

What are the new amendments to Cape Town's Water By-law?

The City of Cape Town has approved a number of amendments to the Water By-law, aimed mainly at improving clarity, as well as preparing the City for a more water-scarce future.



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On 31 May 2018, Council voted to approve a number of proposed amendments to the Water By-law, and residents should familiarise themselves with what is required of them in terms of this legislation.

Residents should please note that this amendment does not replace the Level 6 Water Restrictions. Rather, water restrictions are implemented in addition to this by-law, when necessary.

Changes most relevant to the general public include the following:

- Landlords must now keep record of consumption for each residential unit in a multi-tenant complex/block of flats, and inform the City if contraventions of water restrictions are taking place.
- New developments must install water conservation and demand management systems, or alternative water systems, and these must be approved by the City before development proceeds.
- The City's oversight of plumbers has been strengthened by allowing the City to not only remove plumbers from its register but institute legal action if they are found to have transgressed the Water By-law.
- Updates have been made to align the By-law with new legislation, standards and technical specifications.
- A prepayment meter is now an option, in addition to the WMD, as a Council water meter. While this technology is not yet at a stage of development for uptake by the City, having this item of legislation in the By-law allows the City to make use of it in the event that it becomes appropriate and necessary.
- Potable (drinking) water storage tanks must be impervious to sunlight to prevent the growth of bacteria.
- No cross-connection must exist on private property between potable and non-potable water systems.
- No irrigation of gardens is allowed between 9am and 6pm, including from boreholes and well-points. Previously no irrigation was allowed 10am and 4pm, and did not include borehole water. Watering gardens in the heat of the day

can result in significant water lost to evaporation.

- Maximum capacity for toilet cisterns and shower head flow has been lowered. Toilets are now only allowed a maximum 6 litre cistern volume (down from 9 litres), and water from shower heads must flow out at no more than 7 litres per minute (down from 9.5 litres/minute).
- All pools must be fitted with a cover to avoid evaporation when not in use.

Residents should please note that property owners are not required to comply with this By-law by altering a water installation or part thereof which was installed in conformity with a previous version of the By-law. Only when it comes time to replace toilets and showerheads due to age or malfunction must new parts that conform with the revised standards be fitted.

All automatic flushing cisterns fitted to urinals must however be replaced immediately with either manually operated systems or properly maintained non-manual apparatus which causes the flushing device to operate only after each use. This is especially common in public facilities, e.g restaurants and shopping centers.

Residents are also reminded that the following sections of the Water By-law have been in place since 2010, and will remain in place even when water restrictions are eventually lifted.

1. Where a hosepipe is used to irrigate a garden, park, or sports field [from a potable water source] a controlling device such as a sprayer or automatic self-closing device must be attached to the hose-end
2. Automated sprinkler systems should be able to be correctly positioned and be able to be adjusted to prevent water wastage
3. No person may, without prior written authority from the Director: Water and Sanitation, hose down a hard-surfaced or paved area using water from a potable source
4. A hosepipe used for washing vehicles, boats, and caravans must be fitted with an automatic self-closing device
5. Automatic top-up systems using a float valve fed from a potable water source to supply swimming pools and garden ponds is not allowed
6. Commercial car wash industries must comply with industry best practice norms, i.e. recycling 50% of the water used per car washed
7. Wash basins provided in public facilities must be fitted with demand type taps
8. Showers provided at public facilities must be fitted with demand type valves
9. Potable water may not be used to dampen building sand and other building material to prevent it from being blown away
10. Stand pipe draw-off taps must be at a height of at least 450 mm above ground level
11. The maximum flow rate from any tap installed in a wash basin may not exceed 6 litres per minute
12. No automatic cistern or tipping tank may be used for flushing a urinal
13. All automatic flushing cisterns fitted to urinals must be replaced with either manually operated systems or non-manual apparatus which causes the flushing device to operate only after each use of such urinal or waterless systems and must be properly maintained
14. Terminal water fittings installed outside any buildings other than a residential dwelling must:

- a. incorporate a self-closing device; or
- b. have a removable handle for operating purposes; or
- c. be capable of being locked to prevent unauthorized use; or
- d. be of a demand type that limits the quantity of water discharged in each operation

15. Water Audit:

- a. Major water users (those using more than 10 000 kilolitres per annum), excluding those comprising multiple dwelling units, must undertake an annual water audit. The audit must be carried out no later than two weeks after the end of each financial year of the City (i.e. 31 July every year). The audit report must be available for inspection by officials from the Department of Water and Sanitation, the Water Board (where applicable) and the City.
- b. The audit must detail the following:
 - i. amount of water used during the financial year;
 - ii. amount paid for water for the financial year;
 - iii. number of people living on the stand or premises;
 - iv. number of people permanently working on the stand or premises;
 - v. comparison of the above factors with those reported in each of the previous three years (where available);
 - vi. seasonal variation in demand (monthly consumption figures);
 - vii. detailed methods of water pollution monitoring;
 - viii. details of current initiatives to manage demand for water;
 - ix. details of future plans to manage water demand;
 - x. comparison of the above factors with those reported in each of the previous three years (where available); and
 - xi. estimate of consumption by various components in use such as appliances and terminal water fittings.

16. No person may allow water, used as a heat-exchange medium in any equipment or plant and supplied from a water installation, to run continuously to waste except for maintaining a prescribed level of total dissolved solids in a recirculating plant.

Residents are also reminded that they are prohibited from negligently allowing water to run to waste on their property. In order to prevent this the City advises that residents perform regular leak checks. A DIY guide for finding and fixing water leaks can be found on the City's website, www.capetown.gov.za/thinkwater, as well as a host of other useful information for households looking to reduce water consumption.

"Given the current uncertainty around future rainfall patterns in the Western Cape, it is essential that the City's residents are water-aware at all times, including once water restrictions are lifted, and that the City can act effectively to reduce and prevent waste. These amendments will assist the City to better protect our water resources so our City is more resilient when drought does strike," said Mayoral Committee Member for Informal Settlements, Water and Waste Services; and Energy, Cllr Xanthea Limberg.