

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

CENTRAL DISTRICT COUNCIL (DOGS) BYE-LAWS, 2005
(Published on 9th September, 2005)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Interpretation
3. Licensing of dogs
4. Yapping, etc, of dogs and bitches in season
5. Troublesome, dangerous or infected dogs
6. Detention and destruction of abandoned or diseased dogs
7. Diseased dogs to be presented for treatment
8. Dogs to be vaccinated against rabies
9. Penalties

FIRST SCHEDULE

SECOND SCHEDULE

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 Central District Council hereby makes the following Bye-Laws —

1. These Bye-Laws may be cited as the Central District Council (Dogs) Bye-Laws, 2005. Citation

2. In these Bye-Laws, unless the context otherwise requires — Interpretation
“authorised officer” means the Council Secretary or any officer of the Council duly authorised in writing by the Council Secretary to perform duties under these Bye-Laws;

“Council” means the Central District Council;

“public place” means any road, street, thoroughfare, bridge, foot pavement, open space or park, within the area of jurisdiction of the Council and any enclosed space controlled by the Council;

“rabies certificate” means a certificate signed by a veterinary officer stating that the dog, being a dog which was over the age of six months at the time of vaccination has been vaccinated against rabies; and

“veterinary official” means a veterinary officer, livestock officer or stock inspector employed in the service of the Government and includes a veterinary surgeon as defined under the Veterinary Surgeons Act. Cap. 61:04

3. (1) No person shall keep a dog that is over the age of six months unless it is licensed under these-Bye-Laws within a period of four weeks after attaining the age of six months. Licensing of dogs

(2) In case of a dispute as to whether a dog is over the age of six months, the opinion of a veterinary official shall be final.

(3) A dog licence shall be issued by an authorised officer, on written application by the owner of the dog and on production of a rabies certificate.

(4) A licence issued under sub-bye-law (3) shall be valid for 12 months and shall be renewable for further periods of 12 months each upon application by the owner of the dog.

(5) A licence issued under sub- bye -law (3) shall be issued on payment of a fee set out in the First Schedule.

Provided that where a dog is brought into the council area, or attains the age of six months, on or after the 1st July in any year the fees payable under this sub-bye-law shall be half the amount prescribed in this sub-bye-law.

(6) An authorised officer may at anytime withdraw or cancel a licence issued under sub- bye-law (3) if in his or her opinion it is necessary to do so.

(7) A licence issued under sub- bye-law (3) shall be a metal tag in the form set out in the Second Schedule.

(8) A person in charge of a dog shall not permit the dog which is required to be licensed under the provisions of this bye-law to be at large unless a current licence issued under sub-bye-law (3) is affixed to the dog's neck by means of a dog collar.

(9) Where a dog licence issued under sub-bye-law (3) has been lost, an authorised officer may issue a duplicate licence on payment by the owner of a dog of the fee set out in the First Schedule.

4. A person in charge of a dog shall —

(a) take all such steps as are necessary to ensure that the yapping, whining or barking of that dog does not unduly disturb other people or create a nuisance; or

(b) not, in the case of a female dog, allow the dog to be at large at such time as the dog is on heat or in season.

5. (1) A person in charge of a dog shall not allow any troublesome, ferocious or dangerous dog, or any dog which is suffering from a contagious or infectious disease, to be at large outside the premises on which such dog is normally kept.

(2) Any person who keeps a dog of the nature described in sub-bye-law (1) shall display, at the principal entrance of the property where the dog is kept, a clearly legible sign reading "BEWARE OF THE DOG" OR "TSHABANTSA".

6. (1) An authorised officer may detain and remove to kennels or other premises owned by the council, any dog which is at large in a public place.

(2) If a dog referred to in sub-bye-law (1) is wearing a dog collar with a current licence tag affixed to it, the authorised officer shall, forthwith, notify in writing the person to whom the licence was issued that the dog has been detained and shall also notify him or her of the place where it is detained.

(3) If a dog detained under the provisions of sub-bye-law (1) is not claimed by or on behalf of its owner within seven days of such detention or, where notification has been given in terms of sub-bye-law (2), within seven days of such notification, the Council Secretary may cause such dog to be destroyed or otherwise disposed of:

Provided that the Council Secretary may authorize the destruction of the dog prior to the expiration of the period of seven days referred to in this sub-bye-law where he has reason to believe that it is genuinely abandoned or is without an owner, or that it is suffering from an infectious or contagious disease of a serious nature, and that the destruction of the dog is necessary for the purpose of controlling the spread of such disease.

(4) The owner of any dog detained under the provisions of this bye-law may reclaim such dog on payment of the fee set out in the First Schedule.

Yapping, etc.
of dogs and
bitches in
season

Troublesome,
dangerous or
infected dogs

Detention and
destruction of
abandoned or
diseased dogs

7. Any person who keeps a dog shall, where that dog shows signs of suffering from an infectious or contagious disease, immediately present such dog for treatment to a veterinary official.

Diseased dogs to be presented for treatment

8. (1) No person shall keep a dog that is over the age of six months unless the dog has been vaccinated against rabies and the person keeping the dog is in possession of a rabies certificate relating to the dog.

Dogs to be vaccinated against rabies

(2) The Council Secretary may authorize the destruction of a dog if the person who keeps the dog is unable to produce a rabies certificate relating to that dog.

(3) For the purposes of this bye-law, a dog licence tag in respect of a particular dog shall be deemed to be equivalent to a rabies certificate.

9. Any person who contravenes the provisions of these Bye- Laws shall be guilty of an offence and liable to a fine not exceeding P100 or to imprisonment for a term not exceeding two months, or to both, and, for a second or subsequent offence, to a fine not exceeding P200, or to imprisonment for a term not exceeding six months or to both.

Penalties

FIRST SCHEDULE

(bye-laws 3 (5) and (10) and 6 (4))

	<i>Fees</i>
Detention	P5.00 per day
Licence	P10.00 per annum
Duplicate licence	P5.00

SECOND SCHEDULE

Dog Licence
(bye-law 3 (3))

This is to certify that.....*(name of applicant)*

of P. O. Box/Private Bag..... 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.....

.....
Authorised Officer.

NB: This licence is issued subject to the production of a rabies certificate required under bye-law 8 (1).

MADE this 27th day of April, 2005.

DAVID VALELA,
Council Secretary,
Central District Council.

APPROVED this 8th day of June, 2005.

M. NASHA,
Minister for Local Government.

L2/8/20 VI