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For FIRE or MEDICAL emergencies

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**City of Johannesburg
Emergency Management Services**

By-Laws – A Simple Guide

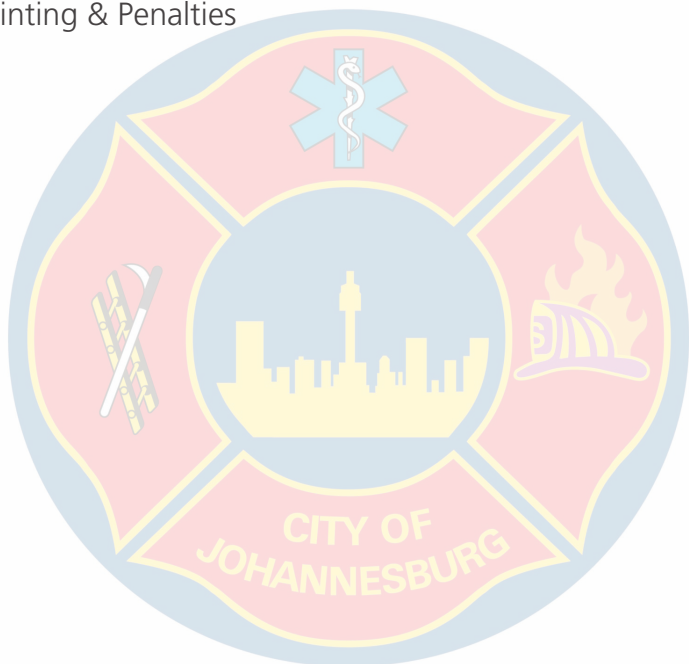


a world class African city

This booklet is published as a simple guide to Emergency Management Services By-Laws and cannot be used as reference in a court of law.

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Definition

Municipal by-laws are public regulatory laws which apply in a certain area, in this instance, the City of Johannesburg Metropolitan Municipality. These by-laws are often enforceable through the public justice system, and offenders can be charged with a criminal offence for breach of a by-law.

Part of the by-laws that feature in this booklet will serve to outline and explain the Emergency Services By-laws (*Published under Notice 826 in Gauteng Provincial Gazette Extraordinary No. 179 dated 21 May 2004, as amended by Notice 1118 dated 31 August 2011 in Provincial Gazette No 194.*) Detailed City of Johannesburg by-laws are obtainable on the Provincial Gazette www.gpwonline.co.za.

Emergency Management Services By-Laws

The City of Johannesburg is committed to building safe and secure communities. Safety and Security remains a priority area of our work.

The City has developed the City Safety Strategy and works closely with the South African Police Service (SAPS). When one talks about emergencies, the picture that comes to mind is emergency responses to fires, disasters and medical incidents.

Emergency Management Services (EMS) takes its quest to providing an emergency service further in the quest of proactively minimising and mitigating the risks that make the city prone to emergencies.

Through the implementation of the city's EMS bylaws the City surely becomes a safer place to be and ensure that buildings meet basic safety requirements basic safety requirements

Fire Prevention and Fire Protection

Fire Prevention

Certain fires prohibited

1. No person may make or allow any other person to make a fire that may endanger any person, animal or property.
2. No person may burn or allow any other person to burn any refuse or combustible material –
 - (a) without the prior written permission of the Chief Fire Officer; or
 - (b) unless the refuse or combustible material is burnt in an approved incinerating device.
3. Any person who makes a fire or allows any other person to make a fire, must take reasonable steps to ensure that the fire does not endanger any person, animal or property.

The prohibition does not apply to any fire made –

- a) in an approved and purpose-made stove, fireplace or hearth that forms an integrated part of a building or structure;
- (b) for the purpose of preparing food on private premises set aside for that purpose; or
- (c) in any device for preparing food which –
 - (i) is heated by electricity or liquified petroleum gas; and
 - (ii) is so positioned that the fire does not endanger any person, animal or property.



Illegal storage of flammable liquids.

Storage and accumulation of combustible material prohibited

1. No person may store any combustible material or allow it to be stored, at any place or in any manner that may pose a fire hazard to any person, animal or property.
2. No person may allow the accumulation of dust at any place in quantities sufficient to pose a fire hazard to any person, animal or property.
3. No person may use or allow to be used any sawdust or similar combustible material to soak up any flammable liquid.
4. No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such quantities or in any manner that may pose a fire hazard to any person or property.
5. No person may allow any vegetation to become overgrown at any place under that person's control that may pose a fire hazard to any person, animal or property.
6. If a fire hazard arises, the owner or occupier of the property concerned must without delay eliminate the hazard or cause the hazard to be eliminated by –
 - a) cutting any grass, leaves or weeds associated with the fire hazard to a maximum height of 150 millimetres;
 - b) pruning, chopping down or sawing any shrub or tree; and
 - c) removing any resulting combustible residue from the property

Electrical fittings, equipment and appliances

No person may cause or allow –

- a) any electrical supply outlet to be overloaded; or
- b) any electrical appliance or extension lead to be used in any manner that may pose a fire hazard to any person or property.

Fire Protection

1. Every owner of a building, excluding a dwelling house, must ensure that it is designed and constructed in a manner that provides for –
 - the effective drainage of any water that may result from fire-extinguishing activities; and
 - the discharge of that water directly into a storm water drain;
2. Every owner of a building equipped with a transformer room must ensure that –
 - a) the transformer room is situated on the ground level;
 - b) access to the transformer room is from outside the building; and
 - c) there is adequate and ready access to the transformer room for fire-fighting and maintenance activities.

Design and construction of other structures and sites

Every person who designs, constructs or erects any of the following structures, must ensure that they comply with a rational design as contemplated by the National Building Regulations and Building Standards Act –

- a) any grain silo;
- b) any atrium;
- c) any air traffic control tower;
- d) any tower for telecommunications or other uses;
- e) any thatched structure which is larger than 20 square metres and situated within 4.5 metres of any boundary line of the property concerned;
- f) any tent or other temporary structure for holding a public gathering; and
- g) any open-plan commercial or industrial premises with a covering distance that exceeds 45 metres measured from any point in the premises to any escape or exit door.

Requirements for sprinkler systems

If a sprinkler system is required in any building in accordance with SANS 10400, SANS 10087-3 or SANS 10089-1 if the Council so requires, the owner of the building must ensure that the building is equipped with a sprinkler system.

Requirements for emergency exits

1. Every owner of a building must ensure that any escape door in that building–
 - (a) is fitted with hinges that open in the direction of escape; and



- (b) is equipped with a fail-safe locking device or devices that do not require a key in order to exit.
2. Every owner of a building must ensure that any door in a feeder route –
 - a) is a double swing-type door;
 - b) is not equipped with any locking mechanism.
 3. If it is necessary that a door, in a feeder route be locked for security reasons, the owner of the building must provide an alternative means of escape approved by the Chief Fire Officer.
 4. No person may obstruct or allow the obstruction of any escape route from any premises that may prevent or hinder the escape of any person or animal from the premises in an emergency.

Barricading of vacant buildings

Every owner or person in charge of a building or portion of a building that is vacant must, at his or her own cost and to the satisfaction of the Chief Fire Officer –

- a) remove all combustible waste and refuse from the building; and
- b) block, barricade or otherwise secure all windows, doors and other openings in the building in a manner that will prevent the creation of any fire hazard caused by entering of the building by any unauthorised person.



Every owner of a building must ensure that –

- a) all fire-fighting equipment and service installations on the premises are installed in a manner and condition ready for use in an emergency;
- b) all portable and mobile fire-extinguishers and all hose reels on the premises are serviced and maintained in accordance with SANS 10105 and SANS 1475;
- c) all fire-fighting equipment and service installations on the premises are maintained; inspected and serviced. They must also be inspected by an appropriately registered and competent person at least once every 12 months

Chief Fire Officer may designate premises for emergency evacuation plans

The Chief Fire Officer may by written notice designate any premises as a premises requiring an emergency evacuation plan.

Duties of owner or occupier of designated premises

The owner, or with the approval of the Chief Fire Officer, the occupier, of any premises must –

- a) prepare a comprehensive emergency evacuation plan for the premises in accordance with the guidelines and submit it to the Chief Fire Officer in triplicate within 30 days of service of the designation notice;

- b) establish a fire protection committee comprised of occupiers of the premises to assist the owner or occupier to organise a fire protection programme and regular and scheduled fire evacuation drills;
- c) ensure that the emergency evacuation plan is reviewed-
 - at least every 12 months;
 - whenever the floor layout of the premises is changed; and
 - whenever the Chief Fire Officer requires revision of the plan;

Prohibition of public gatherings in certain circumstances

1. No person may hold a public gathering or allow a public gathering to be held in any building or temporary structure unless a certificate of fitness has been issued by the Chief Fire Officer in respect of that building or temporary structure, unless a certificate of fitness previously issued in terms of this subsection, has not yet expired.

Application for certificate of fitness

1. Every owner of a building or temporary structure intended for the holding of a public gathering must –
 - a) complete and submit to the Chief Fire Officer an application form for a certificate of fitness in the form and manner determined by the Council; and
 - b) pay the prescribed fee.
2. An application must be submitted at least 30 days before any intended public gathering.

Cancellation of certificate of fitness

- 1). The Chief Fire Officer may cancel any certificate of fitness in respect of a building or temporary structure if he or she has reason to believe that –
 - a) the owner or occupier concerned contravenes or fails to comply with any provision of these By-laws; or
 - b) the building or structure contravenes or does not comply with the requirements of these By-laws.

Certificate of Registration for Use, Handling and Storage of Flammable Substances

Use, handling and storage of flammable substances prohibited in certain circumstances

No person may use, handle or store any flammable substance or allow such substance to be used, handled or stored on any premises unless that person is the holder of a certificate of registration issued by the Chief Fire Officer in respect of the flammable substance and the premises concerned.

Application for certificate of registration for flammable substances

An application for a certificate of registration must be completed and submitted in the form and manner determined by the Council, together with the prescribed fee.

Availability of certificate of registration at premises

The holder of a certificate of registration must ensure that the certificate is available on the premises concerned at all times for inspection by any member of the Service.

Fire-fighting equipment

Any person who holds a certificate of registration or other authorisation contemplated in these By-laws must ensure that the premises to which the authorisation applies, are equipped with the applicable equipment.



Illegal storage of flammable liquids

General Provisions Regarding the Use, Handling and Storage of Flammable Substances

1. No person who uses, handles or stores a flammable substance or allows them to be used, handled or stored on any premises may –
 - (a) do anything or allow anything to be done that may result in or cause a fire or explosion;
 - (b) do anything or allow anything to be done that may obstruct the escape to safety of any person or animal during an emergency.
2. No person may –
 - a) dump or spill or allow the dumping or spilling of any flammable substance into any borehole, sewer, drain system or surface water;
 - b) discard or allow the discarding of any flammable substance from any premises in any way other than by a competent person who is properly equipped and authorised to do in terms of these By-laws;

Use, handling and storage of liquefied petroleum gas

No person may use, handle or store liquefied petroleum gas in any quantity exceeding that stipulated in Schedule 2 unless –

- a) the person is in possession of a certificate of registration contemplated in section 35; and
- b) the use, handling and storage of the liquefied petroleum gas complies with the requirements of SANS 10089-1, 3, 7 and 10.

Display of symbolic warning signs required

The owner of any premises where any flammable or explosive substance is used, handled or stored must, in the affected area of the premises, display symbolic signs.

Duty to report fires, accidents and dumping

If any fire, accident or dumping involving a flammable substance has caused damage to any person, animal, property or the environment on any premises, the owner or occupier of the premises must immediately report it to the Chief Fire Officer.

Storage of Flammable Substances

Storage of flammable substances prohibited in certain circumstances

No person may store or allow the storage of any flammable substance in any storeroom unless:

- that person has a certificate of registration contemplated in section 35;
- the storeroom complies with the requirements of these By-laws and any other applicable law.

Symbolic safety signs must be displayed – ensure that symbolic safety signs prohibiting open flames and smoking are displayed in the storeroom.

Construction of flammable substance storerooms – Every storeroom must be designed and constructed according to the outlined criteria.

Requirements for storeroom doors – Every storeroom must be equipped with a fire rated fire door that is manufactured and installed in accordance with SANS 1253.

Ventilation of storerooms

Every storeroom must be designed and constructed to ensure:

- the effective ventilation of flammable substance fumes; and
- that fumes released from the storeroom into the open air will not come into contact with any source of ignition.



Escape door from a Flammable liquid store

Transport, Supply and Delivery of Dangerous Goods



Transport of dangerous goods prohibited without permits

The owner of any vehicle used for transporting dangerous goods, must:

- be in possession of a valid transport permit issued by the Chief Fire Officer in accordance with these by-laws; and
- ensure that the transport permit is available in the vehicle for inspection at all times.

Application for transport permits

An application for a transport permit must be completed and submitted to the Chief Fire Officer in the form and manner determined by the Council together with the prescribed fee.

Requirements of transport permits – transport permit may not be issued by the Chief Fire Officer for a period longer than 12 months.

Every person who delivers dangerous goods must ensure that:

- a 9 kilogram dry chemical fire-extinguisher is available at all times during the delivery;
- during any transfer of the dangerous goods, the delivery vehicle is physically earthed to the storage facility to which the dangerous goods are being transferred;

Spray Painting

Spray painting is prohibited without a permit.

No person may spray, coat, plate or epoxy-coat any vehicle, article, object or building or part thereof or allow them to be sprayed, coated, plated or epoxy-coated with any flammable substance unless:

- a) that person is in possession of a spraying permit:
- b) the spraying, coating, plating or epoxy-coating as the case may be is conducted in a spraying room approved by the Chief Fire Officer on premises registered for that purpose.

Application for spraying permit

Any person who wishes to obtain a spraying permit must complete and submit an application form, and pay the prescribe fee.

Duties of owner, occupier or person in charge of spraying room

Every owner, occupier and person in charge of a spraying room must ensure that the spraying room complies with the outlined requirements;

• **Design and construction of spraying rooms**

Every spraying room must be designed and constructed according to the set criteria:

Water floors for spraying rooms – Every spraying room which is designed and constructed with a sunken water floor must be designed and constructed according to the set criteria

• **Electrical equipment in spraying rooms**

Any electrical apparatus, light, fitting and switch gear installed or used in a spraying room must be installed and used in accordance with SABS 0108.

The owner or person responsible for the premises on which the spraying room is located must submit the certificate to the Chief Fire Officer without delay.

• **Location of spraying rooms**

Ensure that there is an escape opening between the spraying room and any other activity, process or area on the premises concerned.

• **Access to spraying rooms**

In addition to any door for the access of motor vehicles or other objects to any spraying room, every spraying room must have at least two hinged doors for escape purposes.

• **Ventilation of spraying rooms**

Every spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed.



Fire dampers, protectors and alarms in spraying rooms

A fire damper manufactured and installed in accordance with SANS 193, must be affixed in front of any air purification filter or part of such filter on the inside of any spraying room.

Fire extinguishing equipment in spraying rooms

Every spraying room must be equipped with:

- a) at least one 9 kilogram dry chemical fire extinguisher installed on the inside of the spraying room; and
- b) at least one 9 kilogram dry chemical fire extinguisher installed on the outside of the spraying room.

PENALTIES

After a written notice has been issued by the Council, and served on the person concerned, requesting the discontinuance of such offence the following process will take place:

- If found guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding six months
- In the case of a continuing offence, a (NAG) NO ADMISSION GUILT summons will be issued that the offender appears in court
- In the case of a continuing offence, the premises or business will be closed until such time compliance is achieved.