

Statutory Instrument No. 40 of 1968.

THE TOWNSHIPS PROCLAMATION (CHAPTER 120)

THE TOWN COUNCIL REGULATIONS, 1966

THE LOBATSI (DOGS) BYE-LAWS, 1968

(Published on 10th May, 1968)

It is hereby notified that His Excellency the President has, in terms of regulation 32 of the Town Council Regulations, 1966, published in Legal Notice No. 37 of 1966, approved of the following bye-laws made by the Lobatsi Town Council under the provisions of section 31 of the aforesaid regulations —

Title

1. These bye-laws may be cited as the Lobatsi (Dogs) Bye-Laws, 1968.

Interpretation

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

“Council” means the Town Council of Lobatsi;

“dog”, except for the purposes of bye-law 6(2), includes a bitch;

“public place” includes any road, street, thoroughfare, bridge, foot pavement, open space or park and any enclosed space vested in the Council;

“rabies certificate” means a certificate signed by a veterinary surgeon within a period of three years prior to its production stating that the dog (being a dog which was six months or more in age at the time of vaccination) has been vaccinated for rabies;

“Town Clerk” means the Town Clerk of Lobatsi.

Yapping of Dogs and Bitches in Season

3. (1) No person shall permit the continual yapping, whining or barking of dogs so as to disturb the comfort of any inhabitants of the township area.

- (2) No person shall allow any bitch to be at large at such times as she is on heat or in season.

Troublesome, Dangerous or Infected Dogs

4. (1) No person shall allow any troublesome, ferocious or dangerous dog, or any dog which is suffering from a contagious or infectious disease, to be at large off the premises on which such animal is normally kept.

- (2) Any person who keeps any dog of the nature described in subbye-law (1) shall display at the principal entrance of the property where the dog is kept a clearly legible sign, reading “BEWARE OF THE DOG” or “TSHABA NTSA”.

Detention and Destruction of Abandoned or Diseased Dogs

5. (1) A servant of the council authorized thereto by the Town Clerk may detain and remove to kennels or other premises owned by the council any dog which is at large in a public place.

- (2) Should any dog detained under the provisions of subbye-law (1) not be claimed by or on behalf of its owner within a period of two weeks of such detention, it shall be deemed to be abandoned and in such event the council may destroy or otherwise dispose of such dog:

Provided that the Town Clerk may authorize the destruction of a dog prior to the expiration of the aforesaid period of two weeks where he has reason to believe it is suffering from an infectious or contagious disease of a serious nature and that the destruction of the dog is necessary for the purpose of controlling the spread of such disease.

(3) The owner of any dog detained under the provisions of this bye-law may reclaim such dog, so long as it remains in the custody of the Council, on payment of a fee of 20 cents for each day during which it has been so detained.

Licensing of Dogs

6. (1) No person shall keep a dog over the age of six months unless it is licensed in terms of this bye-law. In cases of dispute the opinion of a veterinary officer that a dog is in fact over the age of six months shall be final

(2) A dog licence shall be issued, on application, on production of a rabies certificate, by the Town Clerk and shall be issued in respect of a calendar year and on payment of the following fees —

- (a) for a dog, 50c;
- (b) for a bitch —
 - (i) if not spayed, R1-00;
 - (ii) if spayed, 50c;

Provided that the fees payable shall be half the amount prescribed in this subsection where a dog is brought into the township area, or attains the age of six months, on or after the 1st of July in any year.

(3) Notwithstanding the provisions of subsection (1) —

- (a) a dog licence issued in respect of the preceding calendar year shall be deemed to authorize the keeping of the dog to which the licence relates during the month of January of the succeeding year;
- (b) a dog brought into the township area during the course of a calendar year shall be licensed within a period of four weeks from the date when it was so brought in;
- (c) a dog shall be licensed within four weeks of its attaining the age of six months.

(4) A licence issued under the provisions of this section shall be in the form of a metal badge.

(5) No person shall permit any dog which is required to be licensed under the provisions of this bye-law to be at large unless a current licence issued under the provisions of bye-law is affixed to it by means of a dog collar.

(6) Where a dog licence issued under the provisions of this bye-law has been lost, the Town Clerk may issue a duplicate licence on payment of a fee of 25c.

Penalties

7. Any person contravening the provisions of these bye-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R15 or, in default of payment, to imprisonment for a period not exceeding two months.

Office of the President,
GABERONES.
30th April, 1968.

A.M. MOGWE,
Permanent Secretary.