

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

NORTH EAST DISTRICT COUNCIL (PUBLIC STANDPIPES)
BYE-LAWS, 2005
(Published on 28th October, 2005)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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IN EXERCISE of the powers conferred by section 33 of the Local Government (District Councils) Act, and with the approval of the Minister of Local Government, the North East District Council hereby makes the following Bye-Laws —

1. These Bye-Laws may be cited as the North East District Council (Public Standpipes) Bye-Laws, 2005. Citation
2. In these Bye-laws, unless the context otherwise requires — Interpretation
“authorised officer” means the Council Secretary, or any person authorised by him under bye-law 3;
“Council” means the North East District Council;
“designated area” means a settlement or village within the Council allocated to persons for occupation;
“public standpipe” means a Council water supply point within a designated area, intended for use by persons residing in that area; and
“unauthorised connection or attachment” means a connection or attachment made to a public standpipe without the written permission of the Council.
3. The Council Secretary may, in writing, from time to time, authorise any officer or employee of the Council to inspect and supervise the use of public standpipes. Supervision of use of public standpipes
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 Council to draw water from the standpipe. Use of water from public standpipes
(2) A person who contravenes the provisions of sub-bye-law (1) is guilty of an offence and is liable to a fine not exceeding P100.00 or to imprisonment for a term not exceeding one month.

Use of water by persons other than residents

5. (1) Notwithstanding the provisions of bye-law 4, a person who is not resident or authorised 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 more than once from —

- (a) the same public standpipe; or
- (b) more than one public standpipe located in the same designated area.

(2) No person shall supply water drawn from a public standpipe to another person who is forbidden by sub-bye-law (1) from drawing water from that standpipe except —

- (a) for domestic use by that other person; or
- (b) as may be authorised, in writing, by the Council.

(3) A person who contravenes this bye-law is guilty of an offence and is liable to a fine not exceeding P100.00, or to imprisonment for a term not exceeding one month.

Restriction on use of public standpipe water

6. (1) No person shall, without the written authorisation of the Council, supply water drawn from a public standpipe to another person who is forbidden by bye-law 5 (1) from drawing water from that standpipe unless there is a water shortage in that other person's designated area.

(2) Water from a public standpipe shall not be used for any purpose other than for domestic purposes, or as may be specified, in writing, by the Council Secretary.

(3) The 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 at its principal office, its health facilities, kgotla or any other place that the Council may consider appropriate, prohibit the drawing of water from a particular public standpipe for the purposes specified in the notice; or
- (c) by written notice served on any person, prohibit the use of water drawn from a public standpipe, by that person and by any other person under his authority, for any purpose specified in the notice.

(4) A person who uses water from a public standpipe for any purpose other than a domestic purpose, or contrary to the provisions of any notice issued by the Council is guilty of an offence and is liable to a fine not exceeding P200.00 or to imprisonment for a term not exceeding two months.

(5) A fine or a term of imprisonment imposed in terms of sub-bye-law (4) shall be without prejudice to the rights of the Council to recover the charges for any water improperly drawn or used.

Use of water to extinguish fire

7. Notwithstanding the provisions of these bye-laws, a person may draw water or cause water to be drawn from any public standpipe, or supply water so drawn to another person, for the purposes of extinguishing a fire.

Withholding of supply of public standpipe water

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

- (a) a person resident therein, fails to comply with these bye-laws;
- (b) the water system is damaged or requires repair, maintenance or extension, or where such works are being carried out on that system;
- (c) a general water supply shortage occurs in the area; or
- (d) the public standpipe is no longer needed.

9. (1) An authorised officer shall —
- (a) inspect public standpipes for the purpose of detecting unauthorised connections or attachments, or the waste or misuse of water; and
 - (b) supervise the proper use of public standpipes.
- (2) Where an authorised officer finds an unauthorised connection or attachment to a public standpipe he or she shall immediately—
- (a) remove it or cause it to be removed; and
 - (b) confiscate it.
- (3) A person who makes an unauthorised connection or attachment to a public standpipe is guilty of an offence and is liable to a fine not exceeding P100.00 or to imprisonment for a term not exceeding one month.
- (4) A person who hinders, obstructs or uses abusive or insulting language towards an authorised officer in the performance of his or her duties under these bye-laws is guilty of an offence and is liable to a fine not exceeding P200.00 or to imprisonment for a term not exceeding two months.
10. A person who wilfully or negligently wastes or misuses water, or causes or allows to be wasted or misused, any water drawn from a public standpipe is guilty of an offence and is liable to a fine not exceeding P50.00, or to imprisonment for a term not exceeding one month.
11. (1) A person who tampers with or wilfully or negligently causes damage to a public standpipe, or to any appliance or equipment connected thereto, is guilty of an offence and is liable to a fine not exceeding P200.00 or to imprisonment for a term not exceeding two months.
- (2) A fine or term of imprisonment imposed in terms of sub-bye-law (1) is without prejudice to the rights of the Council to recover, from the offender, the cost of any repair or replacement arising from the damage to the public standpipe concerned.
12. A 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 to a standpipe is guilty of an offence and is liable to a fine not exceeding P200.00 or to imprisonment for a term not exceeding two months, or to both.

Inspection of
public
standpipes

Misuse of
water

Damage to
public
standpipes

Prohibition of
pollution

MADE this 3rd day of May, 2005.

B. KHUMOMATLHARE,
Council Secretary,
North East District Council.

APPROVED this 4th day of July, 2005.

M. NASHA,
Minister for Local Government.