

## SOWA TOWNSHIP AUTHORITY (GENERAL) BYE-LAWS

(sections 6 and 6A\*)

(26th March 2010)

### ARRANGEMENT OF BYE-LAWS

#### BYE-LAW

##### PART I

###### *Preliminary*

- [1.](#) Citation
- [2.](#) Interpretation

##### PART II

###### *Health and Sanitation*

- [3.](#) Latrines
- [4.](#) Mosquitoes and pests
- [5.](#) Prevention of accumulation of refuse
- [6.](#) Refuse receptacle and removal fees
- [7.](#) Swimming pools and fish ponds
- [8.](#) Overcrowding

##### PART III

###### *Livestock and Other Animals*

- [9.](#) Keeping of livestock
- [10.](#) Troublesome or dangerous animals
- [11.](#) Bees, pigeons and poultry
- [12.](#) Powers of Authority
- [13.](#) Disposal of carcasses of dead animals

##### PART IV

###### *Streets*

- [14.](#) Naming of streets
- [15.](#) Numbering of houses
- [16.](#) Hoardings
- [17.](#) Bills, posters, placards or advertisements
- [18.](#) Trees

##### PART V

###### *Fire Control Measures*

- [19.](#) Accumulation of inflammable or combustible materials
- [20.](#) Grass, rushes or reed fences
- [21.](#) Storing of inflammable, combustible or explosive substances
- [22.](#) Burning of grass, refuse or rubbish
- [23.](#) Fire-fighting appliances in public buildings
- [24.](#) Attendance of fire brigade at fires

##### PART VI

###### *Food Premises*

- [25.](#) Construction and use of food premises
- [26.](#) Construction of bakeries
- [27.](#) Construction of butcheries and fishmongers' shops
- [28.](#) Operation of bakeries
- [29.](#) Operation of butcheries and fishmongers' shops
- [30.](#) Personal cleanliness
- [31.](#) Health of employees
- [32.](#) Conveyance, handling, storage and sale of foodstuffs
- [33.](#) Canned food

##### PART VII

###### *Miscellaneous*

- [34.](#) Noise and nuisance
- [35.](#) Collection for charity
- [36.](#) Protection of common property

**PART I**  
**Preliminary (bye-laws 1-2)**

**1. Citation**

These Bye-laws may be cited as Sowa Township Authority (General) Bye-laws.

**2. Interpretation**

In these Bye-laws, unless the context otherwise requires-

"**approved**" means approved by duly authorised officer of the Authority;

"**Authorised officer**" means an employee of the Authority duly authorised in writing, by the Authority to perform the duties under these Bye-laws;

"**Authority**" means the Sowa Township Authority;

"**baker**" means any person who carries on the business of selling whether by wholesale or retail, bakery products baked or made by such person;

"**bakery**" means any premises on which is carried on any of the processes of or incidental to baking or the manufacture or storage of bakery products for use by persons other than those residing on the premises;

"**bakery products**" includes bread, biscuits, rolls, tarts, cakes, pies, confectionery or sweet meats;

"**business premises**" means any premises which are used or intended to be used as a place of trade or industry;

"**butcher**" means any person who sells or exposes for sale or supplies butcher's meat for human consumption;

"**butchery**" means any premises used for the purpose of carrying on the business of a butcher;

"**butchers' meat**" means the flesh or offal of any animal intended for human consumption or any products manufactured therefrom, but does not include canned or potted meats, biltong, ham, sausages, bacon, salted and other prepared meats, fish, poultry or venison;

"**dwelling**" means any house, room, shed, hut or any other structure, plan or any portion which is used by any human being for sleeping in or in which any human being dwells;

"**food**" means any thing than drugs or water, which is ordinarily used or intended to be used for human consumption;

"**food premises**" means any premises which are used or intended to be used as a place for the preparation, manufacture, keeping, storing, depositing, conveying, handling and exposing for sale of food;

"**latrine**" means any building, erection or place adapted or constructed for the use of human beings for the purposes of defecation or urination;

"**livestock**" means any domestic bovine animal, goat, sheep, swine, horse, donkey or mule;

"**occupier**" means, in relation to any lot or premises-

(a) any person in actual occupation of such lot or premises and having charge or management thereof; or

(b) in the event of the lot or premises being occupied by anybody other than an employee of the person having charge or management thereof, any person having such charge or management;

"**owner**" means, in relation to-

(a) any animal, in addition to its ordinary meaning, any person having the charge, custody or control of any animal and the occupier of any premises where any animal is kept or permitted to remain; or

(b) any lot or premises, the person in whose name the title to such lot or premises is registered and includes an agent of the owner or any person receiving or entitled to receive rent in respect of such lot or premises;

"**poultry**" means any fowl, turkey, goose or duck;

"**premises**" means any building or part thereof, store, shop tenement or other erection above or below the ground and the land used or occupied in connection therewith;

"**stable**" includes a cowshed, stall, pen or sty;

**"street"** means any road, lane, footpath, pavement, thoroughfare or public place extending in width from the boundary of any lot or area of land and includes any work or thing forming part of or connected with such street;

**"Township area"** means the area under the jurisdiction of the Sowa Township Authority;

**"veterinary surgeon"** means a person duly registered as such under the provisions of the Veterinary Surgeons Act (Cap. 61:04);

**"waste-water"** means any discharge of a non-excremental nature from any waste-water fitment, gully trap, grease trap or laundry.

## **PART II**

### **Health and Sanitation (bye-laws 3-8)**

#### **3. Latrines**

(1) The owner of any premises within the Township shall-

(a) provide proper and sufficient latrine accommodation for all persons residing or employed in the premises;

(b) provide a minimum of one latrine for every 15 persons residing or employed in the premises.

(2) A person shall not defecate within the township area other than in a latrine.

(3) The Authority may, by notice in writing served on the owner or occupier of any premises within the Township area, prohibit the use of any latrine on those premises which by reason of faulty construction or neglect or from any other cause has, in the opinion of the Authority, become or is likely to become a nuisance or a danger to public health until such nuisance or danger has been abated to the satisfaction of the Authority.

(4) An owner or occupier on whom notice has been served under sub-bye-law (3) shall take every reasonable step to ensure that the notice is complied with all the time.

(5) A person who contravenes-

(a) sub-bye-law (1) commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months;

(b) sub-bye-law (2) commits an offence and is liable to a fine of P200 or in default of payment to imprisonment for a term not exceeding two months.

#### **4. Mosquitoes and pests**

(1) An owner or occupier of any lot or premises within the Township area shall, in respect of such lot or premises-

(a) maintain every water receptacle, such as a tank, cistern, cask, pail and other contrivance in which water is stored or retained for any period in excess of 24 hours covered so as to prevent the ingress and breeding of mosquitoes or other pests;

(b) keep guttering and drainpipes in good repair and condition and shall not allow such guttering and drainpipes to be in such condition as to collect water and prevent it from readily flowing away;

(c) ensure that no tin, bottle or other refuse, or article capable of holding water is thrown out or allowed to remain on any such lot or premises;

(d) ensure that every receptacle for the collection of slop water or household refuse is kept adequately covered.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P250 or in default of payment to imprisonment for a term not exceeding three months.

#### **5. Prevention of accumulation of refuse**

(1) For the purposes of this bye-law "refuse" means any garbage, excreta, night soil, filth stops, waste water, yard flushing, stable litter, rubbish, garden or kitchen refuse, dirt or crockery or glass, tins, cartons, plastic containers, and includes any derelict machinery or vehicle or part thereof.

(2) A person shall not place, pour, throw or leave on any lot or premises or street or other public place any refuse that could endanger the health or interfere with the comfort of the inhabitants of the Township.

(3) A person who contravenes the provisions of sub-bye-law (2) commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

(4) Without prejudice to any prosecution for contravention of this bye-law, and notwithstanding any penalty which may be imposed under these bye-laws for such contravention, an authorised officer may order any person who contravenes the provisions of sub-bye-law (2) to remove or dispose of any refuse which is the subject of the contravention in such manner as the authorised officer may specify, and, if that person refuses to obey the authorised officer, the Authority may forthwith remove or dispose of the refuse at that person's expense and such expense shall be a civil debt due to the Authority recoverable in any court of competent jurisdiction.

#### **6. Refuse receptacle and removal fees**

(1) An occupier of premises in the Township Authority area shall, within 14 days of the service upon him or her of a notice in writing requiring him or her to do so, provide a sufficient number of suitable refuse receptacles, for the reception of refuse upon such premises.

(2) An occupier shall cause such receptacle to be covered at all times except when refuse is being deposited in or discharged from such receptacle.

(3) An occupier shall cause all refuse receptacles in use on his or her premises and covers thereof to be kept as clean as practicable and maintained in good order and condition.

(4) The Authority shall perform refuse removal services throughout the entire Township Authority area as often as circumstances warrant and the fee charged shall be such as may be determined from time to time by resolution of the Authority.

#### **7. Swimming pools and fish ponds**

(1) A person occupying premises on which is situated a swimming pool or fish pond shall take such precautions as may be required by the Authority to prevent the breeding of mosquitoes in such swimming pool or fish pond and shall ensure that the water contained therein is always fresh and free from unpleasant or insanitary matter.

(2) A person who contravenes sub-bye-law (1) commits an offence and is liable to a fine of P250 or in default of payment to imprisonment for a term not exceeding three months.

#### **8. Overcrowding**

A room in any dwelling shall not be used for human habitation unless there is provided for every person over the age of 14 years 11.33 cubic metres of air space and 3.7 square metres of floor space, and for every person below the age of 14 years 8.50 cubic metres of air space and 2.79 square metres of floor space.

### **PART III**

#### ***Livestock and Other Animals (bye-laws 9-13)***

#### **9. Keeping of livestock**

(1) A person who keeps any livestock on any residential plot without the written consent of the Authority commits an offence and is liable to a fine of P200 or in default of payment to imprisonment for a term not exceeding two months.

(2) The Authority may prohibit the use of any stable, cowshed, pen or site which in the opinion of the Authority is unfit, undesirable or objectionable by reason of its locality, construction, condition or manner of use.

#### **10. Troublesome or dangerous animals**

(1) A person shall not allow any wild, troublesome, ferocious or dangerous animal or reptile to be at large off the premises on which such animal is normally kept.

(2) A person who contravenes sub-bye-law (1) commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

#### **11. Bees, pigeons and poultry**

(1) A person shall not keep any bees, pigeons or poultry so as to disturb the comfort of the inhabitants of the Township.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P100 or in default of payment to imprisonment for a term not exceeding one month.

## **12. Powers of Authority**

The Authority may order the seizure and detention of any livestock, poultry, monkey, carnivorous wild animal or reptile found at large within the Township area, and if such animal is not claimed within seven days after seizure, the Authority may order its sale or destruction.

## **13. Disposal of carcasses of dead animals**

(1) Subject to the provisions of sub-bye-law (2), a person shall not dispose of the carcass of any dead animal within the Township area except in a place approved by the Authority.

(2) The provisions of sub-bye-law (1) shall not apply to the burial by a person within a lot under his or her control, of the carcass of any dog, cat, or other small pet animal.

(3) Except that-

(a) the carcass shall be buried deeply enough to prevent the escape of any offensive odour or the digging up of the carcass by scavenging animals, and to prevent any hazard to health;

(b) in the event of the death of the animal being caused by an infectious disease, the burial shall not take place except with the consent of a medical practitioner or veterinary surgeon;

(c) if the place where the carcass is buried is marked as a grave, this must be done, or shielded from view, so as not to be offensive to the religious or other susceptibilities of the neighbours, and if these conditions are not complied with, the Authority may give such directions as may be necessary to secure compliance, or may order that the carcass be dug up and disposed of in some other place or manner.

(4) A person who contravenes sub-bye-law (1) commits an offence and is liable to a fine of P100 or in default of payment to imprisonment for a term not exceeding one month.

## **PART IV Streets (bye-laws 14-18)**

### **14. Naming of streets**

(1) The Authority may name or alter the name of any street.

(2) The Authority may from time to time, at its own expense, paint upon or affix to any building or erect in any street, within the township, a sign bearing the name of that street.

### **15. Numbering of houses**

(1) The Authority may from time to time allot a number to a house or building in any street for the purpose of distinguishing such house or building and may from time to time alter such number as it may consider necessary to do so.

(2) The owner of any house or building to which a number has been allotted by the Authority shall affix or paint the number so allotted in a conspicuous place facing onto the street in which such number has been allotted and shall maintain such number in good order and condition so as to be clearly legible from the other side of the street onto which it faces.

### **16. Hoardings**

(1) Subject to the provisions of sub-bye-law (3) this bye-law shall not apply to hoardings which form a temporary part of any building operation or which can be put up as a temporary measure to shield any works in progress or to protect the public from any hazard arising from work in progress nor to any hoarding erected on privately-owned premises for the purpose of advertising the said premises for sale.

(2) A person shall not, without the written consent of the Authority, erect within the township any hoarding.

(3) A person who erects any hoarding within the Township without the written consent of the Authority commits an offence and is liable to a fine of P100 or in default of payment to imprisonment for a term not exceeding one month.

(4) The Authority may withhold its consent to the erection of a hoarding if it considers that the proposed hoarding-

(a) will be a distraction or visual obstruction to traffic, or will in any way interfere with free movement of traffic, including pedestrians;

(b) is objectionable in substance, presentation or scale;

(c) will spoil the appearance of any improved or developed area set aside for industrial development, or any beauty-spot, park or recreational area; or

(d) will be offensive to any occupier of residential premises adjacent to or looking upon the site of the proposed hoarding.

(5) The Authority may charge fees for permission to erect and maintain hoardings on any street or other public place within the Township area.

(6) The Authority may itself erect hoardings and may permit the use thereof and of any walls or other suitable fixtures being the property of the Authority by any person to display any bill, poster, placard or advertisement and may charge fees for such use.

(7) The fees mentioned in sub-bye-laws (5) and (6) shall be determined from time to time by resolution of the Authority and a separate rate may be specified in respect of illuminated hoardings or signs.

(8) A person who fails to pay any fee charged under this bye-law commits an offence and is liable to a fine of P200 or in default of payment to imprisonment for a term not exceeding two months.

(9) If any person-

(a) erects a hoarding in contravention of this bye-law;

(b) refuses to remove any hoarding within a reasonable time when required to do so by the Authority; or

(c) fails to pay any fee chargeable under this bye-law, the Authority may, without prejudice to any prosecution of an offence against these bye-laws, remove the hoarding which is the subject of the contravention at the expense of that person, and such expense shall be a civil debt due to the Authority recoverable in any court of competent jurisdiction.

#### **17. Bills, posters, placards or advertisements**

(1) A person shall not, without the written consent of the Authority, display within the Township area any bill, poster, placard or advertisement.

(2) The Authority shall withhold its consent only if it considers the display of the bill, poster, placard or advertisement to be a distraction to motorists or objectionable in substance, presentation or scale.

(3) Where the Authority grants its consent, a person granted such consent shall pay a refundable fee of P300 which shall be refunded upon the removal of the bill, poster, placard or advertisement by such person on a date that the Authority shall specify in the consent.

(4) Notwithstanding the provision of sub-bye-law (1), a person who holds a licence to trade within the Township may display any bill, poster, placard or advertisement inside the premises to which the licence applies.

(5) Any bill, poster, placard or advertisement which has been erected in the Township area without the Authority's consent or to which the Authority objects may be removed by the Authority.

(6) A person who displays any bill, poster, placard or advertisement within the Township without the written consent of the Authority commits an offence and is liable to a fine of P100.

#### **18. Trees**

(1) A person shall not fell or damage any tree or shrub in any street or public place except with the written consent of the Authority.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P100 or in default of payment to imprisonment for a term not exceeding one month.

## **PART V**

### **Fire Control Measures (bye-laws 19-24)**

#### **19. Accumulation of inflammable or combustible materials**

(1) The owner or occupier of any lot or premises shall take every reasonable precaution to prevent the accumulation or deposit of straw, wood, paper or other inflammable or combustible material on the lot or premises which could cause damage or danger from fire to any person, animal or building or to any adjacent property.

(2) Where, in the opinion of the Authority an owner or occupier has allowed the accumulation of deposit of straw, wood, paper or other inflammable or combustible material on his or her lot or premises, the Authority may, by notice in writing to such owner or occupier, order the occupier or owner to remove such accumulation within a period of not less than three days, which period shall be stipulated in such notice, and it shall thereupon be the duty of the owner or occupier to do so.

(3) A person who accumulates inflammable or combustible materials on his or her property commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

#### **20. Grass, rushes or reed fences**

(1) If, in the opinion of the Authority, any fence of grass, rushes or reeds is erected in such a position or is allowed to fall into such a state of disrepair that it gives rise to a danger of fire spreading therefrom to any buildings, the Authority may, by notice in writing, order the fence to be removed and the owner, or in his or her absence, the occupier of the premises upon which the fence is situated, shall remove the fence.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P100 or in default of payment to imprisonment for a term not exceeding two weeks.

#### **21. Storing of inflammable, combustible or explosive substances**

(1) A person shall not, without the written permission of the Authority, store any inflammable, combustible or explosive substance on any premises.

(2) Sub-bye-law (1) shall not apply to-

(a) petrol, paraffin, methylated spirits or other such inflammable substance which is used for household purposes of not more than a total of 22.73 litres stored in a closed-top container or other approved receptacle at a person's place of residence or place of business;

(b) fuel contained in the fuel tank of any motor vehicle;

(c) liquor which a person may store at his or her place of residence or business;

(d) petrol, paraffin, methylated spirits, oil, or other such inflammable substance which is stored at a garage, service station or petrol filling station.

(3) In granting permission in terms of sub-bye-law (1) the Authority may impose such conditions as it considers necessary.

(4) A person who contravenes sub-bye-law (1) commits an offence and is liable to a fine of P250 or in default of payment to imprisonment for a term not exceeding three months.

#### **22. Burning of grass, refuse or rubbish**

(1) A person shall not burn or set fire to any grass, refuse, rubbish or other material on any private property unless the person-

(a) is the owner of the property or has the permission of the owner or occupier of the property;

(b) takes every reasonable precaution to avoid any annoyance to owners or occupiers of adjoining properties; and

(c) ensures that no buildings are endangered by the burning of such grass, refuse, rubbish or other material.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

### **23. Fire-fighting appliances in public buildings**

(1) The owner of any hall, shop, offices or other building to which the public has access shall, if required by the Authority, provide such building with portable fire extinguishers at the rate of one fire extinguisher for every 232.25 square metres or part thereof.

(2) The owner of any such building shall fix any extinguisher which he or she is required to provide in a conspicuous and easily accessible position and shall maintain the extinguisher in good working order.

(3) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

### **24. Attendance of fire brigade at fires**

(1) In the event of a fire brigade attending upon any fire within the township, the officer in charge of the fire brigade party shall have full control over the property on fire and over such other property as he or she may consider to be in danger for the purposes of taking such reasonable measures as he or she may consider necessary to prevent the spread of and to extinguish the fire.

(2) In exercising his or her powers under sub-bye-law (1), the officer in charge of the fire brigade-

(a) shall have the right of entry to any property and may by himself or herself or through any person under his or her control break into, through, take possession of, or pull down buildings, but shall take every reasonable care to do as little damage as possible;

(b) shall have the right of access to any hydrant, pipe, cistern, borehole or other water supply and shall be entitled to other water supply and to draw water from such points of supply;

(c) may himself or herself, or through any person under his or her control, divert, stop or regulate traffic in the vicinity of the fire; and

(d) may temporarily close any street, passage, thoroughfare or greenway in the vicinity of the fire.

## **PART VI**

### **Food Premises (bye-laws 25-33)**

### **25. Construction and use of food premises**

(1) A person shall not erect or occupy any food premises within the Township area unless-

(a) the premises are constructed of brick, concrete or other approved material;

(b) the internal faces of the walls are tiled, or plastered with a cement plaster and the surface is brought to a smooth face and painted with three coats of oil paint or washable distemper or other approved decoration to a height of not less than 1.83 metres;

(c) the floors are, unless otherwise provided in these Bye-laws, of concrete; or of wood ventilated to prevent dryrot and rendered impervious to rodents;

(d) the height of walls from floor to ceiling are not less than 3.05 metres;

(e) the premises are provided with a dustproof ceiling;

(f) every room is lighted and ventilated by a window or windows of an area not less than one-tenth of the floor area and capable of being opened to at least one-twentieth of the floor area of such room or alternatively an approved system of forced ventilation or air conditioning is provided;

(g) the premises are provided with a supply of clear hot and cold water and washing facilities to enable employees to keep clean and washing-up facilities to enable every utensil, storage facility, linen and protective clothing to be kept clean.

(2) Food premises shall not be used for sleeping accommodation and no portion of such premises shall communicate by door, window or otherwise with any sleeping or living room.



(3) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

## **26. Construction of bakeries**

(1) Without prejudice to bye-law 25, a person shall not erect or occupy any bakery within the Township area unless-

(a) a portion of the bakery is underground, except that with the written consent of the Authority an underground room may be used as a store provided that no articles other than those specified in such written consent shall be stored in the underground room;

(b) the floors are of smooth, impervious material;

(c) no door or window opening which communicates with a bakery is less than 3.05 metres from any latrine;

(d) the doors of the bakehouse are self-closing and all doors and windows are provided with effective fly-screens;

(e) the opening of the oven furnace is not situated in any room or any place where any foodstuffs are handled and is situated at least 1.83 metres from the nearest part of any door or window of the bakery;

(f) a dressing room is provided in which the overalls of the employees can be kept in a clean and sanitary condition and such a room shall be separate from any place where utensils or foodstuffs are handled or stored.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

## **27. Construction of butcheries and fishmongers' shops**

(1) Without prejudice to bye-law 25 a person shall not erect or occupy any butchery or fishmonger's shop within the Township area unless-

(a) no door or window opening in any room in which butcher's meat or fish is stored, handled or placed for sale is less than 3.05 metres from any latrine;

(b) the floor is of cement or concrete at least 7.62 centimetres in thickness and topped with granolithic or other impervious material at least 1.90 centimetres in thickness;

(c) the doors are self-closing and every door and window is provided with effective fly-screens;

(d) cold rooms, compartments or cupboards are provided for the storage of meat or fish and such cold rooms, compartments or cupboards are operated constantly at a temperature of not more than 7.2 degrees centigrade.

## **28. Operation of bakeries**

(1) A person carrying on the trade of a baker in the Township area shall-

(a) cause every inside wall and ceiling of the bakery to be kept in a clean and sanitary condition with three coats of oil paint, or washable distemper or other approved equivalent-  
Provided that-

(i) where oil paint is used it shall be renewed at least once in every five years or as often as required by the Authority,

(ii) where washable distemper is used it shall be renewed at least once in every 12 months,

(iii) if any of the portion of the walls is tiled, it shall be sufficient to wash such portion with hot water and soap to ensure adequate cleanliness,

(b) keep every part of his or her bakery and every vessel and utensil, cart and other vehicle, sack, basket and other receptacle used in connection with the preparation, conveyance and storage of bakery products in a clean and wholesome state;

(c) ensure that all persons employed in the bakery are clean and dressed in clean overalls while so employed;

(d) maintain a supply of soap and clean towels for the use by every person employed in the bakery;

(e) take all practical measures to maintain his or her premises from rodents, flies, cockroaches and other insects;

(f) provide means of protecting every bakery product by glazed or flyscreened show cases or cabinets from contamination by dust, dirt or flies, while exposed for sale, or by means of closed or covered containers or vehicles when in the course of conveyance in any public thoroughfare;

(g) cause the floor of the bakehouse to be washed daily.

(2) A baker shall mix all dough, batter or paste by means of approved mixing machine except that a baker may mix by hand any dough, batter or paste in a quantity not exceeding 4.536 kilograms in weight in a suitable mixing utensil for confectionery purposes.

(3) A bakery shall not use or permit to be used soiled paper or soiled material of any description for the purpose of covering or wrapping bakery products.

(4) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

## **29. Operation of butcheries and fishmongers' shops**

(1) A butcher or fishmonger shall not keep or allow to be kept in, or allow to enter into his or her shop or the premises, any live animal or bird except that poultry intended for slaughter and sale may be kept in such place as may be approved in writing by the Authority.

(2) A person carrying on the trade of a butcher or fishmonger in the Township area shall-

(a) keep every part of his or her shop in good order and repair and in a clean and sanitary condition;

(b) keep thoroughly clean every knife and other instrument and appurtenance, machinery and vehicle used in cutting or handling or moving butchers' meat or fish;

(c) provide receptacles of galvanised iron or other non-absorbent material and with close-fitting covers for collecting and conveying from the shop refuse;

(d) ensure that every person employed in the shop or delivering the butchers' meat or fish are clean and dressed in clean overalls while performing his or her duties;

(e) maintain a supply of soap and clean towels for the use of by every person employed in the shop.

## **30. Personal cleanliness**

(1) A person employed in any premises where food is handled or offered for sale shall wash his or her hands with soap and water before commencing work.

(2) A person in any food premises shall expectorate or blow his or her nose into a handkerchief or a tissue and dispose of it in a sanitary way.

(3) A person shall not smoke in the mixing room, kneading room or baking room of any bakery, or in any place where such smoking is likely to defile foodstuffs deposited or exposed for sale.

(4) A person who contravenes this bye-law commits an offence and is liable to a fine of P300 or in default of payment to imprisonment for a term not exceeding two months.

## **31. Health of employees**

(1) An employer shall not permit any person suffering from any infectious or contagious disease to be employed in or about any food premises and on the occurrence of any such disease amongst any of the persons employed or residing on such premises the employer shall immediately report such occurrence to the Authority.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P300 or in default of payment to imprisonment for a term not exceeding two months.

## **32. Conveyance, handling, storage and sale of foodstuffs**

(1) A person shall not convey or deposit or cause to be conveyed or deposited or exposed for sale any foodstuffs in an unwholesome, unclean or offensive manner or in such a way as to be unnecessarily or improperly exposed to contamination and no person shall stand, sit or recline on any foodstuff which is being conveyed or has been deposited or is exposed for sale.

(2) All bakery products shall be covered in plastic or waxed paper before leaving the bakery premises for any purpose.

(3) A person shall not load onto or transport in any vehicle any carcass if such vehicle contains blood, viscera, intestines or offal and no person shall convey any carcass unless it is completely covered with a clean covering.

(4) A person shall not sell, expose for sale or deliver any butchers' meat in the Township area unless such meat has been obtained from a slaughterhouse or place approved in writing by the Authority.

(5) A person shall not slaughter any animal for human consumption in the Township area except at such slaughterhouse or approved place.

(6) Every vehicle used for the conveyance of meat shall be constructed of or lined with an impervious substance and shall be maintained in good repair and provided with covering to protect the meat therein from contamination by dust or flies, and no person shall convey meat in a vehicle which does not comply with this sub-by-law.

(7) Every utensil, including a tray, bin and other container, and knife, forks and other tools used for handling or storing foodstuffs shall be constructed of stainless steel, galvanised sheet iron, plastic or other non-corrosive and non-staining material and a person shall not handle or store any foodstuffs with tools or in containers which do not comply with this sub-by-law.

(8) A person who sells, exposes for sale or delivers fruit, vegetables, bakery products or other foodstuffs shall protect such foodstuffs from dust and flies.

(9) A person who loads or unloads meat shall wear clean protective clothing including overalls and headgear.

(10) A person shall not sell, expose for sale or deliver any bakery products in the Township area unless such bakery products have been obtained from a bakery approved in writing by the Authority.

(11) All foodstuffs shall be completely wrapped and a person who sells any foodstuffs shall not deliver the same wrapped in a newspaper or in any soiled or previously used wrapping paper.

(12) A person who contravenes this bye-law commits an offence and is liable to a fine of P1 000 or in default of payment to imprisonment for a term not exceeding eight months.

### **33. Canned food**

(1) A person shall not sell, prepare, keep, transmit or expose for sale any meat, fish, fruit, vegetables, jam, condensed milk or any other article of food which is packed in a hermetically sealed tin or other airtight receptacle if such tin or receptacle is-

(a) blown so that there is unnatural bulging of the flat or concave side or ends of the container or so that gas escapes on puncturing;

(b) extensively rusted;

(c) damaged so that it leaks or otherwise becomes unsealed or shows evidence of having been punctured and having had the puncture resealed.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

## **PART VII**

### **Miscellaneous (bye-laws 34-37)**

### **34. Noise and nuisance**

(1) A person shall not-

(a) operate or cause or permit to be operated any wireless, musical instrument, loudspeaker, record player, amplifier or similar device to the annoyance of the occupants or inmates of any premises in the neighbourhood;

(b) operate any wireless, musical, loudspeaker, record player, amplifier or other similar devices for the purpose of advertising in any street, place or premises without the prior consent of the Authority;

(c) continue to make any loud or unseemingly noise or disturbance either by shouting, screaming or yelling, or by blowing a horn or any instrument or by beating any drum or other instrument so as to annoy, disturb or interfere with the rest, peace or tranquility of the inhabitants of the neighbourhood, after having been requested to desist by any member of the Botswana Police Service, any person authorised by the Authority or any person so annoyed, disturbed or inconvenienced;

(d) continue to ring any bell or sound any horn or blow any whistle or use any noisy instrument or shout in any market square, street, park or public place for the purpose of attracting customers, or hawk, sell or distribute any article or thing whatsoever to the annoyance, disturbance, or inconvenience of any person who uses such market square, street, park or public place, after having been requested to desist by any member of the Botswana Police Service, any person authorised by the Authority or any person so annoyed, disturbed or inconvenienced;

(e) between the hours of 0000 and 0730 carry on any business, trade or industry involving the use of machinery which by reason of the noise created by it is offensive or constitutes a nuisance or which disturbs the peace or tranquility of the inhabitants of the neighbourhood; or

(f) between the hours of 1700 and 0730 sing in any public place, or on any property in such manner as to be heard outside the confines of such property, and thereby disturb the peace or tranquility of the neighbourhood.

(2) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

### **35. Collection for charity**

(1) A person shall not collect money or attempt to collect money within the Township area without the prior written consent of the Authority.

(2) The Authority may in granting its consent to the collection of money impose such conditions as it considers fit.

(3) A person who contravenes this bye-law commits an offence and is liable to a fine of P500 or in default of payment to imprisonment for a term not exceeding six months.

### **36. Protection of common property**

(1) A person shall not cause any damage to any property to which the inhabitants of the Authority have a common right.

(2) A person who contravenes this bye-law commits an offence and is liable-

(a) to a fine of P300;

(b) to pay compensation for such damage.

### **37. Barbed wire fences**

(1) A person shall not use, or allow to be used, barbed wire for fencing any area or lot without the written permission of the Authority.

(2) Where the Authority refuses to give permission, the applicant may appeal to the Minister.