

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

SOUTH EAST DISTRICT COUNCIL (REFUSE) BYE-LAWS, 1992
(Published on 11th December, 1992)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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IN EXERCISE of the powers conferred by section 29 of the Local Government (District Councils) Act, the South East District Council, with the approval of the Minister of Local Government, Lands and Housing, hereby makes the following Bye-laws —

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| 1. These Bye-laws may be cited as the South East District Council (Refuse) Bye-laws, 1992. | Citation |
| 2. These Bye-laws shall apply to the village areas specified in the Schedule to these Bye-laws, and to such village areas as the Council may, by resolution, from time to time, determine:
Provided that no such resolution of the Council shall have force and effect unless 14 days prior notice of such resolution and the terms thereof has been communicated to the inhabitants of any village area affected or likely to be affected by the operation of such resolution. | Application |
| 3. In these Bye-laws, unless the context otherwise requires, —
“Council” means the South East District Council;
“refuse” includes any filth, rubbish, trash, rubble, garbage, excrement, waste product from any source, 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 any piece of land designated by the Council, in consultation with the land board concerned, for the disposal of refuse. | Interpretation |
| 4. The Council may, by resolution, impose such charges in respect of the collection by it of refuse and the emptying of dustbins and septic tanks from or on institutional or private premises as it may, from time to time, determine. | Charges for collection of refuse etc. |
| 5. (1) The Council may, by notice in writing served on the owner or occupier of private premises, require him to remove from such premises, within three days after service of such notice, any refuse thereon.
(2) If any owner or occupier of private premises on whom a written notice has been served in accordance with the provisions of sub-bye-law (1) fails to comply with the requirement to remove refuse stated in such notice, the Council may, by its employees or agents, enter upon the premises and remove the refuse therefrom, and may recover from such owner or occupier any expenses incurred in carrying out such removal. | Removal of refuse from private premises |

Accumulation
of refuse

6. No tenant or occupier of premises shall allow or permit any refuse to accumulate or remain on such premises so as to be offensive or constitute a nuisance to the public, or be or likely to be injurious or dangerous to health, or favour the breeding of flies or mosquitoes, or harbour rodents.

Deposit
of refuse

7. (1) Any person who removes refuse from a village area as specified in accordance with the provisions of bye-law 2, shall deposit such refuse at a rubbish dump and at no other place.

(2) No person shall deposit any refuse in or near a public place:

Provided that the provisions of this sub-bye-law shall not apply to the deposit of refuse at a refuse dump, or in a receptacle for the deposit of refuse provided by the Council, or provided by the owner or occupier of private premises and approved by the Council.

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

Penalties

8. (1) Any person who contravenes or fails to comply with any provision of these Bye-laws shall be guilty of an offence and shall be liable to a fine of P200, or in default of payment to imprisonment for six months:

Provided that where the offence is in respect of a contravention of the provisions of sub-bye-law (3) of bye-law 7, the penalty for a first offence shall be a fine of P15 or in default of payment imprisonment for six weeks, and for a second or subsequent offence shall be a fine of P60 and imprisonment for six months.

(2) Where any person is convicted of an offence under bye-law 5, the court convicting him may, in addition to any penalty imposed, order such person to pay to the Council such expenses incurred by the Council in removing the refuse as may be assessed by the court.

SCHEDULE

(bye-law 2)

Ramotswa
Tlokweng
Taung
Otse
Mogobane

MADE this 12th day of November, 1992.

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

APPROVED this 12th day of November, 1992.

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