

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

**KWENENG DISTRICT COUNCIL (PUBLIC STANDPIPES) BYE-LAWS, 2004**  
(Published on 15th October, 2004)

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 Kweneng District Council hereby makes the following Bye-Laws —

1. These Bye-Laws may be cited as the Kweneng District Council (Public Standpipes) Bye-Laws, 2004. Citation
2. In these Bye-laws, unless the context otherwise requires — Interpretation  
“Authorised officer” means the Council Secretary, or any person authorised by him under bye-law 3;  
“Council” means the Kweneng District Council;  
“designated area” means a settlement within the Council allocated to persons for occupation;  
“public standpipe” means a Council water supply point within a designated area, intended for use by persons residing in that area; and  
“unauthorised connection or attachment” means a connection or attachment which has been made to a standpipe without the written permission of the Council.
3. The Council Secretary may, in writing, from time to time, authorise any officer or employee of the Council to inspect and supervise the use of public standpipes. Supervision of use of public standpipes
4. (1) No person shall draw water or cause water to be drawn from a public standpipe unless he resides within the designated area in which the standpipe is located or has the written authority of the Council to draw water from the standpipe. Use of water from public standpipes  
(2) Water from a public standpipe shall not be used for any purpose other than for domestic purposes, or as may be specified, in writing, by the Council.

(3) Any person who contravenes the provisions of sub-bye-law (1) and (2) shall be guilty of an offence and shall be liable to a fine not exceeding P100 or to imprisonment for a term not exceeding one month or to both.

(4) The Council may from time to time —

- (a) limit the quantity of water which may be drawn from a particular public standpipe;
- (b) by notice published at its principal office, its health facilities, Customary Courts or any other place that the Council may consider appropriate, prohibit the drawing of water from a particular public standpipe for the purposes specified in the notice; or
- (c) by written notice served on any person, prohibit the use of water drawn from a public standpipe, by that person and by any other person under his authority, for any purpose specified in the notice.

(5) Any person who uses water from a public standpipe for any purpose other than a domestic purpose, or contrary to the provisions of any notice issued by the Council under sub-bye-law (3) shall be guilty of an offence and shall be liable to a fine not exceeding P200 or to imprisonment for a term not exceeding two months, or to both, and such fine or imprisonment shall be without prejudice to the right of the Council to recover the charges for water improperly used.

Use of water  
by persons  
other than  
residents

5. (1) Notwithstanding the provisions of bye-law 4, a person who is not resident or authorised as therein provided may draw water or cause water to be drawn from a public standpipe, but shall not, within any one period of 24 hours, draw water or cause water to be drawn more than once from —

- (a) the same standpipe; or
- (b) more than one standpipe located in the same designated area.

(2) No person shall supply water drawn from a public standpipe to another person who is forbidden by sub-bye-law (1) from drawing water from that standpipe except —

- (a) for immediate personal consumption by that person;
- (b) as may be authorised, in writing, by the Council; or
- (c) where there is a shortage of water in that other person's designated area.

(3) Any person who contravenes this bye-law shall be guilty of an offence and shall be liable to a fine not exceeding P100, or, in default of payment, to imprisonment for a term not exceeding one month.

Use of water  
to extinguish  
fire

6. Notwithstanding the provisions of these Bye-Laws, a person may draw water or cause water to be drawn from any public standpipe, or supply water so drawn to another other person, for the purposes of extinguishing a fire.

Withholding  
of supply of  
public  
standpipe  
water

7. Without prejudice to the right of recovery of any money due to it, the Council may turn off or curtail the supply of public standpipe water to any designated area where —

- (a) the persons resident therein, or some of them, have failed to comply with these bye-laws;
- (b) the water system is damaged or requires repair, maintenance or extension, or where such works are being carried out on that system;
- (c) a general water supply shortage occurs in the area; or
- (d) the public standpipe is no longer needed.

8. (1) An officer or employee authorised under bye-law 3 shall inspect public standpipes for the purpose of detecting unauthorised connections or attachments, or the waste or misuse of water.

Inspection of public standpipes

(2) Where an authorised officer finds an unauthorised connection or attachment to a public standpipe he —

(a) shall immediately remove it or cause it to be removed; and

(b) confiscate it.

(3) A person who makes an unauthorised connection or attachment to a public standpipe shall be guilty of an offence and shall be liable to a fine not exceeding P200 or to imprisonment for a term not exceeding two months, or to both.

(4) Any person who hinders, obstructs or uses abusive or insulting language towards an authorised officer in the performance of his duties under these Bye-Laws shall be guilty of an offence and shall be liable to a fine not exceeding P200 or to imprisonment for a term not exceeding two months, or to both.

9. Any person who wilfully or negligently wastes or misuses water or causes or allows to be wasted or misused any water drawn from a public standpipe shall be guilty of an offence and liable to a fine not exceeding P200, or to imprisonment for a term not exceeding two months, or to both.

Misuse of water

10. (1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe, or to any appliance or equipment connected thereto, shall be guilty of an offence and shall be liable to a fine not exceeding P200 or to imprisonment for a term not exceeding two months, or to both.

Damage to public standpipe

(2) The imposition of a fine or imprisonment in terms of sub-bye-law (1) shall be without prejudice to the rights of the Council to recover, from the offender, the cost of any repair or replacement arising from the damage to the public standpipe concerned.

11. Any person who pollutes or causes the pollution of any public standpipe water, or causes or allows any foul liquid, gas or other noxious matter to enter any fitting connected to a standpipe shall be guilty of an offence and shall be liable to a fine not exceeding P200 or to imprisonment for a term not exceeding two months, or to both.

Prohibition of pollution

MADE this 18th day of August, 2004.

ITIRELENG LINCOLN M. PHATSHWANE,  
*Council Secretary,*  
*Kweneng District Council.*

APPROVED this 7th day of September, 2004.

M.R. TSHIPINARE,  
*Minister for Local Government.*