



## **SIYANCUMA LOCAL MUNICIPALITY**

### **DRAFT POLICY FOR SPAZA/ TUCK SHOP APPLICATIONS**

#### **1. DEFINITION OF A SPAZA/ TUCK SHOP:**

A small scale convenience store which is operated from a legal structure by the property owner or a legally authorised family member or legal tenant residing on the property. The primary purpose of the spaza/ tuck shop is to provide daily necessities such as bread, milk, pre-packaged foodstuffs, soft drinks, chips, cell phone supplies etc. from Mondays to Sundays between 07:00 and 21:00. Such legal structure may comprise a portion of the main dwelling house, or an outbuilding, which for the purpose of this policy shall mean: A structure which is legal in terms of the Land Use Planning Ordinance No 15 of 1985 and National Building Regulations and Building Standards Act No 103 of 1977, but does not include a caravan, a container or a Wendy house.

#### **2. APPLICATION**

- a. Application to conduct a spaza/ tuck shop must be made in terms of the Land Use Planning Ordinance No 15 of 1985 and associated Zoning Scheme for the town in question. Applications are assessed in terms of the relevant legislation and policies and, on the basis thereof, Council may decide to approve or refuse an application. Approvals granted are only valid for 5 years, where after the applicant may re-apply.
- b. Application forms are available from the Building Control Division and an application fee as stipulated in the tariff list is payable upon submission of the application. The application fee is not re-payable if the application is refused.
- c. A standard notice must be displayed on the premises for 30 days from the date of application. The notice must provide complete information relating to the applicant's proposed spaza/ tuck shop and must state that any objections should be made to Council within 30 days from the erection of the notice. The applicant will only advertise on site and not in the local newspaper.
- d. Written notices will be sent to surrounding property owners identified by the Building Control Division and proof of such notification will be recorded by the Building Control Division.
- e. The approval by Council for a spaza/ tuck shop will only apply to the property owner whilst the person who operates the spaza/ tuck shop should be the owner him/herself or a family member / legal tenant residing on the property in possession of a valid South African I.D. document. In the case where the property owner and / or employees are not South African citizens a valid work permit must be presented.
- f. Each application must be evaluated on merit, particularly taking into account Sections 3 and 5 below.





