

LOCAL GOVERNMENT ACT  
(Cap. 40:01)

**JWANENG TOWN COUNCIL (DOGS) BYE-LAWS, 2021**  
(Published on 19th February, 2021)

ARRANGEMENT OF BYE-LAWS

**BYE-LAW**

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**SCHEDULES**

IN EXERCISE of the powers conferred by section 44 as read with section 45 of the Local Government Act, and with the approval of the Minister of Local Government and Rural Development, the Jwaneng Town Council hereby makes the following Bye-laws —

Citation

1. These Bye-laws may be cited as the Jwaneng Town Council (Dogs) Bye-Laws, 2021.

Interpretation

2. In these Bye-laws, unless the context otherwise requires —

“authorised officer” means the Town Clerk or any other officer of the Council authorised in writing by the Town Clerk to perform the duties under these Bye-laws;

“Council” means the Jwaneng Town Council;

“impound” means the seizure, taking into custody or receiving into custody, confinement or other exercise of control over a dog by any duly authorised officer;

“kennel” means any animal hospital, home, boarding house or any establishment where a dog older than three months is accommodated for reward or payment for the purpose of treatment, custody and whelping;

“leash or lead” means a collar chain or harness of appropriate material, not more than six meters in length and which is securely attached to a correctly fitted dog collar;

“menacing or dangerous dog” means a dog that poses a threat to any person, animal or property;

“owner” means a person who has full possession, charge, custody or control of a dog;

“prohibited areas” means any of the places set out in Schedule 3;

“rabies certificate” means a certificate signed by a veterinary officer stating that a dog has been vaccinated against rabies; and

“veterinary officer” includes veterinary officer, livestock officer or stock inspector employed by the Government as a veterinary surgeon under the Veterinary Surgeons Act.

Cap. 61:04  
Licensing of  
dogs

3. (1) A person shall not keep —

(a) a dog which is over three months old; or

(b) more than two dogs at a time in a residential place,

unless he or she has been issued with a licence under these Bye-laws.

(2) An owner of a dog shall, within four weeks of the dog attaining the age of three months, apply to an authorised officer for a dog licence in Form A as set out in Schedule 1.

(3) In case of any dispute as to whether a dog is over the age of three months, the decision of a veterinary officer shall be final.

(4) An authorised officer shall, on receipt of an application under subbye-law (2), and upon payment of a fee set out in Schedule 2, issue the applicant with a dog licence in Form B as set out in Schedule 1.

(5) A person who seeks to keep an additional dog shall make an application to an authorised officer for an additional licence.

(6) An authorised officer shall, in considering an application for an additional dog under subbye-law (5), have regard to adequacy of the land, premises or danger to any other animal, person or property due to the additional dog.

(7) A licence issued under this bye-law shall be accompanied by a dog tag.

4. A licence issued under bye-law 3 shall be valid for 12 months and be renewable for a further period of 12 months upon application by the owner of a dog under bye-law 5.

Duration of  
licence

5. (1) A holder of a licence issued under these Bye-laws shall, upon expiry of a licence, apply to an authorised officer for a renewal of a licence in Form C as set out in Schedule 1.

Renewal of  
licence

(2) An application for the renewal of a licence under subbye-law (1), shall be made not later than one month before the expiry of the licence.

(3) An authorised officer may, on receipt of an application under subbye-law (1), renew a licence upon payment of a fee set out in Schedule 2.

6. A holder of a licence issued under these Bye-laws shall not transfer the licence to another person.

Licence not  
transferrable

7. (1) Where a licence is lost or destroyed, the owner of the dog may apply to an authorised officer, in writing, for a duplicate licence.

Issue of  
duplicate licence

	<p>(2) An authorised officer shall issue a duplicate licence to the applicant, on being satisfied that a licence issued in terms of these Bye-laws has been lost or destroyed, and upon payment of the fee set out in Schedule 2.</p> <p>(3) Where a licence which has been lost and replaced is recovered by the licence holder, he or she shall return the duplicate licence to an authorised officer.</p>
Revocation or cancellation of licence	<p><b>8.</b> An authorised officer may, at any time, withdraw or cancel a licence if he or she is satisfied that —</p> <p>(a) it is in the public interest to do so; or</p> <p>(b) the owner failed to comply with any of the conditions of the licence.</p>
Standard for keeping dogs	<p><b>9.</b> An owner of a dog shall take all reasonable steps to —</p> <p>(a) ensure that a dog is kept under control at all times within enclosed premises;</p> <p>(b) ensure that a dog has adequate shelter;</p> <p>(c) prevent the keeping of a dog in a basement of any building;</p> <p>(d) prevent a dog becoming a nuisance or danger to any other animals, person or property;</p> <p>(e) ensure that a dog receives proper care and is supplied with sufficient food and water;</p> <p>(f) ensure that a dog wears a collar and a tag at all times bearing a registration number; and</p> <p>(g) display in a prominent place on the land or premises, a legible sign indicating that there is a dog on the premises, reading “BEWARE OF THE DOG” or “TSHABA NTSA”.</p>
Written notice	<p><b>10.</b> (1) An authorised officer may serve on the owner of a dog, a written notice if he or she considers that the keeping of a dog is such that these Bye-laws are contravened.</p> <p>(2) The notice may specify all or any of the following actions to be taken and, except in the case of ongoing action, to —</p> <p>(a) reduce the number of dogs kept;</p> <p>(b) construct, alter or reconstruct kennels or other places where dogs are kept;</p> <p>(c) keep dogs confined, controlled, or restrained in specified ways in specified areas;</p> <p>(d) clean kennels and other place where dogs are kept; or</p> <p>(e) take such action as may be reasonably necessary to properly house any dog or to reduce or eliminate any nuisance or injury to health caused by or to such dogs.</p> <p>(3) The notice issued by an authorised officer may be given to that person physically, posted or delivered to that person or affixed to the premises and shall be deemed to have been served.</p>
Control of dogs	<p><b>11.</b> (1) An owner or the person in charge of a dog shall keep the dog under control and shall have in his or her possession a leash or lead at all times.</p> <p>(2) The Council shall through resolution, designate certain places as off-lead exercise areas.</p> <p>(3) An owner or the person in charge of a dog shall ensure that the dog is restrained by a lead or leash which is secured or held by a person capable of physically controlling a dog while in a public place or area, except in an off-lead exercise area.</p> <p>(4) A female dog that is in heat or season is prohibited from any off-lead exercise areas designated under subbye-law (3).</p>

(5) An owner or the person in charge of a dog shall ensure that the dog cannot leave any private property unless it is under the control of its owner or the person in charge of the dog.

(6) Any dog found in a public place not being an off-lead exercise area and not being on a leash or lead shall be considered to be uncontrolled and may be seized and impounded by an authorised officer.

(7) Any menacing or dangerous dog shall be muzzled when on a lead or in a public place or area.

12. A person in charge of a dog shall —

(a) take all steps necessary to ensure that the yapping, whining or barking of his or her dog does not unduly disturb other people or create a nuisance;

(b) not allow a female dog to be at large at the time when the dog is on heat or in season; and

(c) keep every dog in heat or season on the premises confined within a dog-proof enclosure for the duration of the estrus cycle.

13. A person shall not transport a dog unattended in a motor vehicle or in an open cargo area of the motor vehicle unless the dog is securely attached to a motor vehicle and cannot cause any nuisance.

14. An owner or the person in charge of a dog shall not take a dog to any of the prohibited areas set out in Schedule 3.

15. (1) The owner of a dog which fouls in a public place or private place shall remove and dispose of any excrement immediately in a way that does not cause a nuisance.

(2) An owner or the person in charge of a dog, shall not be excused for not having a suitable device for disposing of dog excrement from any place.

16. An owner or the person in charge of a dog shall —

(a) take such steps as necessary to prevent a dog from intimidating any passerby; and

(b) not allow any dog suffering from a contagious or infectious disease to be at large.

17. (1) A person shall not keep a dog which is more than three months old unless the dog has been vaccinated against rabies and the person keeping it is in possession of a rabies certificate in relation to that dog.

(2) An authorised officer may authorise the destruction of a dog which is not vaccinated or in relation to which the owner fails to produce a rabies certificate.

(3) Notwithstanding the provisions of subbye-law (2), a dog tag shall be enough proof of the existence of a rabies certificate.

18. (1) The Council may establish kennels where impounded dogs shall be kept.

(2) An authorised officer may impound and remove to the kennels or other premises owned by the Council, any dog that is at large in a public place.

(3) If a dog impounded under subbye-law (2) is a dog for which a licence has been issued under bye-law 3 and is wearing a dog collar, an authorised officer shall, in writing, notify the person to whom the licence was issued, of the impoundment of the dog and the place where it is detained, and the owner may receive his or her dog for a detention fee specified in Schedule 2.

(4) If a dog impounded under this bye-law is not claimed by or on behalf of the owner within seven days of the detention of the dog, or of the notice under subbye-law (3), the authorised officer may cause the destruction of the dog or otherwise dispose of the dog in a way the Council deems fit.

Yapping, etc., of dogs in season

Dogs in vehicle

Areas prohibited to dogs

Fouling

Dangerous or infected dogs

Dogs to be vaccinated

Impoundment and destruction of abandoned or diseased dog

(5) An authorised officer may destroy a dog before the expiry of the seven days if he or she has reason to believe that the dog is suffering from an infectious or contagious disease.

Kennel

19. A person shall not establish or maintain a kennel for a dog except on a site approved by the Council and subject to such conditions as may be imposed by the Council.

Obstructing or hindering authorised officer

20. A person who obstructs or hinders an authorised officer in the exercise of any power conferred by these Bye-laws commits an offence and is liable to a fine of P500.

Offences and penalties

21. (1) A person who contravenes any provision of these Bye-laws commits an offence and —

- (a) may be issued with a warning;
- (b) may have his or her dog impounded by the Council; or
- (c) is liable to a fine not exceeding P3000 or to imprisonment for a term not exceeding three months, or to both.

(2) An authorised officer may, where —

- (a) a person commits three consecutive offences under these Bye-laws; or
- (b) any contravention of these Bye-laws by any person is significant, as the authorised officer may determine,

disqualify any such person from owning a dog for a period of 12 months.

Application of Bye-laws

22. The provisions of these Bye-laws shall not apply to a dog kept by a law enforcement officer solely for purposes of carrying out his or her functions under any written law.

Revocation of S.I. No. 64 of 1985

23. The Jwaneng Town Council (Control of Dogs) Bye-Laws, 1985 are hereby revoked.

SCHEDULE 1

FORM A

APPLICATION FOR A DOG LICENCE

*(bye-law 3 (2))*

Name.....

Surname.....

Sex.....

Ward.....

Dog breed.....

Rabies Certificate No.....

Expiry date.....

Identity number.....

Plot number.....

Telephone number.....

Description of the dog and all its details  
.....  
.....  
.....  
.....

Have you ever been convicted of any offence related to dogs? Yes/No

Signature of the Applicant.....

Date.....

For Official use

Recommendation

Approved/Not Approved.....

Recommended by.....

Designation.....

Signature.....

Fee paid.....

Receipt Number.....

Official Stamp.....

**FORM B**  
**DOG LICENCE**  
*(bye-law 3 (4))*

**Full name**.....

**Identity number**.....

**Plot number**.....

**Ward**.....

**Dog breed**.....

**Conditions**  
.....  
.....  
.....  
.....

**Date issued**.....

**Receipt number**.....

**Signature of issuing officer**.....

**Designation**.....

FORM C

APPLICATION FOR RENEWAL OF DOG LICENCE

*(bye-law 5 (1))*

Name of Applicant.....

Address.....

Renewal date.....

Dog licence number.....

Date of last renewal.....

Issued.....

Number of current dog licence.....

Plot Number.....

Street/ward/*kgotla*.....

Dog name.....

Colour of Dog.....

Tag number of dog.....

Vaccination report number.....

Signature of applicant.....

Date.....

Revenue official stamp.....

Date of approval.....

Registrar.....

Official Stamp.....

SCHEDULE 2

FEEES

*(bye-laws 3, 5 (3), 7 and 18 (3))*

	<i>FEEES</i>
Dog Licence	P50
Additional Dog	P50
Renewal of licence	P10
Duplicate licence	P10
Detention of a dog in kennel per day	P10

**SCHEDULE 3**  
**PROHIBITED AREAS**

*(bye-law 14)*

- (a) Jwaneng Town Council premises, Civic Centre building, Outpost Council premises;
- (b) Jwaneng Town Public Library;
- (c) Children's playing areas in Jwaneng Town;
- (d) All areas in Jwaneng Town set for sport and all other areas zoned as Sports Parks in Jwaneng Town;
- (e) All trading premises;
- (f) All Schools;
- (g) Hospitals or Clinics; and
- (h) All Government Offices.

**MADE** this 18th day of January, 2021.

*Town Clerk,  
Jwaneng Town Council.*

**APPROVED** this 18th day of January, 2021.

**ERIC M. MOLALE,**  
*Minister of Local Government and Rural  
Development.*