

Statutory Instrument No. 110 of 1985

LOCAL GOVERNMENT (DISTRICT COUNCILS) ACT
(Cap. 40:01)

SOUTH EAST DISTRICT COUNCIL (REFUSE) BYE-LAWS, 1985
(Published on 23rd August, 1985)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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SCHEDULE

IN EXERCISE of the powers conferred on the South East District Council by section 31 of the Local Government (District Councils) Act, the following Bye-laws, with the approval of the Minister of Local Government and Lands in accordance with section 32 of the said Act, are hereby made —

1. These Bye-laws may be cited as the South East District Council (Refuse) Bye-Laws, 1985. Citation

2. (1) These Bye-Laws shall apply to the village areas described in the Schedule to these Bye-laws. Application

(2) Notwithstanding sub-bye-law (1), the council may, by resolution, amend the description of village areas in the Schedule and may by resolution extend the jurisdiction of these Bye-laws to other village areas:

Provided that no resolution under this sub-bye-law shall take effect unless at least 14 days notice of the terms thereof has been communicated to the inhabitants of the villages to be affected by the operation of the said resolution.

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

“council” means the South East District Council” pretation

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

“refuse dump” means a piece of land designated by council for the disposal of refuse.

Prohibition of deposition of refuse in public places

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

Provided that a person may deposit refuse at a refuse dump designated by the council in consultation with the land board, or in a receptacle for the reception of refuse provided by the council or in a receptacle approved by the council, but provided by the occupier of private premises.

Prohibition of accumulation of refuse on private premises

5. No tenant or occupier of any premises shall allow or permit any refuse to accumulate or remain on his premises so as to be offensive or a nuisance to the public or injurious or dangerous to health or favouring the breeding of flies or mosquitoes or the harbouring of rodents.

Power of council to require removal of refuse from private premises

6. (1) The council may, by notice in writing served on the owner or occupier of private premises, require him within 3 days after the said service to remove from his premises any refuse thereon.

(2) Every owner or occupier of private premises on whom a notice has been served under sub-by-law (1) who fails to comply with the requirement to remove refuse stated in the notice, the council may, by its employees or agents, enter upon the premises and remove the refuse therefrom and may recover from the owner or occupier of such property such expenses as would have been incurred in carrying out the removal.

Where to deposit refuse

7. Any person who removes refuse from a village area as defined by bye-law 2 shall deposit such refuse at a refuse dump and at no other place.

Prohibition of depositing refuse in water sources

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

Powers of council to impose charges

9. The council may by resolution make such charges for collecting and emptying dust-bins and septic tanks on institutional or private premises as it may, from time to time, determine.

Penalties

10. (1) Subject to the provisions of this bye-law any person who contravenes any of these bye-laws shall be guilty of an offence and liable to a fine of P10 or in default of payment to imprisonment for one month or in case of a second or subsequent offence to a fine of P25 and to imprisonment for three months.

(2) Where any person is convicted of an offence against bye-law 6, the court convicting him may, in addition to any penalty imposed, order the person to reimburse the council for any expenses incurred by the council in removing the refuse as assessed by the court.

(3) Any person who contravenes bye-law 8 shall be guilty of an offence and liable to a fine of P15 or imprisonment for 6 weeks, or in case of a second or subsequent offence to a fine of P60 and to imprisonment for 6 months.

SCHEDULE

1. Ramotswa village to include Taung and Ramotswa station.
2. Tlokweng village.

MADE this 25th day of July, 1985.

S.D. MORWENG,
Chairman,
South East District Council.

APPROVED this 2nd day of August, 1985.

J.L.T. MOTHIBAMELE,
Minister of Local Government and
Lands.

L2/8/20