



By-law compliance and the balance of rights

By-laws are the backbone of a safe, fair and well-functioning City of Johannesburg. They govern everything from land use and building safety to informal trading, waste management, public health and the use of public spaces. While these rules may sometimes seem technical, they exist to protect residents, preserve infrastructure and maintain the shared spaces we all rely on.



Image source: Newcastilian News

The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) reinforces this by defining the responsibilities of municipalities and highlighting by-laws as essential tools for sustainable local governance. These rules clarify the rights and duties of municipalities, service providers and residents alike.

Compliance with by-laws is not just a legal obligation but a cornerstone of responsible citizenship and every resident has a role to play in balancing personal freedoms with the rights of others. For example:

- Trading in public spaces must be authorised to ensure pedestrian safety and fairness to other traders.
- Waste must be disposed of responsibly to protect public health and the environment.
- Building and land-use regulations must be followed to safeguard neighbours and public infrastructure.

When concerns arise about how these rules are applied, our Office serves as an independent and impartial authority - investigating complaints, providing guidance and holding City departments accountable. In this way, we ensure that by-laws are enforced fairly and consistently, strengthening public trust.

Ignoring by-laws has real consequences. Unauthorised trading, unsafe construction and improper waste disposal can create hazards, environmental damage, congestion and strain on public services. Respecting and upholding these regulations is therefore not merely about compliance but about contributing to a safer, more equitable and sustainable Johannesburg for everyone.

Ombudsman follows up on sanitation concerns

In 2025, residents of Region G raised serious sanitation and service delivery concerns during one of our Citizen Information Clinics. In response, Joburg Ombudsman Advocate Siduduzo Gumede conducted an oversight visit to vulnerable communities, including Poortjie Dark City and Marikana, as part of the Office's ongoing initiative, *Working Together to Deliver Real Solutions*.

The visit revealed that many previously reported issues remain unresolved. Residents continue to rely on temporary sanitation facilities that were originally intended as short-term interventions, while broken water valves and poorly maintained toilets have created unsafe and unhygienic conditions. Promises of permanent infrastructure, such as the installation of 180 toilets, have not been fully realised, exposing systemic weaknesses in coordination among Johannesburg Water, municipal maintenance divisions and the Department of Human Settlements.



Mobile toilets in Dark City, Region G.

These shortcomings carry serious consequences i.e., overflowing waste, deteriorating structures and non-functional water points which increase the risk of disease and environmental contamination, disproportionately affecting women, children and marginalised households.

The findings highlight the urgent need for accountable and coordinated action. Temporary measures must be replaced with permanent solutions, maintenance and rapid-response protocols must be strictly enforced and infrastructure commitments must be fully honoured. Sustainable sanitation and reliable access to water are not optional, they are constitutional obligations. Delivering functional services requires effective governance, responsive institutions and an unwavering commitment to protecting the health and dignity of all residents.

Meaningful change depends on vigilant oversight, firm accountability and decisive action.





Recap: From complaints to action - Citizen clinics strengthen service response

The 2026 Joburg Ombudsman Citizen Information Clinics have, since their launch in Region B (Ferndale Recreation Centre), Region D1 (Protea South Multipurpose Centre) and Region A (Diepsloot Youth Centre), received and recorded a wide range of service delivery complaints from residents.

To date, reported matters have included sewage spillages, blocked drains and sanitation facilities, illegal dumping, malfunctioning streetlights, electricity supply concerns, water leaks and delays in housing and infrastructure maintenance. In several instances, site visits have been conducted to verify the extent of the challenges raised and to assess living conditions firsthand. These visits have revealed ongoing infrastructure deterioration and sanitation issues that continue to affect residents' health, safety and overall quality of life.

The clinics have provided structured, face-to-face platforms for residents to formally lodge complaints, receive clarity on municipal processes and engage directly with relevant departments and entities, including City Power and Johannesburg Water. On-site support has improved the accuracy of logged cases and strengthened referral and follow-up mechanisms.



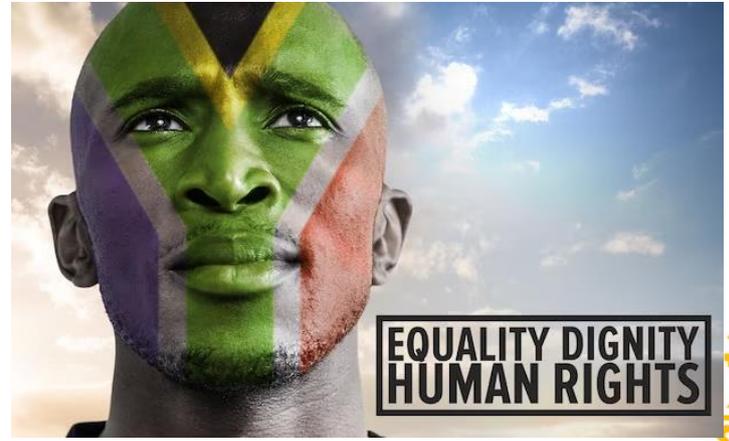
Region A and D residents voicing their concerns at the 2026 Citizen Information Clinics.

While many of the concerns raised reflect long-standing service delivery pressures across Johannesburg, the clinics have facilitated coordinated responses, case escalations and practical interventions where possible.

The initiative continues to prioritise accountability, improved communication and responsive service delivery as it rolls out to additional regions until the end of March 2026.

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Human Rights Month: Advancing Accountable Governance



Human Rights Month is more than a time of remembrance; it is a constitutional call to action. It challenges us to deepen accountability, strengthen our institutions and give practical meaning to the rights enshrined in our Constitution. These rights are not abstract ideals - they live in the way government serves its people every day.

At the heart of a functioning democracy is the principle that administrative action must be lawful, reasonable, and procedurally fair. When governance falls short of this standard, rights are not merely delayed - they are diminished. Every citizen has the right to complain, the right to be heard, and the right to redress. These are the mechanisms through which accountability becomes real and justice is made tangible.

It is to protect these rights that the City of Johannesburg established the Office of the Ombudsman in 2014 - an independent safeguard within local government. Mandated by the City of Johannesburg Ombudsman By-Law, the Ombudsman investigates maladministration, injustice and unfair treatment impartially and recommends corrective action. The Office does not oppose administration; it strengthens it. By identifying systemic weaknesses, promoting cooperative resolution and reinforcing a culture of fairness and service excellence, the Ombudsman ensures that governance is not only accountable but effective.

Human Rights Month reminds us that rights and responsibilities are inseparable. Upholding our rights requires each of us - citizens and institutions alike - to act with integrity, fairness and respect. It is only when we embrace these responsibilities that the rights enshrined in our Constitution are realised for everyone, every day.

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