

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

NORTH EAST DISTRICT COUNCIL (DOGS) BYE-LAWS
(Published on 11th March, 2011)

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 (Dogs) Bye-laws, 2011. Citation

2. In these Bye-laws, unless the context otherwise requires — Interpretation

“authorised officer” means the Council Secretary or any other officer of the Council authorised in writing by the Council Secretary to perform the duties under these Bye-laws;

“Council” means the North East District Council;

“licence” means a licence issued under bye-law 3;

“public place” means any public way, and any building, place or conveyance to which the public are entitled without any conditions within the Council’s area of jurisdiction and the enclosed space within its control;

“rabies certificate” means a certificate signed by a veterinary officer stating that a dog has been vaccinated against rabies; and

“veterinary officer” includes a livestock officer or stock inspector employed in the Government service and a veterinary surgeon defined under the Veterinary Surgeons Act.

Licensing of
dogs

3. (1) A person shall not keep a dog which is over six months old without a licence to keep that dog, issued under these Bye-laws.

(2) The owner of a dog shall, within four weeks of the dog attaining the age of six months, apply to an authorised officer for a licence to keep that dog in Form A set out in Schedule 1.

(3) The authorised officer shall, on receipt of a written application, upon the payment of the fee set out in the Schedule 2 and after the production of a rabies certificate by the applicant, issue a dog licence in Form B1.

4. A licence issued under bye-law 3 shall be valid for 12 months.

Duration of
licence

Renewal of
licence

5. (1) A holder of a dog licence may, upon its expiry, apply for a renewal of the licence to the authorised officer, in Form C set out in the Schedule 1.

(2) An application for renewal in terms of subbye-law (1) shall be made not later than one month before the expiry of that licence.

(3) Subject to the provisions of subbye-law (4), the authorised officer may, on receipt of an application, renew the licence by endorsing on the licence and upon payment of a fee set out in Schedule 2, and may attach such conditions to the renewal thereof as he or she may determine.

(4) The authorised officer may refuse to renew a licence if he or she is satisfied that —

(a) the conditions of the licence have not been complied with;

(b) the conditions of these Bye-laws have not been complied with; or

(c) it is in the public interest not to renew such licence.

Transfer of
licence

6. (1) A person who acquires a dog for which a licence has been issued under these Bye-laws may apply to the authorised officer, in Form D set out in Schedule 1, for the licence to be transferred to him or her.

(2) The authorised officer shall, if satisfied of the validity of the licence and upon payment of a fee set out in the Schedule 2, cause the transfer to be effected by endorsing the particulars of the applicant on the licence.

Duplicate
licence

7. (1) Where a licence is lost or destroyed, the owner of the dog may apply to the authorised officer for a duplicate licence in Form E set out in the Schedule 1.

(2) The authorised officer shall, on being satisfied that a licence issued in terms of these Bye-laws has been lost or destroyed, and upon payment of the fee set out in Schedule 2, issue a duplicate licence to that person.

(3) Where a licence which has been lost and replaced is recovered, the duplicate licence shall be returned forthwith to the authorised officer.

Revocation or
cancellation of
licence

8. An authorised officer may, at any time, withdraw or cancel a licence if, in his or her opinion, it is in public interest to do so.

Dog to have
metal tag

9. A dog for which a licence has been issued under these Bye-laws shall, at all times have a metal tag fixed to its neck by means of a dog collar.

Yapping, etc.
of dogs

10. A person in charge of a dog shall take all steps necessary to ensure that the yapping, whining or barking of his or her dog does not unduly disturb other people or create a nuisance.

Female dogs
in season

11. A person in charge of a female dog shall not allow it to be at large at the time when that dog is on heat or in season.

12. (1) A person in charge of a dog shall not allow — (a) any troublesome, ferocious or dangerous dog; or (b) any dog suffering from a contagious or infectious disease, to be at large outside the premises on which such dog is normally kept. (2) Any person keeping a dog referred to under subbye-law (1) (a) shall display, at the principal entrance of the property where the dog is kept, a legible sign clearly reading “BEWARE OF THE DOG” or “TSHABANTSA”.	Troublesome, dangerous or infected dogs
13. (1) An authorised officer may detain and remove to the kennels or other premises owned by the Council, any dog at large in a public place. (2) If a dog detained under subbye-law (1) is a dog for which a licence has been issued under bye-law 3, wearing a dog collar with a current metal tag, the authorised officer shall, in writing, notify the person to whom the licence was issued of the detention of the dog and the place where it is detained. (3) If a dog detained under this bye-law is not claimed by or on behalf of the owner within 7 days after the detention of that dog, or of the notice under subbye-law (2), the authorised officer may cause the destruction of the dog or may otherwise dispose of that dog. (4) The authorised officer may destroy or otherwise dispose of a dog before the expiry of the 7 days if he or she has reason to believe that the dog is abandoned or is without an owner or that it is suffering from a contagious disease. (5) The owner of a dog detained under this bye-law may receive his or her dog on payment of the fee set out in Schedule 2.	Detention and destruction of abandoned or diseased dogs
14. A person who keeps a dog shall, where the dog shows any sign of suffering from an infectious disease, present that dog to a veterinary officer for treatment as soon as any sign of infectious disease is noticed.	Diseased dogs to be presented for treatment
15. (1) A person shall not keep a dog which is more than six months old unless the dog has been vaccinated against rabies and the person keeping it is in possession of a rabies certificate in relation to that dog. (2) The authorised officer may cause the destruction of a dog which is not vaccinated or in relation to which the owner fails to produce a rabies certificate. (3) Notwithstanding the provisions of subbye-law (2), a metal tag shall be enough proof of the existence of a rabies certificate.	Dogs to be vaccinated
16. (1) Any person who contravenes any provision of these Bye-laws commits an offence and is liable to a fine not exceeding P50, or to imprisonment for a term not exceeding two months, or to both. (2) For a subsequent offence, such person is liable to a fine not exceeding P100, or to imprisonment for a term not exceeding six months, or to both.	Penalties

SCHEDULE 1

FORM A

Application for Dog Licence

(bye law 3 (2))

Name

Surname

Sex

Ward

Identity number

Address plot number

Physical address

Telephone Number

Name of a Dog

Sex

Age

Colour

Application (New/Duplicate)

Date of application

Date of last vaccination

Number of dogs in your possession

Place(s)

Have you ever been convicted of any offence in relation to these bye-laws for the past two years. Yes /No (If yes please the reasons)

Signature of applicant

Date

FOR OFFICIAL USE

Recommendation (Approved/Not approved)

Recommended by
Designation
Licence Fee
Signature of Issuing Officer
Date
Fee Paid
Official Receipt Number
Official Stamp

FORM B

Dog Licence (bye-law 3 (3))

This is to certify that (name of applicant)
of P.O. Box/Private Bag/Plot No. is licensed
to keep a dog over the age of six months in accordance with the provisions of bye-law
3 (1) from the (date) to
Date of issue
Official receipt No.

.....
Authorised Officer.

FORM C

Application for renewal of Dog licence (bye-law 5 (1))

Name
Address
Renewal date
Dog Licence number
Date of last Renewal
Issued at

No. of current dog licence
Plot number
Street/Ward/Kgotla
Dog name
Colour of dog
Tag Number of Dog
Vaccination report number
Issued at
Date of last vaccination
Signature of applicant
Date
Recommendation
Date
Signature
Revenue official receipt number
Stamp
Date of Approval
Registrar
Place

FORM D
Application for transfer of Dog licence
(bye-law 6 (1))

Name
Address
Transfer date
Dog Licence number
Previous owner

Issued at

Purpose of transfer (tick) gift, sold, auctioned, others

No. of current dog licence

Plot number

Street/Ward/Kgotla

Dog name

Colour of dog

Tag Number of Dog

Vaccination report number

Issued at

Date of last vaccination

Signature of applicant

Date

Recommendation

Date

Signature

Revenue official receipt number

Stamp

Date Approval.....

Registrar

Place

Recommendation

FORM E

(DUPLICATE LICENCE)

Dog Licence

(bye-law 7 (1))

This is to certify that (name of applicant)

of P.O. Box/Private Bag/Plot No. is licensed to

keep a dog over the age of six (6) months in accordance with the provisions of bye-Law 3 (8)

from the (date) to the

Date of issue

Official receipt No.

.....
Authorized Officer.

SCHEDULE 2

FEES

(bye-laws 3 (3), 5 (3), 6 (2), 7 (2) and 13 (5))

FEES	AMOUNT
Dog Licence	P20
Renewal	P10
Transfer of licence	P10
Duplicate licence	P5
Dog collar and tag	P15
Detention per day	P10

MADE this 2nd day of February, 2011.

O. MASESANE,
Council Secretary,
North East District Council.

APPROVED this 25th day of February, 2011.

L. MOKALAKE,
Minister for Local Government.