

LOCAL GOVERNMENT ACT  
(Cap. 40:01)

**SELEBI-PHIKWE TOWN COUNCIL (GENERAL) (AMENDMENT)  
BYE-LAWS, 2023**  
(Published on 21st July, 2023)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Amendment of bye-law 3 of Cap. 40:01 (Sub. Leg.)
3. Amendment of bye-law 9 of the Bye-laws
4. Amendment of bye-law 22 of the Bye-laws
5. Insertion of bye-laws 22A and 22B in the Bye-laws
6. Amendment of bye-law 25 of the Bye-laws
7. Amendment of bye-law 26 of the Bye-laws
8. Amendment of bye-law 28 of the Bye-laws
9. Amendment of bye-law 29 of the Bye-laws
10. Amendment of bye-law 30 of the Bye-laws
11. Amendment of bye-law 31 of the Bye-laws
12. Amendment of bye-law 32 of the Bye-laws
13. Amendment of bye-law 33 of the Bye-laws
14. Insertion of bye-law 37 in the Bye-laws
15. Amendment of bye-law 38 of the Bye-laws

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 Selebi-Phikwe Town Council hereby makes the following Bye-Laws —

1. These Bye-laws may be cited as the Selebi-Phikwe Town Council Citation  
(General) (Amendment) Bye-laws, 2023.
2. Bye-law 3 of the Selebi-Phikwe Town Council (General) (Amendment) Bye-laws (hereinafter referred to as the "Bye-laws") is amended —
  - (a) by substituting for subbye-law (1) (a), the following new subbye-law —  
“(a) provide proper and sufficient latrine accommodation with a hand washing basin for all persons residing or employed thereon”; and
  - (b) by substituting for subbye-law (1) (b), the following new subbye-law —  
“(b) provide a minimum of one latrine for every 15 persons per gender;”.
3. Bye-law 9 of the Bye-laws is amended by inserting immediately after subbye-law (2), the following new subbye-law —  
“(3) Any person who fails to comply with bye-law 9 commits an offence and is liable —
  - (a) in the case of an offence against subbye-law (1), to a fine of P2,000, or in default of payment thereof, to imprisonment for a term not exceeding six months; and
  - (b) in the case of an offence against subbye-law (2), to a fine of P2,000, or in default of payment thereof, to imprisonment for a term not exceeding three months and for a second or subsequent conviction to a fine of P3,000, or a default of payment thereof, to imprisonment for a term not exceeding four months.”.

Amendment of  
bye-law 3 of  
Cap. 40:01 (Sub.  
Leg.)

Amendment of  
bye-law 9 of the  
Bye-laws

Amendment of  
bye-law 22 of  
the Bye-laws

4. Bye-law 22 of the Bye-laws is amended by substituting for —
- (a) subbye-law (1), the following new subbye-law —  
“(1) A person shall not burn or set fire to any grass, refuse, rubbish or other material on any private property.”; and
- (b) subbye-law (2), the following new subbye-law —  
“(2) A person shall not burn or set fire to any grass, refuse, rubbish or other material on any street or public open space.”.

Insertion of  
bye-laws 22A  
and 22B in the  
Bye-laws

5. The Bye-laws are amended by inserting immediately after Bye-law 22, the following new Bye-laws —

“Discharge of fireworks 22A. (1) No person shall discharge any fireworks in the street, stadium, public space or any other open space under the management or control of the Council without the written consent of the Council.

(2) The Council shall have the right to refuse permission in any case in which it considers the discharging of fireworks would endanger life or property.

Obstruction or  
interference  
with fire  
escape

22B. No person shall do, cause to be done or permit to be done any act whereby the free use of fire escape stairs, passage ways or doors in or out of any building or premises are obstructed in the event of fire or in connection with the saving of life or property.”.

Amendment of  
bye-law 25 of  
the Bye-laws

6. Bye-law 25 is amended in subbye-law (1) by inserting immediately after paragraph (i), the following new paragraphs —

- “(j) all food premises shall be provided with showers and change rooms one per 15 persons per gender;
- (k) provision of a functional fat or oil trap for all food premises;
- (l) all food premises with a kitchen, the kitchen shall have a safety door at the back opening outwards; and
- (m) a dressing room shall be provided where the belongings of the employees can be kept in a clean and sanitary and such room shall be separated from any place where utensils or foodstuffs are handled or stored.”.

Amendment of  
bye-law 26 of  
the Bye-laws

7. Bye-law 26 of the Bye-laws is amended by substituting for subbye-law 26 (f), the following new subbye-law —

“(f) a dressing room shall be provided where the belongings of the employees can be kept in a clean and sanitary condition and such room shall be separated from any place where utensils or foodstuffs are handled or stored.”

Amendment of  
bye-law 28 of  
the Bye-laws

8. Bye-law 28 of the Bye-laws is amended —

- (a) by substituting for subbye-law (1) (b), the following new subbye-law —  
“(b) keep every part his bakery and all vessels and utensils, carts, and other receptacles used in connection with the preparation, conveyance and storage of bakery products in a clean and wholesome state and all utensils used should be made of stainless steel.”; and
- (b) by substituting for subbye-law (1) (c), the following new subbye-law —  
“(c) ensure that all persons employed in the bakery are clean and dressed in clean full light coloured overalls while so employment.”.

Amendment of  
bye-law 29 of  
the Bye-laws

9. Bye-law 29 of the Bye-laws is amended by inserting immediately after subbye-law (c), the following new subbye-law —

“(d) ensure that meat is transported in refrigerated vehicles, which shall be used exclusively for that purpose.”.

- 10.** Bye-law 30 of the Bye-laws is amended by substituting for subbye-law (5), the following subbye-law —
- Amendment of  
bye-law 30 of  
the Bye-law
- “(5) No person shall smoke in a mixing room, kneading room or baking room in a bakery, or in any trading premises of food and non- foodstuffs, or any place where such smoking is likely to defile food stuffs deposited or exposed for sale.”
- 11.** Bye-law 32 of the Bye-laws is amended by —
- Amendment of  
bye-Law 32 of  
the Bye-laws
- (a) substituting for subbye-law (6), the following new subbye-law —
- “(6) All utensils, including trays, bin and other containers, and all knives, fork and other tools used for handling or storing foodstuffs shall be constructed of stainless steel, plastic or other non-corrosive and non-staining material and no person shall handle or store any foodstuffs with tools or in containers which do not comply with the subbye-law.”; and
- (b) inserting immediately after subbye-law (11), the following new sub bye-law —
- “(12) No person shall cook or prepare any kind of food along the street or any open space.”
- 12.** Bye-law 33 of the Bye-laws is amended by —
- Amendment of  
bye-law 33 of  
the Bye-laws
- (a) deleting subbye-law (b); and
- (b) substituting for subbye-law (c), the following new subbye-law —
- “(c) damaged or becomes unsealed or shows evidence of having been punctured and having had the puncture and having had the puncture re-sealed.”
- 13.** The Bye-laws are amended by inserting immediately after bye-law 37, the following new bye-law —
- Insertion of  
bye-law 37A  
in the Bye-laws
- “Keeping of  
birds for  
commercial  
purpose
- 37A. (1) No person shall keep more than 25 live birds.
- (2) Every person who keeps any live bird shall, ensure that all poultry cages are kept clean at all times and no foul smell shall emanate from the cage housing the live bird.
- (3) Every person who keeps live birds in a residential area shall, ensure that there is no accumulation of poultry manure and that all manure is disposed of at a landfill after cleaning.”
- 14.** The Bye-laws are amended by substituting for Bye-law 38, the following new Bye-law —
- Amendment of  
bye-law 38 of  
the Bye-laws
- “Offences  
and penalties
38. (1) Any person who obstructs or hinders the Council in the exercise of its duties under the provisions of these Bye-laws or fails to comply with any of the provisions of bye-law 3 (2), 11, 16, 17, 19, 20, 22, 22A , 35, 37 or 37A shall be guilty of an offence and shall be liable on the first conviction to a fine not exceeding P200 or, in default of payment thereof, to imprisonment for a term not exceeding 14 days, and on a second or subsequent conviction to a fine not exceeding P400 or, in default of payment thereof, to imprisonment for a term not exceeding two months.
- (2) Any person who fails to comply with any of the provisions of bye-law 4, 5, 6, 7, 10, 13, 18, 21, 22B, 23, 28, 29, 30, 31, 32 or 33 shall be liable on conviction to a fine not exceeding P500 or, in default of payment thereof, to imprisonment for a term not exceeding three months.

(3) Any person who fails to comply with any of the provisions of bye-law 3 (1), 8, 25, 26 or 27 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding P1000.00 or, in default of payment thereof, to imprisonment for term not exceeding six months.”.

MADE this 21st day of June, 2023.

M. MATSEKA,  
TOWN CLERK,  
*Selebi-Phikwe Town Council.*

APPROVED this 27th day of June, 2023.

KGOTLA AOUTLWETSE,  
*Minister of Local Government and  
Rural Development.*