

Statutory Instrument No. 118 of 1969

THE LOCAL GOVERNMENT (DISTRICT COUNCILS) LAW, 1965

THE NORTH-WEST DISTRICT (REFUSE) BYE-LAWS, 1969

(Published on the 12th December, 1969)

In the exercise of the powers vested in him by section 32 of the Local Government (District Councils) Law, 1965 (No. 35 of 1965), the Minister of Local Government and Lands has approved the following Bye-laws made by the North-West District Council –

Citation

1. These Bye-laws may be cited as the North-West District (Refuse) Bye-laws, 1969.

Application

2. These Bye-laws shall apply to the village of Maun, and bye-law 8 shall apply throughout the North-West District.

Interpretation

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

“Council” means the North-West District Council;

“occupier” means any person in actual occupation of premises, or legally entitled to occupy them;

“premises” includes any yard, field, garden or land, whether enclosed or open;

“public place” means any public street, square, road or thoroughfare, any tribal kgotla and any public or communal land;

“refuse” includes any filth, rubbish, trash, garbage, excrement, waste products from any source, rubble, derelict vehicles or tyres, and any matter which may be offensive, or a nuisance, or injurious or dangerous to health, or favour the breeding of flies or mosquitoes or favour the harbouring of rodents.

Refuse not to be Deposited in Public Places

4. No person shall deposit any refuse in or near any public place:

Provided that refuse may be deposited at a refuse dump designated by the Council or in receptacles provided by the Council.

Refuse not to be Accumulated on Private Premises

5. No person who is the owner or occupier of any private premises shall permit any refuse to accumulate or remain thereon so as to be offensive or a nuisance or injurious or dangerous to health or to favour the breeding of flies or mosquitoes or to favour the harbouring of rodents.

Refuse to be Removed from Private Premises

6. (1) The owner or occupier of any private premises shall, within three days after having been given notice to do so by the Council, remove or cause to be removed from such premises any refuse thereon.

(2) Should any owner or occupier of premises fail after due notice to comply with sub-bye-law (1) by removing or causing to be removed from such premises any refuse

thereon, the Council shall have power to enter by its agents or servants upon such premises and remove such refuse and to recover from such owner or occupier the cost of such removal.

(3) Where any Court convicts an owner or occupier of premises of failure to comply with sub-bye-law (1), such Court may, in addition to imposing any penalty prescribed therefor, order that any expense incurred by the Council in removing refuse in consequence of the offender's failure to comply shall be paid by him.

Refuse to be Removed to Receptacle or Place Designated

7. No person shall remove or cause to be removed any refuse to any place other than a receptacle provided, or a place designated, by the Council for the reception of such refuse.

Refuse not to be Deposited in Water Supplies

8. No person shall deposit any refuse in, or cause or permit any refuse to enter, any river, stream, spring, pool, well, borehole, dam, catchment basin or any channel or source of water supply.

Offences

9. (1) Any person who contravenes bye-law 4, 5, 6(1) or 7 shall be guilty of an offence and liable on a first conviction to a fine of R10 or in default of payment imprisonment for a period not exceeding one month, and on any subsequent conviction for the same offence to a fine of R25 or in default of payment imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

(2) Any person who contravenes bye-law 8 shall be guilty of an offence and liable on a first conviction to a fine of R15 or in default of payment imprisonment for a period not exceeding six weeks, and on any subsequent conviction to a fine of R60 or in default of payment imprisonment for a period not exceeding six months or to both such fine and imprisonment.

R.N. MANNATHOKO,
Permanent Secretary

Ministry of Local Government and Lands,
GABORONE.
26th November, 1969.
L. 2/8/9.