ferrous metal or alloy.

42. Pump Hoses

Delivery of inflammable liquid from any pump or to fuel tank of any vehicle shall be made only through sound hose having an earthing wire in its construction efficiently attached to the metal of the pump and to the metal hose nozzle. Except at an aerodrome or landing ground used by aircraft no hose attached to any such pump shall exceed 4,57 meters in length measured from the pump to the tip of the nozzle.

43. Situation of Filling Pipes and Pumps

Every filling-pipe inlet shall be -

- (a) installed at not more than 153mm below the level of the surrounding surface;
- (b) installed in such position that it will not impede the escape of any person or animal from the premises in the case of fire;
- (c) so situated or protected by surrounding walls as not to expose adjoining property to the risk of danger from fire during any filling operations or otherwise.

44. Naked Lights and Electrical Apparatus

- (1) No person shall install or take or cause or permit to be installed or taken any fire, flame, naked light or other agency likely to ignite inflammable liquid or its vapour except an incandescent electric light within 3 meters of any inflammable liquid pump.
- (2) No person shall place or cause or permit to be placed any electric switch, fuse, motor or other such device within a distance of 3 meters of any pump unless such switch, fuse, motor or device is of flame-proof construction.
- (3) The electrical wiring between the distribution board or junction box and the pump shall, where possible, be in one continuous length of wire: Provided that where this is not possible, flame-proof junction boxes shall be used.

45. Maintenance of Tanks, Pipelines and Pumps

- (1) All tanks, pipelines, pumps, machinery, fittings appurtenances for the storage, use or handling of flammable liquid shall be –
 - (a) of sound an proper construction;
 - (b) so installed and fixed as not to be liable to be damaged;
 - (c) efficiently electrically earthed;
 - (d) free from leakage of inflammable liquids, and as far as is reasonably possible free from leakage of inflammable liquid vapour, except by means of a vent pipe;
 - (e) maintained in good an proper order and at all times in accordance with the provisions of this section.
- (2) All pipelines shall be below ground level and at right angles to the building line when crossing a public footwalk.
- (3) All electrical earth connections required under this section shall be examined once every 12 months by a qualified person who shall enter in a suitable log book, supplied by the occupier of the premises and kept solely for that purpose, the efficiency and conditions of such earth, his name and address and the date of the examination. All such entries shall be signed by such qualified person and shall be readily available for inspection by any duly authorized servant of the Council.

46. Construction of Portable Containers

No person shall store or convey or cause or permit to be stored or conveyed in any one container any Class A or Class B inflammable liquid in a quantity exceeding 46 liters unless such container is constructed of metal not less than 26mm in thickness.

47. Filling of Containers

No person shall carry on or cause or permit to be carried on the trade, business or occupation of filling containers with Class A or Class B inflammable liquid other than in a fire-resisting building used solely for such purpose, or in the open air at a distance of not less than 15 meters from any fire, flame, naked light or other agency likely to ignite inflammable liquid or its vapour.

48. Quantity in Containers

No container shall be filled with inflammable liquid to more than 95 (ninety-five) per cent of its capacity.

49. Containers After Delivery

No person taking delivery of any inflammable liquid in containers in excess of the quantity stated in section 4 or under circumstances of temporary storage provided in section 12, shall cause or permit such containers to remain unattended in any place other than a store or storage tank for a longer period than may be reasonably necessary which in no circumstances shall exceed a period of 12 (twelve) hours.

50. Storage of Empty Containers

- (1) No person shall place any empty containers or cause or permit any empty container to be placed in any premises other than a store: Provided that –
 - (a) such a container may be stored in the open air at a distance of not less than 6 meters from any fire, flame, naked light or other agency likely to ignite inflammable liquid or its vapour;
 - (b) no person shall cause or allow any empty container to remain in or on any public place.
- (2) Every empty container so stored shall at all times be securely closed with a bung or other suitable stopper.

51. Repairing of Containers

No person shall carry out or permit to be carried out any repairing operations to any container until all inflammable liquid and inflammable liquid vapours have been removed from such container.

52. Marking of Containers

No person shall supply or deliver to any person Class A or Class B inflammable liquid in any container of less than 182 liters capacity unless such container bears in conspicuous letters the words "INFLAMMABLE / ONTVLAMBAAR".

CHAPTER 5 STORES

53. Capacity of store

The certificate of registration issued in respect of any store shall state the class and maximum quantity of inflammable liquid permitted to be kept in such store at any one time.

54. Danger Notice on Store

No person shall use as such or cause or permit to be used any inflammable liquid store, unless the words "DANGER – INFLAMMABLE LIQUID – DO NOT SMOKE OR CARRY MATCHES OR CIGARETTE LIGHTERS WITH YOU / GEVAAR – ONTVALMARE VLOEISTOF – MOENIE HIER ROOK OF VUURHOUTJIES OF SIGARETAANSTEKERS MET U SAAMDRA NIE" in letters not less than 76mm in height, together with the class and maximum quantity of inflammable liquid allowed to be kept in such store are legibly painted on the outer face of the door of such store. Such notice shall at all time be maintained in such position and in a legible condition.

55. Construction and Situation of Stores (Other than Stores in Recognized Bulk Depots and Installations)

- (1) Every store shall be constructed in accordance with the following requirements –
 - (a) The walls shall be constructed of brick or concrete, the floor of concrete or other impervious material, and the roof of reinforced concrete: Provided that the roof may be constructed of other non-inflammable material where such store is not likely to endanger any room, building or adjoining premises in case of fire.

- (b) The store shall be fitted with a hardwood door, suitably covered with metal of not less than 20 gauge, carried on a metal doorframe, or a well-fitted metal door, of not less than 25mm thickness, carried on an angle-iron frame and having an all round overlap of not less than 25mm. Such door shall open outwards and be fitted with a substantial lock.
 - (c) All window frames shall be constructed of metal and glazed with wire-woven glass.
 - (d) Every store shall be constructed in such manner, or surrounded by walls or bunds of such a character that the inflammable liquid contained therein cannot escape therefrom. The well formed by such walls or bunds shall be of sufficient capacity to contain the maximum liquid capacity of the store plus 10 (ten) per cent thereof.
 - (e) The store shall be ventilated by a system of ventilation of such design, construction and capacity as will adequately prevent the accumulation of inflammable liquid vapour within all portions of such store and discharge such vapour into the open air at a point or points where such vapour is not likely to come into contact with any fire, flame, open light or other agency likely to ignite such vapour: Provided that where, for any reason, such ventilation can only be secured by means of a mechanical system of ventilating such system shall conform to the provisions of section 97. All ventilating openings which are fitted into walls shall be set in iron frames and fitted tightly to the interior faces of the walls. The low ventilating openings shall be installed as near the well level as possible.
 - (f) The openings shall be protected by non-corrodible wire gauze of not less than 28 (twenty-eight) meshes per lineal 25mm.
 - (g) A store shall not be situated in such a position that it will impede the escape of any person or animal from the premises, or endanger any room, building or premises in the case of fire;
 - (h) Any store with a floor area in excess of 9m² shall be provided with at least two doors, constructed as described in paragraph (b) of this subsection, situated at such a distance from each other as to allow the free and unimpeded escape of persons within the store from either door in case of fire or other danger.
- (2) Subject to the requirements of section 3 and notwithstanding anything to the contrary contained in these by-laws, a store may be constructed of non-inflammable material if –
- (a) such store has not building nearer to it than 30 meters;
 - (b) it is surrounded by the necessary wall or impervious bund as laid down in paragraph (a) of subsection (1) of this section.
- (3) Every store shall be maintained at all times in accordance with the provisions of this section.

56. Lighting of Store

All lights installed shall be of the incandescent electric type which shall be enclosed in a flame-proof fitting and all wiring shall be armoured cable or enclosed in seamless and flame-proof metal tubes, the junctions of which are screwed together. All switches, junction boxes, fuses and other electrical equipment shall be outside the store.

57. Use of Store

No person shall -

- (a) use any store or cause or permit such store to be used for any purpose other than the storage of inflammable liquid, oils and their containers;
- (b) cause or permit or allow any other person to be engaged in any store unless all the doors of the store are fully open and kept entirely unobstructed.

58. Unauthorized Persons Entering Store

No person shall enter any store or cause or permit any store to be entered without the permission of the occupier or other responsible person in charge of such store.

CHAPTER 6 BULK DEPOTS

59. Danger Notice at Entrance

Prominent notice boards bearing the words "DANGER – INFLAMMABLE LIQUID – DO NOT SMOKE / GEVAAR – ONTVLAMBARE VLOEISTOF – MOENIE HIER ROOK NIE" in letters not less than 153mm in height shall be erected at all entrances to bulk depots and shall at all times be maintained in such position and in a legible condition.

60. Storage

- (1) Inflammable liquid shall be stored in bulk depots as follows –
 - (a) underground storage tanks;
 - (b) above-ground storage tanks; and
 - (c) bulk stores.
- (2) (a) Every such above-ground storage tank or group of such tanks with a total capacity of over 54 500 liters, shall be surrounded by either an embankment (hereafter called a retaining embankment) or a retaining wall of brick or concrete (hereinafter called a retaining wall), so designed and constructed as to form a reservoir capable of containing the quantity of

liquid required to be retained in accordance with paragraph (e) of subsection (2) of this section: Provided that the top of such retaining embankment or retaining wall shall be at least 76mm higher than is necessary to contain and retain such quantity of liquid.

- (b) The retaining embankment shall be at least 610mm thick at the top with slopes on each side of 1½ (one and one-half) to 1 (one). Such embankment shall be constructed with a core of concrete not less than 203mm thick at the top with a batter on each side of 1 (one) in 24 (twenty-four) to the level of the interior of the area enclosed. The core shall be taken down of the same thickness as at this level to such depth depending on the nature of the soil, as will effectually prevent any leakage of liquid. The earthwork round the core shall be composed of materials well watered and consolidated.
- (c) A retaining wall shall be constructed in accordance with the following requirements -
 - (i) It shall be capable of resisting the full overturning moment of the liquid in the enclosed reservoir when filled to within 76mm of the top with a liquid of the same specific gravity as water.
 - (ii) If such wall constitutes a partition between two reservoirs it shall be capable of withstanding thrust from either side.
 - (iii) Every retaining wall shall be taken down to such depth and be provided with such foundations depending on the nature of the soil, as will ensure stability in all respects and effectually prevent any leakage of liquid.
 - (iv) Every retaining wall of reinforced concrete shall be not less than 153mm in thickness at the top and the tensile portion of the stresses shall be wholly taken up by steel rods placed not nearer the surface thereof than 50mm.
 - (v) The concrete stress shall not exceed 318 kilograms per 6,45m² and the stress in the steel 7 257 kilograms per 6,45m² under fully loaded conditions.
- (d) Adequate provision shall be made to dispose of any water which may be retained by any such retaining embankment or wall. Any drain pipe through such embankment or wall shall be fitted with a cast-iron valve on the outside which, except when in use shall be kept closed and adequately locked.
- (e) The retaining capacity of such enclosed reservoir surrounding any tanks or group of tanks shall be as follows –
 - (i) Where there is not more than one tank within such storing place, 90 per cent of the total capacity of the tank.
 - (ii) Where there are not more than two tanks within the same enclosed reservoir, 80 per cent of their total capacity.
 - (iii) Where there are three or more tanks within the same enclosed reservoir, 75 per cent of their total capacity.
- (f) The area enclosed by such retaining embankment or wall not occupied by any storage tank shall, except for the purpose of carrying out repairs,

alterations or additions to such tanks, be kept entirely free and unoccupied.

- (g) The provisions of paragraphs (b) and (c) of subsection (2) of this section do not apply to any reservoir in use at the date of promulgation of these by-laws.

- (2) Every bulk store shall be –
- (a) constructed of non-inflammable material;
 - (b) adequately ventilated to prevent the accumulation of inflammable liquid vapour;
 - (c) so designed and constructed as to be capable of containing and retaining either under the action of fire or otherwise 50 (fifty) percent of the total quantity of liquid contained therein.

61. Tank Distances

- (1) Subject to subsections (2) and (3), all storage tanks must, in regard to the sizes set out in the first column hereto, be separated from the boundary of the bulk depot and from each other by the distances set out in the second and third columns hereto respectively:

Capacity of tank	Distance from boundary	Distance between tanks
Litres	Metres	Metres
Up to 54000	10	1,5
Up to 81000	12	2
Up to 108000	15	2,5
Up to 135000	17	5
Up to 216000	20	7,5
Up to 337500	22	9
Up to 450000	25	10
Up to 900000	25	12,5
Up to 2250000	25	15
Up to 4500000	25	20
Over 4500000	25	25

- (2) Where tanks of varying capacities are to be grouped the distances from the boundaries must be observed but the distances between individual tanks may be not less than the sum of the specified distances for each size of tank divided by two.
- (3) No building or structure may be erected for the filling of inflammable liquids into containers within 25 metres of any storage tank or within 12 metres of the boundary of any bulk depot.
- (4) If a person fails to comply with a provision in this section, Council may serve a notice of compliance on the person.

62. Electric Motors

No person shall place or cause or permit to be placed any electric motor in any position where it is likely to come into contact with any inflammable liquid or its vapour unless such motor is of flame-proof or explosion proof construction.

63. Fire Appliances

- (1) Every bulk storage depot shall be connected to the Council's water supply by not less than a 50mm lead.
- (2) A fire-pump connection for each fire service shall be installed in a position approved by the Council and within easy access of a street hydrant.
- (3) A reflux valve to shut off the supply from the street mains when the pump connection is being used shall be fitted between the stand boundary and the pump connection.
- (4) Standard pattern wheel valve hydrants fitted with Morris's instantaneous 50mm couplings shall be located in positions approved by the Council and adjacent to buildings and tanks used for inflammable liquid storage at the rate of one for every 465 square meter of floor area and one within 91,5 meters of each bulk storage tank.
- (5) 50mm canvas fire hose and branch pips with a 76mm nozzle of sufficient length for the adjacent area which is served by such hydrant shall be provided.
- (6) Wheeled foam type extinguishers of not less than 155 liters capacity, or other similar type of extinguishers together with foam-making branch pipes, shall be installed where deemed necessary and required by the Council. Every building used for the storage of inflammable liquid or inflammable substances shall be

provided with 9 liter foam type chemical fire extinguishers at the rate of 2 (two) for every 464 square meters of floor area.

- (7) An adequate system of alarm in case of fire (such as bell, whistle or siren) shall be installed.
- (8) Every person employed at or in the bulk depot shall be periodically instructed in the use of all fire appliances.

64. Filling of Road Tank Wagons

The filling of a road tank wagon with inflammable liquid shall not be commenced or carried out at a bulk depot -

- (a) at a lesser distance than 7,6 meters from any storage tank or building above ground or boundary of such depot;
- (b) unless and until all pipes have been efficiently earthed;
- (c) unless good and sufficient metallic contact has been made and is maintained between such wagon and the metal pipeline to prevent the building up of a static charge of electricity on such wagon.

65. Starting of Engine at Filling Point

No person shall at a bulk depot start or cause or permit to be started the engine of a road tank wagon or any mechanically propelled vehicle if such road tank wagon or vehicle is within 6 meters of any place where filling operations are taking place not under seal or in any place in which such wagon or vehicle comes or is likely to come into contact with inflammable liquid or its vapour.

66. Steam Engines

- (1) No person shall drive or otherwise bring any road steam engine into any bulk depot.
- (2) No occupier or person authorized by the occupier to be in charge shall permit such road steam engine to enter any bulk depot.
- (3) Where necessary for steam locomotives to enter a bulk depot, the occupier shall erect a notice board bearing the words "LOCOMOTIVES MUST NOT PASS THIS POINT / LOKOMOTIEWE MAG NIE BY HIERDIE PUNT VERBYGAAN NIE" in letters not less than 153mm in height in a conspicuous position at a distance of not less than 15 meters from any operation dealing with inflammable liquids or storage thereof.

- (4) No inflammable liquid or open container containing inflammable vapour shall be placed or stored at a distance of less than 15 meters from any portion of the track which may be traversed by a steam locomotive.

67. Admission to Depots

No person shall -

- (a) enter any bulk depot without the express permission of the occupier or the person authorized by the occupier to be in charge of such depot;
- (b) enter any bulk depot in possession of any matches, cigarette lighters or similar contrivances;
- (c) commit any act which is liable or calculated to cause fire or an explosion or endanger the depot or its contents.

68. Supervision of Depots

The occupier of a bulk depot shall ensure that a responsible person shall at all times during working hours be on constant duty at such depot to ensure against fire hazards or other contingencies which may be a danger to life or property, and that a reliable watchman is always on duty at the depot after normal working hours.

CHAPTER 7 TRANSPORT OF INFLAMMABLE LIQUID

69. Transport Permit

Save as provided in section 79 no person shall use or cause or permit to be used in any public place within the Council any vehicle for the delivery of inflammable liquid unless and until he is in possession of a transport permit issued to him by the Council on respect of such vehicle.

70. Issue of transport Permit

- (1) No transport permit shall be granted in respect of any vehicle unless and until such vehicle –
- (a) has been exhibited for examination at such place as the Council may direct and the examination fee as prescribed in Schedule II has been paid;
 - (b) complies with the conditions of fitness relating to such vehicle as laid down by the Road Traffic Ordinance, 1957, and any regulations promulgated thereunder;
 - (c) complies with the requirements of section 71.

- (2) Such transport permit shall -
- (a) continue in force for a period of 6 (six) months or such lesser period as may be stated in such permit;
 - (b) be affixed to the vehicle in respect of which such transport permit was issued;
 - (c) be maintained on such vehicle in a good and legible condition by the owner or person in control of such vehicle in a position so as to be plainly visible.

71. Construction of Vehicles

- (1) Every road tank wagon shall be constructed in accordance with the following requirements –
- (a) The vehicle shall be strongly constructed and as far as is reasonably possible shall be constructed of non-inflammable material.
 - (b) Where electric lighting or other electrical devices are employed, the electrical circuit shall be heavily insulated and the wiring so fixed and protected as to reduce as far as reasonably possible any risk of damage. The generator, battery(ies), fuses or switches shall not be situated in any position whereby they are likely to come into contact with any inflammable liquid or its vapour.
 - (c) The tank shall be constructed of iron, steel or other suitable metal and riveted, welded, brazed or otherwise made liquid-tight.
 - (d) Means of cutting off the electricity close to the battery by a double-pole switch other suitable method shall be provided.
 - (e) Any tank having a capacity exceeding 3 636 liters shall be divided into liquid-tight compartments, each compartment to be of a capacity of not more than 3 636 liters ullage (tolerance) of not less than 2 (two) per cent but not more than 5 (five) per cent shall in addition to the above be allowed in each compartment.
 - (f) The tank shall be securely attached to and in metal contact with the vehicle.
 - (g) The draw-off pipes of the tank shall be fitted with internal valves and with strong and secure taps and suitable caps. The taps and caps shall be protected from damage by the frame of the vehicle or other effective means.
 - (h) Efficient ventilating openings shall be fitted to each tank compartment and all such openings shall be covered with fine wire gauze of not less than 28 (twenty-eight) meshes to the lineal 25mm and provided with a cock or valve: Provided that the Council's chief fire officer may permit the installation of other types of ventilating openings where these are shown to be equally efficient.
 - (i) Adequate provision shall be made to earth such vehicle efficiently so as to prevent accumulation of a static charge of electricity in any part thereof, and, in addition, each pipe connection to the tank shall be so fitted as to

ensure complete electrical connection between the tank and any receptacle being supplied with liquid therefrom.

- (j) All electrical earth connections required under this section shall be examined and entered into a logbook as required under section 45.
 - (k) The total capacity, including ullage (tolerage), of any road tank wagon or any combination of such wagons used for the delivery of inflammable liquid within the Council shall not exceed 21 821 liters.
- (2) Every vehicle other than a road tank wagon shall be -
- (a) of adequate capacity and construction to convey safely the quantity of inflammable liquid which it is desired to convey on such vehicle;
 - (b) equipped with at least four wheels: Provided that a trailer forming a portion of an articulated vehicle shall for the purpose of this paragraph be deemed to be equipped with four wheels;
 - (c) so constructed and equipped as not to be likely to ignite any inflammable liquid which may be conveyed in or on such vehicle.

72. Maintenance of Vehicles

No person shall use or cause or allow to be used in any public place any vehicle for the transport of inflammable liquid unless such vehicle is in good condition and in proper working order.

73. Opening of Tank

All openings in the tank of any vehicle used for the transport of inflammable liquid shall be kept securely and effectively closed at all times when not in use.

74. Supervision of Wagon by Responsible Person

Every road tank wagon shall be under the constant supervision of a responsible person during the period such tank wagon is in use as such anywhere other than at a bulk depot.

75. Fire Extinguishers

- (1) No person shall use or cause or permit to be used any road tank wagon unless same is provided with at least one efficient 9 liter chemical extinguisher, which shall be of the foam type, and 4,54 liters CTC (Carbon-Tetra-Chloride) fire extinguisher.

- (2) Such extinguishers shall be attached to the road tank wagon in such a position and in such a manner as to be readily and easily accessible in the case of fire.

76. Agencies Likely to Ignite Inflammable Liquid

No person shall -

- (a) bring or cause or permit to be bought any fire, flame or other agency likely to ignite inflammable liquid or its vapour within 3 meters of any vehicle in which inflammable liquid is transported;
- (b) carry or permit to be carried any matches, cigarette lighters or similar contrivances on any vehicle used for the transport of inflammable liquid;
- (c) while in attendance on such vehicle smoke or permit any other person thereon to smoke during the transport of inflammable liquid or the filling of such vehicle with inflammable liquid or the discharge of such liquid therefrom; or
- (d) smoke within 3 meters of such vehicle during the filling of such vehicle with inflammable liquid or the discharge of such liquid therefrom or while in attendance thereon permit any other person so to smoke.

77. Precautions

Every person responsible for or concerned in the conveyance of inflammable liquid shall take all reasonable precautions for the prevention of accident by fire or explosion and for the prevention of access by any unauthorized person to any container whilst in transit.

78. Restriction of scope of Certain By-Laws

- (1) The provisions of sections 69 and 76 (inclusive) shall not apply to the conveyance of inflammable liquid on a vehicle, not being a road tank wagon –
 - (a) of a quantity not exceeding 182 liters of Class A or B inflammable liquid or 364 liters of Class C inflammable liquid in securely closed metal contains of a capacity not exceeding 45,5 liters; or
 - (b) of a quantity not exceeding 600 liters of Class A or B inflammable liquid or 1 000 liters of Class C inflammable liquid contained in securely closed metal containers of a capacity not less than 182 liters.
- (2) Such containers shall be substantially constructed and packed in such a manner as to prevent leakage and obviate becoming broken, defective or insecure in the course of conveyance.
- (3) No inflammable liquid shall be so conveyed upon or through any thoroughfare in or on any steam-driven vehicle or in or on any trailer or other vehicle drawn by a vehicle or driven.

CHAPTER 8 DRY-CLEANING ROOMS – GENERAL

79. Certificate for Dry-cleaning Room

- (1) No person shall use or cause or permit to be used any room as a drycleaning room unless and until such room has been duly registered as such under these by-laws.
- (2) No certificate shall be issued in respect of any premises for use as a drycleaning room unless and until such premises comply with the requirements of these by-laws.
- (3) The provisions of sections 3 to 11 (inclusive) and section 14 shall mutatis mutandis apply to a certificate under this section.

80. Use of Dry-cleaning Room

No dry-cleaning room shall be used for any purpose other than that of drycleaning and purposes reasonably incidental thereto.

81. Installation of Machinery

- (1) No person shall install or cause or permit to be installed any dry-cleaning machinery such as washing machines, hydros, clarifiers, stills or settling tanks elsewhere than in the dry-cleaning room.
- (2) All machinery shall be efficiently electrically earthed.
- (3) All such earth connections shall be examined and entered in a logbook as required under section 45.

82. Boilers

No boiler, including the chimney thereof, shall be installed within 6 meters of any dry-cleaning room: Provided that a boiler may be installed not nearer than 3 meters to any dry-cleaning room where there is an unbroken brick or concrete wall between such boiler or its chimney and such room of a height of not less than 457mm above the top of the boiler and its chimney and not less than 1,82 meters above the floor of the dry-cleaning room.

83. Draining of Machinery

All containers above ground, such as washing machines, clarifiers, stills or similar appliances shall be drained immediately after the termination of cleaning operations each day.

84. Electrical Equipment

- (1) No person shall install or cause or permit to be installed in a dry-cleaning room or in any position where it comes or is likely to come into contact with inflammable liquid or its vapour, any electrical machinery or other electrical apparatus other than –
 - (a) an incandescent electric light enclosed in a flame-proof fitting;
 - (b) electric wires protected throughout by seamless and flame-proof metal tubes, the junctions of which are screwed together;
 - (c) one electrical pushbutton switch of flame-proof construction which shall be situated not less than 1,2 meters above the level of the floor and which shall be so constructed and connected as to be of use in the case of an emergency to stop the machinery;
 - (d) electric motors of flame-proof construction.

85. Handling of Inflammable Liquid

The storage tank shall be connected to the dry-cleaning machinery and no inflammable liquid shall be handled during any cleaning process: Provided that a quantity not exceeding 18 liters at any one time may be handled in one or more containers for the purpose of hand-washing or spotting.

86. Danger Notice at Entrance

The words “DANGER – DO NOT SMOKE / GEVAAR – MOENIE HIER ROOK NIE” shall be prominently displayed in letters not less than 153mm high outside every entrance to every dry-cleaning room and shall at all times be maintained in a legible condition.

87. Removal of Foreign Matter and Metallic Substances from Garments

No person shall dry-clean or cause or permit to be dry-cleaned any article of clothing or other textile unless and until such article has been thoroughly examined and all materials such as matches, metallic substances, metal buttons and other matters which are liable to cause sparks have been removed therefrom.

88. Instructions to Employees

The occupier shall cause all persons employed in the dry-cleaning room to be thoroughly instructed as to the hazards involved in the use of inflammable liquids and in the handling of all fire appliances required by these by-laws to be on the premises and shall repeat such instructions quarterly.

89. Unauthorized Persons or Acts

- (1) No person other than a person employed on the premises shall enter any dry-cleaning room without the express permission of the occupier or person in charge.
- (2) No person shall commit any act which is liable or calculated to cause fire, explosion or other danger to a dry-cleaning room or its contents.

90. Position of Machinery

All dry-cleaning machinery, such as washing machines, hydros, clarifiers, stills and settling tanks, shall be situated as near as reasonably possible to the exhaust ducts required by section 97.

91. Shafting

Where any machinery is driven by means of shafting from motive power outside the dry-cleaning room, the driving shaft shall pass through a gas-proof wall box which shall be installed at the point where such shafting enters such drycleaning room.

92. Scouring or Brushing Table

Every table used for washing or brushing any material with inflammable liquid shall comply with the following requirements -

- (a) Such table shall be provided with a liquid-tight top with a curb on all sides not less than 25mm high.
- (b) The top of such table shall be so pitched as to ensure thorough draining by a pipe of not less than 25mm diameter directly connected to an underground tank through a trap which shall prevent the return of vapour.
- (c) Metal top shall be effectively electrically earthed.
- (d) Such table shall be so secured to the floor or wall as not to disturb the earth and drain connections.

93. Portable Lamps

No person shall take or cause or permit to be taken any flash lamp or any other light or lamp into any dry-cleaning room except an incandescent electrical light or safety lamp which has been fitted with a flame-proof fittings.

CHAPTER 9

SPECIAL PROVISIONS WHERE CLASS A AND B INFLAMMABLE LIQUIDS ARE USED FOR DRY-CLEANING

94. Construction of Dry-Cleaning Rooms

Every dry-cleaning room shall be constructed in accordance with the following requirements -

- (a) The walls shall be constructed of brick or concrete or similar suitable material, the floor of concrete or other impervious material and the roof of fire-resisting material.
- (b) All windows shall be glazed with wire-woven shatter-proof glass and shall be of the opening type.
- (c) All doors and door frames shall be of metal and the doors shall have an all-round overlap of 25mm or more and shall not be less than 25mm in thickness.
- (d) A sill of concrete at least 153mm in height shall be erected across all door openings at surface level or the floor of the room shall be 153mm below the adjacent surface level.
- (e) The dry-cleaning room shall be situated not closer than 1,5 meters to any public thoroughfare or adjacent buildings unless the wall or walls which are exposed to such thoroughfare or building are constructed without openings: Provided that not more than 2 (two) sides of any drycleaning room shall be without openings.
- (f) There shall be at least two doors opening outwards directly into the open air. Such doors shall be so situated and at such a distance from each other as to allow the free and unimpeded escape of persons within the dry-cleaning room through either door in the case of fire or other danger.
- (g) No dry-cleaning room shall have any opening into any other room or building: Provided that subject to compliance with the conditions hereunder set out any room used or intended to be used solely for the purpose of drying materials which have been cleaned or treated with inflammable liquid may be constructed under the same roof as the drycleaning room –
 - (i) such drying room shall be separated from the dry-cleaning room by a wall constructed of non-inflammable material; and
 - (ii) the entrance to such drying room shall be provided with a metal door and frame.
- (h) No dry-cleaning room shall be situated below or above any other room or building.

- (2) Every dry-cleaning room shall be maintained at all times in accordance with the provisions of this section.

95. Steam Pipes

- (1) Every dry-cleaning room shall be fitted with at least one steam pipe not less than 25mm in diameter. Every such pipe shall be provided with –
 - (a) perforation or jets of at least 2,5mm in diameter and so spaced as to give as near as practicable an equal distribution of steam in such a manner that such room can be immediately flooded with steam in case of fire;
 - (b) a steam trap or other effective means of preventing the accumulation of water within such pipe.
- (2) An adequate steam supply for such pipe or pipes shall be maintained continuously while any inflammable liquid is contained in any washing machines, clarifiers, stills or similar appliances.
- (3) Such steam supply system shall be provided with a valve places in the supply pipe and situated outside the building in an easily accessible position I the case of fire.

96. Ventilation of Dry-Cleaning Room

- (1) Every dry-cleaning room shall be ventilated with a mechanical system of exhaust and inlet ventilation of such design, construction and capacity as will adequately remove inflammable liquid vapour open from such room and discharge such vapour into the air at a point above the roof of such room and not less than 4,5 meters from any opening to any building.
- (2) Such system of ventilation shall cause the air in the cry-cleaning room to be changed at least thirty times in every hour.
- (3) The blades of all ventilating fans shall be made of non-ferrous metal.
- (4) All exhaust ventilation ducts shall be installed –
 - (a) as near ground level as practicable: Provided that where any such duct or any portion thereof is situated at a level which is less than 153mm above the level of the dry-cleaning room floor adequate provision shall be made to prevent the escape of inflammable liquid therefrom in the case of fire or otherwise;
 - (b) as near as practicable to the points of origin of inflammable liquid vapour of the dry-cleaning machinery such as washing machines, hydros, clarifiers, stills, settling tanks and such like.

- (5) Any person discovering a fire in any dry-cleaning room shall immediately take all possible steps to shut down the exhaust ventilating system.

CHAPTER 10 SPECIAL PROVISIONS WHERE CLASS C INFLAMMABLE LIQUID IS USED FOR DRY-CLEANING

97. Construction of Dry-Cleaning Room

Every dry-cleaning room shall be constructed and maintained in accordance with the following requirements -

- (a) The walls shall be constructed of brick or concrete or other similar suitable material and the floor of concrete or other impervious material and the roof of fire-resting material.
- (b) A sill of concrete at least 153mm in height shall be erected across all door openings at surface level or the floor of the room shall be 153mm below the adjacent surface level.
- (c) There shall be provided at least two doors opening outward, one of which shall lead directly into the open air. Such doors shall be so situated and at such a distance from each other as to allow free and unimpaired escape of persons in the dry-cleaning room through either door in the case of fire or other danger.
- (d) No dry-cleaning room shall be situated below or above any other room or building: Provided that a room or building may be constructed above a dry-cleaning room, if such room or building is not used as a habitable room and is provided with adequate means of escape to the satisfaction of the chief officer of the Council's fire brigade.

98. Ventilation of Dry-Cleaning Room

- (1) Every dry-cleaning room shall be ventilated by a system of ventilation of such design, construction and capacity as will adequately prevent the accumulation of inflammable liquid vapours within any portion of such room and discharge such vapour into the open air at a point or points where such vapour is not likely to come into contact with any fire, flame, open light or other agency likely to ignite such vapour: Provided that where for any reason such ventilation can only be secured by means of a mechanical system of ventilation such mechanical system shall conform to and comply with the provisions of section 97.
- (2) Applicability of certain sections –
 - (a) The provisions of section 98 and subsection (1) of section 99 shall apply to dry-cleaning rooms only where Class C inflammable liquids are used.
 - (b) The provisions of sections 95, 96 and 97 shall apply to drycleaning rooms only where Classes A and B inflammable liquid vapours are used for dry cleaning.

CHAPTER 11 SPRAYING ROOMS

99. Registration of Spraying Rooms

- (1) No person shall spray or cause or permit to be sprayed any vehicle or article with any inflammable liquid in any spraying room unless such person is in possession of a spraying-room permit in respect of such room.
- (2) The provisions of sections 3 to 11 (inclusive) and section 14 shall mutatis mutandis apply to a permit under this section.

100. Issue of Spraying-room Permit

No spraying-room permit shall be granted in respect of any spraying-room unless and until such room complies with the requirements of these by-laws.

101. Construction of Spraying Room

- (1) Every spraying room shall be constructed in accordance with the following requirements –
 - (a) Non-inflammable materials only shall be used in the construction thereof.
 - (b) There shall be installed an exhaust method of ventilation such as will adequately remove vapours from and be capable of changing the air in the spraying room at least 30 (thirty) times in every hour.
 - (c) Where a spraying room is sub-divided into spraying booths as described in subsection (d) hereof, each such booths shall be ventilated in a accordance with subsection (b) hereof.
 - (d) Where a part of the whole of any spraying room is sub-divided by partitions into separate compartments or booths (hereinafter described as spraying booths) such spraying booths shall be constructed of metal or other non-inflammable material.
 - (e) All exhaust vents leading from spraying rooms or spraying booths shall be so designed and constructed that all vapours are expelled into the open air at a point of not less than 3,65 meters above the level of the ground and at a distance of not less than 4,57 meters from the opening to any building and such vents shall be constructed of non-inflammable material.
 - (f) All ventilation inlets and outlets shall be so placed as to effect a continuous and complete change of air within any such spraying room or spraying booth. The ventilation inlets shall be substantially equivalent to the exhaust capacity provided in terms of these by-laws. The ventilation or spraying shall be so arranged that all inflammable liquid vapours shall pass as near as reasonably possible directly into the ventilation outlets.

- (g) The blades of any fan used in the spraying room shall be of nonferrous metal.
- (h) No electrical equipment shall be installed in the spraying room other than
 -
 - (i) incandescent electric lights enclosed in flame-proof fittings;
 - (ii) electric wires protected throughout by seamless and flameproof metal tubes, the junctions of which are screwed together;
 - (iii) electrical apparatus of flame-proof construction used for ventilating purposes.

102. Danger Notices at Entrance

The words “DANGER – DO NOT SMOKE / GEVAAR – MOENIE HIER ROOK NIE” shall be prominently displayed in letters not less than 153mm high outside the entrance to every spraying room, and shall at all times be maintained in a clearly legible condition.

103. When Permits is Not Required

Nothing contained in sections 100 to 103 (inclusive) shall contemplate the prohibition of the spraying with inflammable liquid of any vehicle or article in the open air if such spraying is not within a distance of 15 meters from any fire, flame, open light or other liquid likely to ignite such inflammable liquid or its vapours.

104. Authentication and Service of Notices

- (1) Notices, orders and other such documents under these by-laws requiring authentication by the Council shall be sufficiently authenticated if signed by the Municipal Manager, or his duly authorized deputy, the Council’s technical assistant, or the building inspector.
- (2) Notices, orders and any other documents required or authorized to be served under these by-laws may be served by delivering the same to or at the residence or place of business of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises, by delivering the same or a true copy thereof to some person on the premises, or if there is no person on such premises who can be so served, by fixing the same on some conspicuous part of the premises; they may also be served by post by a prepaid letter, and if served by post shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the notice, order or other document was properly addressed and put into the post.

- (3) Any notice by these by-laws required to be given to the owner or occupier of any premises may be addressed by the description of the "Owner" or "Occupier" of the premises (to be named) in respect of which the notice is given, without further name or description.

105. Penalty for Breach of these By-Laws

Any person acting in contravention of these by-laws shall be guilty of an offence and shall be liable -

- (a) to a fine not exceeding R2 000 or, in default of payment thereof, to imprisonment for a period not exceeding 3 (three) months; and
- (b) in the case of a successive or continuing offence, to a fine not exceeding R500 for every day such offence continues, or in default of payment thereof, to imprisonment for a period not exceeding 1 (one) month.

CHAPTER 12 CARBIDE

106. Definitions

For the purpose of this chapter, unless the context indicates otherwise -

- (a) "**carbide**" means carbide of calcium
- (b) "**person**" includes any individual, company or corporate body or partnership or other association of persons;
- (c) "**registered premises**" means premises registered by the Council under these by-laws for the storage of carbide of calcium;
- (d) "**certificate of registration**" means a certificate issued by the Council authorizing any person to use the premises therein specified for the storage of carbide.

107. Certificate of Registration for Storage

- (1) No person shall keep or store carbide in excess of 907 kilograms on any premises unless he is in possession of a certificate of registration in respect of such premises.
- (2) No certificate of registration shall be issued to any person in respect of any premises for the storage of carbide until the provisions of these bylaws have been complied with in respect of such premises.
- (3) Such certificate –
 - (a) shall state the maximum amount of carbide permitted to be stored on the premises;

- (b) may be issue subject o such conditions as are deemed necessary by the Council having regard to the circumstances.
- (4) Every such certificate shall be valid for the period terminating on the next succeeding thirty-first day of December.
- (5) No certificate of registration other than a renewal thereof shall be issued in respect of any premises until the provisions of section 110 have been complied with and the application has been approved by the Council.

108. Application for a Certificate of Registration

- (1) Every application for a certificate of registration accompanied by the prescribed fee shall be made in writing to the Council on a form to be provided by it for the purpose.
- (2) Every such application shall be accompanied by a plan of the premises in respect of which the certificate is required, drawn to a scale of not less than 25mm to 305mm and showing the elevation of the premises in relation to adjacent buildings above or below the ground.
- (3) Every such application shall also be accompanied by a block plan drawn to a scale of not less than 25mm to 12 meters which shall specify –
 - (a) the premises and all open spaces with stand numbers thereof;
 - (b) stands with numbers thereof immediately adjoining;
 - (c) names of any streets on which the site abuts and the township in which situated;
 - (d) the north point.
- (4) Where the plan relates to existing premises in respect of which a certificate of registration has been issue din terms of these by-laws and to which it is proposed to make alterations or additions, only a ground plan together with such application form and the prescribed fee need be submitted. Such ground plan shall be drawn to a scale of not less than 25mm to 305mm and shall show such additions or alterations in relation to the existing premises.
- (5) All plans shall be
 - (a) signed by the owner or his agent;
 - (b) drawn in Indian ink on tracing linen or clear prints on cloth with fixed colours as follows –
 - (c) coloured with fixed colours as follows –
BLOCK PLAN:
Proposed premises or alteration: Red
Other existing buildings: Grey or Neutral
Open spaces: Uncoloured

- (6) The prescribed tariff for every application for approval of a plan or plans shall be paid on submission thereof, and on approval, such plan or plans shall become the property of the Council. On approval of such plan a written notice shall be issued with conditions thereon as are deemed necessary by the Council.
- (7) The approval of plans of premises shall in no way imply the acceptance of any responsibility on the part of the Council in regard to such premises.
- (8) The approval by the Council under these by-laws of any plans shall be null and void if the provisions of these by-laws are not complied with within 1 (one) year after the date of such approval.

109. Conditions of Certificate of Registration

- (1) No person shall store or cause or permit to be stored any quantity of carbide on any premises in excess of the amount stated on the certificate of registration relating to such premises.
- (2) Any person in lawful possession of any certificate of registration may make written application to the Council for permission to increase the total quantity of carbide which may be stored in terms of such certificate. Such application shall be granted by the Council only if the proposed increase is permissible in terms of these by-laws. When the Council has granted any such application, such person shall surrender his certificate of registration to the Council for amendment.

110. Renewal of Certificate of Registration

Application for the renewal of a certificate of registration shall be made not later than the 15th day of December of the year prior to that for which such renewal is required, on a form to be provided by the Council, and shall be accompanied by the prescribed fee. No plans of the premises shall be required in the case of a renewal of a certificate of registration unless called for by the Council.

111. Transfer of Certificate of Registration

- (1) A certificate of registration may be transferred from one person to another.
- (2) The person desiring such transfer shall make application in writing to the Council on a form to be provided by it for such purpose. Such application shall be accompanied by the prescribed fee together with the certificate of registration relating to the premises in respect of which such transfer is desired.
- (3) No certificate of registration shall be transferable from one premises to another.

112. Additions and Alterations to Registered Premises

No additions or alterations to any registered premises shall be made unless and until a plan prepared in accordance with the provisions of sub-section (4) of section 110 has been submitted to and approved by the Council in writing.

113. Fire Appliances

The person to whom a certificate of registration has been issued shall install or cause to be installed in the premises to which such certificate refers, in an easily accessible and visible position on a wall or other suitable position not less than 900mm above the level of the floor of the premises, 6 (six) fire buckets filled with dry sand, of a capacity of 9 liters each, painted in red with the word "FIRE / BRAND" painted in white and legibly maintained thereon.

114. Rules to be Observed

- (1) No person shall store or cause or permit to be stored any carbide on any premises whether registered or unregistered unless such carbide is stored –
 - (a) in such a position that it is not in dangerous proximity to any fire, flame, open light or other agency likely to ignite inflammable or explosive gas;
 - (b) in a dry and well ventilated position;
 - (c) in such a position that in the case of fire or explosion the escape of persons or animals from such premises will not be prevented or impeded;
 - (d) in closed metal containers.

115. Inspection of Premises

- (1) Any member of the South African Police or any duly authorized servant of the Council, may for any purpose connected with these by-laws, at all reasonable times and without previous notice, enter upon any premises and make such examination and enquiries thereon as he may deem necessary.
- (2) The owner or occupier or, failing their presence on the premises, any other person employed thereon, shall upon demand disclose to such member or authorized servant the presence of any carbide in or upon such premises and shall answer all enquiries relating either to the observance of these by-laws, or to any condition in connection with the certificate of registration.

116. Construction of Store

- (1) Every store, room or building used for the storage of carbide in excess of 907 kilograms, shall –
 - (a) be substantially constructed of non-inflammable material;
 - (b) be of such construction and condition that all the contents thereof shall be maintained in a dry condition;
 - (c) be adequately ventilated to prevent the accumulation therein of inflammable or explosive gas;
 - (d) be so situated that gases which may be discharged therefrom are not likely to come into contact with any fire, flame, open light or other agency likely to ignite inflammable or explosive gas;
 - (e) have no opening into or communication with any other room or building in which persons reside or which is used for public assembly or stabling of animals.
 - (f) be so constructed and situated that there is no possibility of danger from an fire, flame, open light or other agency likely to ignite inflammable or explosive gas;
 - (g) be situated at ground level.

Provided that any such store, room or building used for the storage of carbide in excess of 9 000 kilograms unless situated at a distance of not less than 30 meters from any other building shall be constructed of brick or concrete and with a roof constructed of non-inflammable material and shall have no opening into or communication with any other room or building.

117. Danger Notice on Store

No person shall use or cause or permit to be used any store, room or building for the storage of carbide in excess of 907 kilograms unless and until the words “DANGER – CARBIDE / GEVAAR – KARBIED” in letters not less than 153mm in height are legibly painted on the outer face of the door of such store, room or building. Such notice shall at all times be maintained in such a position in a legible condition.

118. Purity

No person shall store, use, sell or expose for sale any carbide which is not commercially pure: Provided that no carbide containing any impurity liable to generate phosphoretted or silicuretted hydrogen in such quantities as to render the gas evolved likely to ignite spontaneously, shall be considered to be commercially pure for the purpose of this section.

119. Seizure and Removal of Carbide

Were any member of the South African Police or any authorized official of the Council has reasonable grounds to believe that any storage of carbide on any premises is contrary to the provisions of these by-laws, he or she may seize and detain such carbide and may either require the owner or occupier or, failing their presence on the premises, any other person employed thereon, to detain the carbide in these premises or in any other premises under his or her control, or may remove it in such manner and to such premises as will in his opinion least endanger the public safety, and there detain it or take such other measures as may be necessary for the protection of the public.

120. Breach of Conditions

Any person who commits any breach of any condition endorsed on the approval notice or certificate of registration issued in terms of these by-laws shall be guilty of a contravention of these by-laws and on conviction shall be liable to a fine not exceeding R2 000 and to a further penalty of R500 for every day during which the breach continues, or in default of payment thereof to imprisonment for a period not exceeding 1 (one) month.

CHAPTER 13

REVOCAION OF BY-LAWS

By-laws on inflammable liquids and substances previously made by the Council or its constituent Predecessors in respect of any portion of the area of the Makhado Municipality, are hereby repealed in so far as they are inconsistent with the provisions of these By-laws.

SHORT TITLE

These by-laws will be known as the **Makhado Municipality Environment: Inflammable Liquids and Substances By laws.**

CHAPTER 14 SCHEDULES

SCHEDULE I TARIFF OF FEES FOR CERTIFICATES OF REGISTRATION AND TRANSFERS IN TERMS OF SECTIONS 3, 10 AND 11 (2)

Description of Premises Half yearly Yearly
A Bulk depots

B Dry-cleaning room

C Spraying room

Certificate of registration issued to premises other than the above:

D Up to 2 273 liters storage capacity

E Up to 4 546 liters storage capacity

F Up to 22 730 liters storage capacity

G Over 22 730 liters storage capacity

H Transfer of a certificate of registration

For every certificate of registration the annual fees shall be as prescribed in this Schedule: Provided that if liability to pay the fees arises on or after the first day of July in any year the fees payable shall be half the annual amount.

SCHEDULE II

FEES FOR EXAMINING VEHICLES FOR TRANSPORT PERMIT

Description of Vehicle Half-yearly

Road tank wagon

Motor vehicle other than a road tank wagon, designed to be used for the delivery of inflammable liquids in excess of the amount permitted under section 79 (1) (a) and (b).

Any vehicle other than a motor vehicle or road tank wagon, designed to be used for the delivery of inflammable liquids in excess of the amount permitted under section 79 (1) (a) and (b)

The methods of testing flash points shall be those set forth in the Specification of Standard Methods for the Determination of Flash Point of Petroleum and other Inflammable Products published by the South African Standards Institution (November, 1938).

SCHEDULE III

TARIFF OF FEES PAYABLE FOR CERTIFICATES OF REGISTRATION AND TRANSFERS IN TERMS OF SECTIONS 110 AND 111

Half-yearly R

Yearly R

Transfer of Certificate of Registration R