

TOWNSHIPS ACT
(Cap. 40:02)

TOWN COUNCILS REGULATIONS
(Sub. leg)

KASANE TOWNSHIP (TEMPORARY STRUCTURES) BYE LAWS, 1998
(Published on 21st August, 1998)

ARRANGEMENT OF BYE LAWS

BYE LAW

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IN EXERCISE of the powers conferred on the Kasane Local Authority by regulation 30 as read with regulation 31 of the Town Councils Regulations, and with the approval of the Minister of Local Government, Lands and Housing, the following Bye Laws are hereby made —

1. (1) These Bye Laws may be cited as the Kasane Township (Temporary Structures) Bye Laws, 1998. Citation and application

(2) These Bye Laws shall apply to all plots in the Kasane Township.

2. In these Bye Laws, unless the context otherwise requires — Interpretation
“Authority” means the Township Authority for Kasane Township;
“Plot means a piece of immovable property in a residential area;
“plot holder” means the registered owner, lease holder or occupant of a plot,
“Assistant Council Secretary” means the Assistant Council Secretary for Kasane Township.

3. (1) A plot holder shall not erect a temporary structure on the plot he occupies except in accordance with these Bye Laws. Restriction on erection of temporary structure

(2) A plot holder may, before building a permanent dwelling house, or while the building is still in progress, erect a temporary structure for use as a dwelling house and or as a store for building material.

(3) The Authority may, upon application permit or require a plot holder to build a temporary structure for such purpose as the Authority may determine.

4. (1) Subject to sub-bye law (2) a plot holder shall demolish a structure erected in accordance with bye law 3 at or before the expiry of a period of six months immediately following the erection thereof. Duty to demolish structure

(2) The Authority may grant authorisation for the continued maintenance of the temporary structure for a further period of six months to a plot holder who gives sufficient grounds in an application made at least 30 days before the temporary structure is required to be demolished under Sub Bye Law (1).

Notice to
demolish

(3) The duty to demolish a structure in accordance with Sub Bye Law (1) includes the removal of all debris resulting from the demolition of the structure.

5. (1) A plot holder shall not demolish a temporary structure in accordance with bye law 4 unless notice of intention to demolish has been given to the Assistant Council Secretary at least twenty four hours before the structure is demolished.

(2) The Assistant Council Secretary shall take all reasonable steps to ensure that every demolition of a temporary structure is carried out under the immediate supervision of an employee of the Township Authority.

Power to
demolish
unauthorised
structure

6. (1) The Authority may serve a notice in writing to a plot holder who has erected a temporary structure in contravention of these bye laws or where the six months period for the erection of the temporary structure has elapsed, requiring the plot-holder to demolish the structure within seven days immediately after service of the notice.

(2) Where a plot holder fails to comply with the notice issued under Sub Bye Law (1), the Authority may enter the plot and demolish the structure and take such other steps as appear to the authority to be necessary to safeguard the health and safety of the plot holder, other occupants of the plot or members of the public within the township.

(3) Expenses incurred by the authority in demolishing a structure under Sub Bye Law (2) shall be deemed to be a civil debt, due and payable to the township authority by the plot holder and may be recovered in a Court of law.

Offences
and
penalties

7. A plot holder who contravenes a provision of these Bye Laws commits an offence and is liable on conviction to a fine not exceeding P100, or in default of payment to imprisonment for a term not exceeding three months.

MADE this 17th day of August, 1998.

C.D. CHIKUBA,
*for Kasane Township
Authority.*

APPROVED this 7th day of August, 1998.

D.K. KWELAGOBÉ,
*Minister of Local Government,
Lands and Housing.*