

**TOWNSHIPS ACT**  
(Cap. 40:02)  
**TOWN COUNCIL REGULATIONS**  
(Cap.40:02 (Sub. Leg.))  
**LOBATSE TOWN COUNCIL (PUBLIC STANDPIPES)**  
**BYE-LAWS, 1983**  
(Published on 3rd June, 1983)  
**ARRANGEMENT OF BYE-LAWS**

**BYE-LAW**

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IN EXERCISE of the powers conferred on the Lobatse Town Council by regulation 30 of the Town Council Regulations, the following Bye-Laws have been made and subsequently approved by the Minister of Local Government and Lands —

1. These Bye-Laws may be cited as the Lobatse Town Council (Public Standpipes) Bye-Laws, 1983. Citation

2. In these Bye-Laws — Interpre-  
"authorized officer" means the Town Clerk or a person authorized by tation  
him under bye-law 3;  
"designated area" means an area within the Township which has been allocated to persons for occupation in respect of which a certificate of rights or a temporary occupancy permit has been issued;  
"public standpipe" means a water supply point in a designated area intended for use by persons residing in that area;  
"Town Clerk" means the Town Clerk of the Town Council;  
"Town Council" means the Lobatse Town Council;  
"Township" means the Lobatse Township as the same is defined from time to time under the Townships Act;  
"unauthorized connexion or attachment" means a connexion or attachment made without the written permission of the Town Council.

Power of  
Town

3. The Town Clerk may, in writing, from time to time authorize any officer or employee of the Town Council to inspect and supervise the use of public standpipes.

Clerk to  
authorize  
Town  
Council's  
officers and  
employees  
to inspect  
and supervise  
public  
standpipes

Supply of  
public  
standpipe  
water to  
residents etc.,

4. (1) No person shall draw water or cause water to be drawn from a public standpipe unless he resides within the designated area in which the standpipe is located or has the written authority of the Town Clerk to draw from that standpipe.

(2) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine of P50 or in default of payment to imprisonment for one month.

Supply of  
public stand-  
pipe water  
to other  
persons

5. (1) Notwithstanding bye-law 4, a person who is not resident or authorized as therein provided may draw water or cause water to be drawn from a public standpipe but shall not, within any one period of 24 hours, draw water or cause water to be drawn —

- (a) more than once from the same standpipe;
- (b) from more than one standpipe located in the same designated area;
- or
- (c) in a greater quantity than 5.

(2) No person shall supply water drawn from a public standpipe to another person who is forbidden by bye-law 4 from himself drawing water from that standpipe except —

- (a) for consumption by that other person; or
- (b) with the written permission of the Town Clerk.

(3) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine of P50 or in default of payment to imprisonment for one month.

Restrictions  
on use of  
public stand-  
pipe water

6. (1) No person shall, without the written permission of the Town Clerk, draw water or cause water to be drawn from a public standpipe or supply water so drawn to another person for use or use water so drawn outside the designated area in which the standpipe is located.

(2) No person shall use water drawn from a public standpipe for any purpose other than a domestic purpose or for a purpose specified in a written permit issued to him by the Town Clerk.

(3) The Town Council may from time to time —

- (a) limit the quantity of water which may be drawn from a particular public standpipe;
- (b) by notice published by public exhibition at its principal office and at the principal post office within the Township prohibit the drawing of water from a particular public standpipe or the use of water drawn from a particular public standpipe for any purpose specified in the notice; or

(c) by written notice served on any person prohibit the use by that person and by any other persons subject to him control of water drawn from a public standpipe for any purpose specified in the notice.

(4) No person shall draw water or cause water to be drawn from a public standpipe or use water so drawn in contravention of the terms of any prohibition imposed by the Town Council under this bye-law.

(5) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine of P10 or in default of payment to imprisonment for one week.

(6) No fine or sentence of imprisonment imposed in respect of an offence under this bye-law shall prejudice the right of the Town Council to recover the appropriate charge for any water unlawfully drawn from a public standpipe.

7. Notwithstanding the other provisions of these Bye-laws, any person may draw water or cause water to be drawn from any public standpipe or supply water so drawn to any other person or use water so drawn anywhere for the purpose of extinguishing a fire.

Extinguishing fires

8. Without prejudice to its right to recover any amount due to it, the Town Council may turn off or curtail the supply of public standpipe water to any designated area where —

Power of Town Council to withhold supply of public standpipe water

(a) the persons resident therein or some of them have failed to pay any service levy or to comply with these Bye-laws.

(b) any repair, maintenance or extension of the water system is required; or

(c) a general water shortage occurs in the Township.

9. (1) The Town Clerk shall ensure that every public standpipe is regularly inspected by an authorized officer for —

Inspection of public Standpipe

(a) unauthorized connexions or attachments thereto; and

(b) any waste or misuse of water.

(2) It shall be the duty of authorized officers generally to supervise the proper use of public standpipes.

(3) No person shall make any unauthorized connexion or attachment to a public standpipe he shall, if it is —

(a) a first transgression, remove the connexion or attachment and return it forthwith to the person responsible therefor together with a written warning;

(b) a second transgression, —

(i) remove the connexion or attachment and cause it to be placed in the temporary custody of the Town Council;

(ii) issue a written warning to the person responsible for the connexion or attachment within 3 days of its removal and permit it to be released to him; and

(iii) require the person responsible for the connexion or attachment to sign a written acknowledgement to the effect that a further transgression will constitute an offence and require confiscation of the connexion or attachment in question; or

(c) a third transgression, confiscate the connexion or attachment and the person responsible therefor shall be guilty of an offence and liable to a fine of P50 or in default of payment to imprisonment for one month.

(4) Any person who hinders or obstructs or uses abusive or insulting language to an authorized officer in the performance of his duties under this bye-law shall be guilty of an offence and liable to a fine of P100 or in default of payment to imprisonment for 3 months.

Waste or  
misuse of  
public  
standpipe  
water

10. Any person who wilfully or negligently wastes or misuses or causes or allows to be wasted or misused any water drawn from a public standpipe shall be guilty of an offence and liable to a fine of P10 or in default of payment to imprisonment for one week.

Damage to  
public  
standpipe

11. (1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe or to any appliance or equipment in connexion therewith shall be guilty of an offence and liable to a fine of P100 or in default of payment to imprisonment for 3 months.

(2) No fine or sentence of imprisonment imposed in respect of an offence under this bye-law shall prejudice the right of the Town Council to recover the cost of effecting any repair or replacement arising from damage to a public standpipe

Prohibition  
of  
pollution

12. Any person who pollutes or causes the pollution of public standpipe water or allows any foul liquid, gas or other noxious matter to enter any pipe or fitting connected with a public stand pipe shall be guilty of an offence and liable to a fine P50 or in default of payment to imprisonment for one month.

MADE this 13th day of April, 1983.

F.M. PHALADZE,  
*Lobatse Town Council.*

APPROVED this 9th day of May, 1983.

E.M. KGABO,  
*Minister of Local Government and Lands.*

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