

TOWNSHIPS ACT
(Cap. 40:02)

TOWNSHIPS REGULATIONS
(Cap. 40:02, Sub.leg)

GABORONE CITY COUNCIL (PUBLIC STANDPIPES) BYELAWS, 1994
(Published on 25th February, 1994)

IN EXERCISE of the powers conferred by regulation 30 as read with regulation 31 of the Townships Regulations, the Gaborone City Council, with the approval of the Minister for Local Government, Lands and Housing, hereby makes the following Byelaws —

1. These Byelaws may be cited as the Gaborone City Council (Public Standpipes) Byelaws, 1994. Citation

2. In these Byelaws, unless the context otherwise requires — Interpretation
“authorized officer” means the City Clerk, or any officer of the City Council duly authorized in writing by the City Clerk for the purpose of inspecting standpipes;

“designated area” means an area of the City which has been designated by the City Council as an area for occupation by persons holding certificates of right or temporary occupancy permits;

“occupier” in respect of a designated area means a person residing within the area;

“public standpipe” means a water supply point within a designated area, and intended for use by the occupiers thereof;

“unauthorized connexion or attachment” means a connexion or attachment which has been made to a standpipe without the written permission of the City Council.

3. Subject to the provisions of byelaw 4, water from a public standpipe shall be available for use by occupiers of the designated area in which it is situated, or to persons so authorized in writing by the City Council. Use of water from public standpipe

4. (1) A person who is not an occupier of the designated area in which a public standpipe is situated, may, without further authorization, draw water not exceeding five litres in any one day from such standpipe. Use of water by persons other than occupiers

(2) An occupier in a designated area shall not supply water from a public standpipe in such area to any person not entitled thereto, except —

- (a) for immediate personal consumption;
- (b) for the purpose of fire prevention or extinguishing fire; or
- (c) as may be permitted in writing by the City Council.

(3) Except with the written permission of the City Council, or in an emergency for the purposes specified in paragraph (2) (b), water shall not be drawn from a public standpipe for use outside the designated area in which it is located.

5. (1) Public standpipe water shall not be used for any purpose other than for domestic purposes, or in an emergency as specified in paragraph 4(2) (b), or as may be specified, in writing, by the City Council. Use of public standpipes

(2) The City Council may, from time to time, —

- (a) limit the quantity of water which may be drawn from a particular standpipe;
- (b) by notice in the Gazette, and in a newspaper circulating in the City, prohibit the use of water for any specified purpose, in any specified area within the City;
- (c) by written notice to consumers, prohibit the use of public standpipe water for such purpose or purposes as may be specified in the notice.

(3) Any person who uses public standpipe water for any purpose contrary to the provisions of these Bye-laws, or contrary to the provisions of any notice issued by the City Council under subparagraph (2), shall be guilty of an offence and liable to a fine of P100, and in default of payment thereof to imprisonment for three months, and such fine or imprisonment shall be without prejudice to the right of the City Council to recover the charges for water improperly used.

Withholding of supply of public standpipe water

6. Without prejudice to the right of recovery of any money due to it, the City Council may turn off, or curtail, the supply of public standpipe water to any designated area where —

- (a) the occupiers, or any of them, have failed to pay any service levy, or failed to comply with any provision of these Bye-laws with which it is their duty to comply;
- (b) the repair of, maintenance to or extension of the water system is required; or
- (c) a general water supply shortage occurs in the area.

Inspection of standpipes

7.(1) An authorized officer may, from time to time, inspect public standpipes for the purpose of detecting unauthorized connexions or attachments, or the waste or misuse of water, and shall generally supervise the proper use of such standpipes.

(2) (a) Where an authorized officer finds an unauthorized connexion or attachment to a public standpipe, he shall immediately remove it or order it to be removed.

(b) The unauthorized connexion or attachment shall be retained by the City Council for at least five days after which —

- (i) it may be released to the owner and upon the owner signing a written acknowledgement that a further transgression will result in prosecution and the confiscation of the connexion or attachment in question; or
- (ii) the person responsible may be, and shall be for a second or subsequent transgression, prosecuted and liable to a fine of P100 and to imprisonment for 2 months, and the unauthorized connexion or attachment shall be confiscated.

(3) Any person who hinders, obstructs or uses abusive or insulting language towards an authorized officer in the performance of his duties under these Bye-laws shall be guilty of an offence and liable to a fine of P200 and to imprisonment for three months.

Misuse of water

8. Any person who wilfully or negligently wastes or misuses water from a public standpipe shall be guilty of an offence and liable to a fine of P150.

9. (1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe, or to any appliance or equipment connected therewith, shall be guilty of an offence and liable to a fine of P150 and to imprisonment for three months.

Damage to
public
standpipe

(2) The imposition of a fine or imprisonment in terms of subparagraph (1) shall be without prejudice to the right of the City Council to recover from the offender the cost of any repair or replacement arising from the damage to the public standpipe concerned.

10. Any person who pollutes or causes the pollution of any public standpipe water, or causes or allows any foul liquid, gas or other noxious matter to enter any fitting connected therewith, shall be guilty of an offence and liable to a fine of P200 and to imprisonment for three months.

Pollution

MADE this 13th day of December, 1993

CITY CLERK,
Gaborone City Council.

APPROVED this 18th day of January, 1994.

C.J. BUTALE,
*Minister of Local Government, Lands
and Housing.*