



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA



Integrated Waste Management Plan

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4. Rights and duties of municipal councils

1. The council of a municipality has the right to-
 - a. govern on its own initiative the local government affairs of the local community;
 - b. exercise the municipality's executive and legislative authority, and to do so without improper interference; and
 - c. finance the affairs of the municipality by-
 - i. charging fees for services; and
 - ii. imposing surcharges on fees, rates on property and, to the extent authorised by national legislation, other taxes, levies and duties.
2. The council of a municipality, within the municipality's financial and administrative capacity and having regard to practical considerations, has the duty to-
 - a. exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the local community;
 - b. provide, without favour or prejudice, democratic and accountable government;
 - c. encourage the involvement of the local community;
 - d. strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner;
 - e. consult the local community about-
 - i. the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider; and
 - ii. the available options for service delivery;
 - f. give members of the local community equitable access to the municipal services to which they are entitled;
 - g. promote and undertake development in the municipality;
 - h. promote gender equity in the exercise of the municipality's executive and legislative authority;
 - i. promote a safe and healthy environment in the municipality; and
 - j. contribute, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution.
3. A municipality must in the exercise of its executive and legislative authority respect the rights of citizens and those of other persons protected by the Bill of Rights.

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