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## HOUSE SHOP APPLICATION FORM

**(Application for a consent use in terms of Section 15(2)(o) of the Swellendam Municipality: By-Law on Municipal Land Use Planning, 2016)**

### INSTRUCTIONS:

1. Please complete this form in full. Incomplete applications will not be accepted.
2. A copy of the owner's ID document must be attached.
3. A non refundable fee, as determined by Council, is payable before the application will be considered. **(The application fee amounts to R1 368.00 (Vat included for the 2020/2021 financial year).** This fee cannot be refunded.
4. A Site Plan showing in colour that portion of the house that will be used as a shop, must be attached.
5. Considering the application is subject to legislation Council's policy, public participation and inputs from the various Municipal Departments. The Swellendam Municipality may reject the application if it does not comply with all the requirements.
6. The application is subject to an assessment and processing period of approximately 3 months. No business may be conducted from the premises before approval has been granted.

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### A. APPLICATION PARTICULARS

1(a) Address/location of the concerned property:

<b>Erf number:</b>	
<b>Street address:</b>	
<b>Town:</b>	

1(b) Is the building on the property a RDP house?  
(Mark the appropriate block with an **X**)

<b>YES</b>	<input type="checkbox"/>	<b>(NB: In terms of Council policy, no business may operated from a RDP house unless a separate structure exists).</b>
<b>NO</b>	<input type="checkbox"/>	

2. Is the applicant the sole registered owner(s) of the property? (Mark the appropriate block with an **X**)

<b>YES</b>	<input type="checkbox"/>	<b>(NB: In terms of Council policy, only the owner can lodged an application).</b>
<b>NO</b>	<input type="checkbox"/>	

3. Applicant particulars:

<b>Name and Surname</b>	
<b>ID Number:</b>	
<b>Postal Address:</b>	
<b>Telephone number:</b>	

4. Indicate which rooms/portions of the building will be used for a house shop. (Mark the appropriate block with an **X**)

Bedroom	<input type="checkbox"/>	
Lounge	<input type="checkbox"/>	
Garage	<input type="checkbox"/>	
Out building	<input type="checkbox"/>	
Other	<input type="checkbox"/>	
		Specify:

**NB:** In the following cases a house shop will not allowed:

The bathroom and kitchen may not be used for a house shop.

A room that is used for a house shop may not at the same time be used for residential purposes.

All structures must comply with the National Building Regulations unless the Town Planning Scheme Regulations make provision for informal shelters.

5.

Total area house shop:	m <sup>2</sup>
Total area of house:	m <sup>2</sup>

**NB:** The area of the house shop may not exceed **20m<sup>2</sup>** .

6. List of merchandise and products the applicant intends selling:

1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

**NB:** The following will not be allowed in a house shop:

- Liquor or alcoholic beverages;
- Storage and selling of gas and gas cylinders (or any other flammable liquids).

**B. DECLARATION**

I, the undersigned, herewith declare that the following documents are attached:

	√
1. Application fee of <b>R1 368.00</b> (already paid at the cashier)	
2. Copy of owner's ID	
3. Site development plan	
4. Copy of work permit if required	
5. Copy of the tile deed (proof of ownership)	

I furthermore declare that I understand the content of the application form and that all the information supplied in this application is correct and complete. (Please note the contents of the instructions).

**SIGNATURE:** ..... **DATE:** .....

**FULL NAMES:** .....

**DATE ON WHICH THE APPLICATION WAS SUBMITTED TO THE SWELLENDAM MUNICIPALITY:**

.....

**ANNEXURE:**

- (1) The approval will be valid for a maximum of 3 (three) years from the date of approval, an application for extension may be submitted provided this is lodged within the period of the original approval.
- (2) The letter of approval and site development plan must be available within the house shop at all times and be provided on request.
- (3) The house shop may only be operated by the registered owner / legal tenant of the entire property (in accordance with a valid lease agreement) – the registered owner / legal tenant is to reside on the property;
- (4) In the case of a tenant they must have a valid lease submitted. Subletting of only a portion of the property is not permitted;
- (5) No person(s) may sleep within the house shop structure;
- (6) The house shop must be tended to directly by the owner / tenant (or his / her immediate family who reside on the property) to whom the approval has been issued, no outside assistants are to manage the house shop;
- (7) The onus rests with the owner / tenant to ensure that he /she has a valid Asylum Seeker Permit at all times (if applicable). Failure to produce such a permit on request will result in the approval being withdrawn immediately and the house shop being closed;
- (8) The approval is specific to the owner/tenant and expires if the property is sold or alienated.
- (9) This approval is not transferable and may not be sold;
- (10) The area of the house shop may not be exceed 20m<sup>2</sup>;
- (11) All relevant Security and Health requirements should be complied with Application should be made for a compliance certificate in terms of Regulation 918 of 1999 if required;
- (12) The building from which the house shop will be conducted should comply with the National Building Regulations as well as the applicable zoning regulations;
- (13) A house shop may only be operated from a structure that complies with the Swellendam Integrated Zoning Scheme Regulations, 2014, and has been approved by the Department Town Planning and Building Control – no house shops shall be allowed from a caravan;
- (14) There must be an existing dwelling-unit on the property that is occupied by the owner or a legal tenant;
- (15) No liquor, alcoholic beverages or flammable materials or liquids may be sold or stored on the property;
- (16) If the business activities requires the extension of the building or additional service connections the business should be relocated to a premises appropriately zoned for business purposes;
- (17) Only one unilluminated advertisement sign, not bigger than 90 cm x 60 cm will be permitted for a house shop; a separate application will need to be made to the Municipality in terms of the By-Law on Outdoor Advertising, such signage may not be erected within the road reserve;
- (18) No heavy vehicle deliveries will be allowed to the premises;

- (19) No activities which may be a cause of disturbance or nuisance to residents of surrounding buildings may be practiced;
- (20) The approval does not exempt the owner from complying with any other legal requirements;
- (21) A functional 4,5 kg fire extinguisher must be kept and maintained on the property;
- (22) Business hours are limited between 06h00 and 22h00 daily, unless determined otherwise for a particular property;
- (23) Any person who has secured Municipal approval to operate a house shop and elects to cease its operation shall inform the municipality thereof in writing;
- (24) Only one house shop shall be allowed on a property;
- (25) No person shall own or operate more than one (1) house shop or permit it to be operated on his / her behalf;
- (26) If stock is to be delivered, the deliveries must be restricted to normal business hours which is 08:00 to 17:00;
- (27) No Jukeboxes will be allowed within a house shop;
- (28) The applicant property will be limited to one electrical service connection, which may not be split into two electrical supplies and will be metered by only one meter (shared supply). The erf is also limited to its existing supply capacity;
- (29) No food may be prepared or processed on site;
- (30) Council reserves the right to cancel the approval of a house shop immediately if the abovementioned conditions are not complied with or if the house shop causes a nuisance to surrounding property owners. In the case where an approval was cancelled. Council will not accept responsibility for any costs incurred by the owner/tenant.
- (31) That an agreement be concluded between the applicant and the Swellendam Municipality with a termination clause for non compliance with the conditions of approval.

I, the undersigned being the lawfull owner of erf ..... Town ..... hereby certify that I understand and accept these conditions and undertake to comply with this policy at all times.

**FULL NAME AND SURNAME OF THE OWNER:** .....

**SIGNATURE:** .....

**DATE:** .....