

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

KGALAGADI DISTRICT COUNCIL (REFUSE) BYE-LAWS, 1997
(Published on 21st March, 1997)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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

1. These Bye-Laws may be cited as the Kgalagadi District Council (Refuse) Bye-Laws, 1997.

Citation
2. These Bye-Laws shall apply to the whole area of the Kgalagadi District Council as defined under the Administrative Districts Act.

Application
Cap. 03:02
3. In these bye-Laws, unless the context otherwise requires —
"Council" means the Kgalagadi District Council;
"refuse" includes any filth, rubbish, trash, rubble, garbage, excrement, waste product from any source, derelict vehicles or tures 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
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 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.

2) No person shall deposit any refuse —

(a) 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;

(b) 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 provisions of these Bye-Laws shall be guilty of an offence, and shall be liable to a fine not exceeding P10 or, in default of payment, to imprisonment for a term not exceeding one month, and for a second or subsequent offence to a fine of P25 and to imprisonment for three 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.

Repeal of S.I.
No. 86 of 1978

9. The Kgalagadi District Council (Refuse) Bye-Laws are hereby repealed.

MADE this 19th day of November, 1996.

J.B. NKWANE,
Chairman
Kgalagadi District Council.

APPROVED this 12th day of February, 1997.

P.K. BALOPI,
Minister of Local Government, Lands
and Housing.