

Statutory Instrument No. 31 of 1981

TOWNSHIPS ACT

(Cap. 40:02)

TOWN COUNCILS REGULATIONS

(Cap. 40:02 (Sub. Leg.))

SELEBI-PHIKWE TOWN COUNCIL (PUBLIC STANDPIPES) BYE-LAWS, 1981

(Published on 16th April, 1981)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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IN EXERCISE of the powers conferred on the Selebi-Phikwe Town Council by regulation 30 read with regulation 31 of the Town Councils Regulations, and with the approval of the Minister of Local Government and Lands, the following Bye-laws are hereby made —

1. These Bye-laws may be cited as the Selebi-Phikwe Town Council Citation
(Public Standpipes) Bye-laws, 1981.

2. In these Bye-laws, unless the context otherwise requires, — Interpretation
“authorized officer” means the town clerk or an officer of the local authority
duly authorized in writing by the town clerk to inspect public
standpipes;

“designated area” means an area within the township which has been
allocated to persons for occupation and in respect of which a
certificate of rights or a temporary occupancy permit has been
issued;

“local authority” means the Selebi-Phikwe Town Council;

“occupier” means any person who is residing in a designated area;

“public standpipe” means a water supply point in a designated area
intended for use by the occupants;

“unauthorized connexion or attachment” means a connexion or attachment
to a public standpipe without the written permission of the local
authority.

3. Subject to the provisions of bye-law 4, public standpipe water shall Supply of
be available only to an occupier or any person authorized in writing by public
the local authority to draw water from a public standpipe. standpipe
water to
occupier, etc.

4. (1) Any person, who is not an occupier in the area in which the Supply of
standpipe is located or a person authorized in writing so to do, may draw public
water to a quantity not exceeding 5 litres from a public standpipe. standpipe
water to
other persons

(2) An occupier shall not supply to any person not entitled thereto water from a public standpipe or permit a person to take water therefrom except —

- (a) for consumption;
- (b) for the purpose of extinguishing fire; or
- (c) with the written permission of the local authority.

(3) Except with the written permission of the local authority, water shall not be drawn from a public standpipe for use outside the designated area in which the standpipe is located.

(4) Any person who contravenes any provision of this bye-law shall be guilty of an offence and liable to a fine of P50 or in default of payment to imprisonment for one month.

Use of public standpipe water

5. (1) No person shall use public standpipe water for any purpose other than domestic or for a purpose specified in writing by the local authority.

(2). The local authority may from time to time, —

- (a) at its discretion, limit the quantity of water which may be drawn from a particular public standpipe;
- (b) by notice published in the Gazette, prohibit the use of a particular public standpipe in a particular area for any purpose specified in the notice; or
- (c) by written notice to a consumer, prohibit the use of public standpipe water for the purpose specified in the notice.

(3) Any person who uses public standpipe water for any purpose other than for which it is supplied shall be guilty of an offence and liable to a fine of P10 or in default of payment to imprisonment for one week, and such fine or term of imprisonment shall not prejudice the right of the local authority to recover the charge for the water improperly used.

Power to withhold supply of public standpipe water

6. Without prejudice to the right of recovery of any amount due to it, the local authority may turn off or curtail the supply of public standpipe water to any designated area where —

- (a) the occupiers, as a whole or in part have failed to pay any service levy or to comply with any provision of these Bye-laws;
- (b) a repair or maintenance to or extension of the water system is required; or
- (c) a general water supply shortage occurs in the area of the local authority.

Inspection of public standpipes

7. (1) An authorized officer shall from time to time inspect public standpipes for —

- (a) unauthorized connexions or attachments;
- (b) any waste or misuse of water;

and supervise the proper use thereof.

(2) Where an unauthorized connexion or attachment to a public standpipe is found by an authorized officer he shall, where it is —

- (a) a first offence, remove the connexion or attachment and return it forthwith to the owner together with a warning in writing;
- (b) a second offence, —
 - (i) remove the connexion or attachment and cause it to be placed in the temporary custody of the local authority;
 - (ii) within 3 days thereafter issue a warning in writing and permit the connexion or attachment to be released; and

(iii) require the person concerned to sign an acknowledgment to the effect that a further offence shall warrant confiscation of the connexion or attachment; and

(c) a third offence, confiscate the connexion or attachment and the person concerned shall be liable to a fine of P50 or in default of payment to imprisonment for one month or both.

(3) Any person who hinders or obstructs or uses abusive or insulting language towards an authorized officer in the performance of his duties under this bye-law shall be guilty of an offence and liable to a fine of P100 or in default of payment to imprisonment for 3 months.

8. Any person who wilfully or negligently wastes or misuses or causes or allows to be wasted or misused any public standpipe water shall be guilty of an offence and liable to a fine of P10.

Waste or
misuse of
public
standpipe
water

9. (1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe or to any appliance or equipment in connexion therewith shall be guilty of an offence and liable to a fine of P100 or in default of payment to imprisonment for 3 months.

Damage to
public
standpipe

(2) A fine or term of imprisonment shall not prejudice the right of the local authority to recover the cost of effecting any repair or replacement arising from damage to a public standpipe.

10. Any person who pollutes or causes the pollution of public standpipe water or allows any foul liquid, gas or other noxious matter to enter any pipe or fitting connected therewith shall be guilty of an offence and liable to a fine of P50 or in default of payment to imprisonment for one month or both.

Pollution

MADE this 31st day of March, 1981.

B.G. SESINYI,

*Town Clerk,
Selebi-Phikwe Town Council.*

APPROVED this 31st day of March, 1981.

L.M. SERETSE,

*Vice-President and
Minister of Local Government and Lands.*