



# CITY OF MUTARE

DRAFT BY-LAWS

IMANICA POST 30 MAY 2025



# CITY OF MUTARE

CHAMBER SECRETARY'S DEPARTMENT

## PUBLIC NOTICE

### ADVERTISEMENT DRAFT BY LAWS

**NOTICE** is hereby given that the City of Mutare is advertising following by-laws in terms of section 228 of the Urban Councils Act [Chapter 29:15]:

1. City of Mutare (Abandoned Vehicles) By Laws
2. City of Mutare (Anti-Litter) By Laws
3. City of Mutare (Cemetery) By Laws
4. City of Mutare (Control of Livestock) By Laws
5. City of Mutare (Control of Worship in Open Spaces) By Laws
6. City of Mutare (Cycle) By Laws
7. City of Mutare (Dog License) By Laws
8. City of Mutare (Environment) By Laws
9. City of Mutare (Fire) By Laws
10. City of Mutare (Food Hygiene) By Laws
11. City of Mutare (Game Meat) By Laws
12. City of Mutare (Hair dressers and Barbers) By Laws
13. City of Mutare (Hawkers and Vendors) By Laws
14. City of Mutare (Human excreta not to be used as fertilizer) By Laws
15. City of Mutare (Mining and Mineral Processing) By Laws
16. City of Mutare (Noise) By Laws
17. City of Mutare (Occupation of Council Properties) By Laws
18. City of Mutare (Registration and Licensed Premises) By Laws
19. City of Mutare (Taxi and Cab) By Laws
20. City of Mutare (Traffic, Clamping and Tow Away) By Laws
21. City of Mutare (Urban Agriculture) By Laws
22. City of Mutare (Water, Drainage and Sewerage) By Laws

A copy of the proposed by-laws can be inspected free of charge at the Enquiries Office of the undersigned.

Any person with objections or representations on the proposed by-laws should do so in writing to the Town Clerk and deliver the written submissions on or before the 30<sup>th</sup> of June 2025.

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TWITTER: @CityOfMutare

WHATSAPP: +263 775 792 461

WEBSITE: [www.mutarecity.org](http://www.mutarecity.org)

FACEBOOK: The City of Mutare

City of Mutare  
Civic Centre  
P O Box 910  
**MUTARE**

**K. B CHAFESUKA**  
**TOWN CLERK**

ENCLOSURE

**1. City of Mutare (Abandoned Vehicles) By – Laws 2025**

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ARRANGEMENT OF SECTIONS

*Section*

1. Title.
2. Application
3. Interpretation
4. Disposal
5. Assessment of an abandoned vehicle
6. Designation.
7. Offences and Penalties.

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

*Title*

1. These by-laws may be cited as the City of Mutare (Abandoned Vehicles) By-laws, 2025.

*Application*

2. These by-laws shall apply to all the areas under the jurisdiction of City of Mutare.

*Interpretation*

3. In these by-laws—

“authorised person” means —

- (a) Council employees and or agents to enforce these by-laws; and
- (b) a member of the Zimbabwe Republic Police;

“clamp” means to immobilize a motor-vehicle by means of a wheel clamp;

“Council” means City of Mutare;

“designated area” means all areas under the jurisdiction of City of Mutare where abandoned vehicles are disposed such as landfills and scrap yards.

“abandoned vehicle” means a vehicle that has remained on public property or any other place open to travel by the public without the consent of the council for a period of 48 hours after Council or Zimbabwe Republic Police has affixed a written notice to the vehicle.

“motor-vehicle” means any vehicle propelled by mechanical or electrical power and intended or adapted for use or capable of being used, on roads.

“towing away” means the removal by an authorised person of motor vehicle that is parked or stationary in violation of these by-laws;

#### *Disposal*

4.(1) No vehicle shall be placed, left at any open place, road side or any land for the purpose of dumping without the consent of council.

(2) If the abandoned vehicle is left unattended to after 48 hours, council shall endeavour to look for the owner of the abandoned vehicle and give notice to him or her by way of a written document.

(3) Upon heeding the notice from council, the owner of the abandoned vehicle shall pay to council towing and storage fees.

(4) Should the owner of the abandoned vehicle fail to remove their vehicle within 3 working days, council shall tow away the abandoned vehicle to a storage facility at the expense of the owner.

(5) If the vehicle is abandoned in an inconvenient place, council shall tow away the abandoned vehicle within 24 hours, to a storage facility at the expense of the owner.

(6) If the owner of the abandoned vehicle fails to redeem their abandoned vehicle for 60 days, council shall dispose of the vehicle through an advertised auction to recover expenses.

#### *Assessment of an abandoned vehicle*

5. (1) Prior to the removal or towing away of the vehicle to a storage facility, council and the Zimbabwe Republic Police shall make an assessment of the condition of the abandoned vehicle.

(2) Any such observed defects, missing vehicle parts and broken gadgets are recorded into the inventory sheet and communicated to the owner of the abandoned vehicle where he or she is known and also copied to Zimbabwe Republic Police.

(3) Council is not liable to any claim on defects, missing vehicle parts and broken gadgets arising from the enforcement of these by-laws.

#### *Designation*

6. Council shall publish in any newspaper circulating within the council controlled area, any place designated as a secure compound.

#### *Offences and Penalties*

7. (1) No person shall—

- (a) obstruct an authorized person in the exercise of his or her duties under these laws; or
- (b) remove or cause to be removed a wheel clamp; or
- (c) remove or cause to be removed a motor vehicle from the secure compound.

(2) Any person found in contravention of these by-laws shall be liable to a fine specified in the Second Schedule.

First Schedule ( <i>Fees</i> )		
Section	Description	Fees (US\$)
4	Tow away fees: Light motor vehicles	\$61.93
	Heavy motor vehicles	\$500.00
4	Storage fees: Light motor vehicles	\$20.00 per day
	Heavy motor vehicles	\$50.00 per day

Second Schedule ( <i>Penalties</i> )		
Section	Description	Fees (US\$)
7 (a)	Obstruct an authorised person(s) in the exercise of his or her duties under these laws.	\$100.00
7 (b)	Remove or cause to be removed a wheel clamp:	
	Light motor vehicle	\$200.00
	Heavy motor vehicle	\$350.00
7 (c)	Remove or cause to be removed a motor vehicle from the secure compound.:	
	Light motor vehicle	\$500.00
	Heavy motor vehicle	\$1000.00

Statutory Instrument of 2025

[CAP.29:15

## 2. City of Mutare (Anti-Litter) By-Laws, 2025

### ARRANGEMENT OF SECTIONS

1. Title
2. Application
3. Interpretation
4. Provision of receptacle by the owner or occupier of a premise
5. Prohibition of littering
6. Prohibition of nuisance
7. Unauthorised disposal or dumping
8. Abandoned articles
9. Special removal of accumulated waste
10. Offences and penalties

First Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], approved the following by-laws:

*Title*

1. These by-laws may be cited as the City of Mutare (Anti-Litter) By-laws, 2025.

*Application*

2. These by-laws shall apply within the City of Mutare area.

*Interpretation*

3. In these by-laws—

“council” means the City of Mutare;

“nuisance” means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

“litter” includes any diapers, containers, wrappings, cartons, cigarette-packets, paper, vegetable matter, garden waste, hedge-clippings, dead animals, ash, tins, rubbish, bricks, stones, rubble, soil and any other matter or substance which is unwholesome, offensive or untidy;

“public place” includes bridges, enclosure, foot-path, garden, park, garage, car-park, open space, pavement, road, service lane, sidewalk, square, subway, street, mall or undeveloped land or any other area vested in or controlled by Council, to which the public, or any section of the public, has access;

“waste” means any substance, material or object, that is unwanted, rejected, abandoned, discarded or disposed of, or that is intended or required to be discarded or disposed of, by the holder of that substance, material or object, whether or not such substance, material or object can be re-used, recycled or recovered.

*Provision of receptacle by owner or occupier of premise*

4. (1) The owner or occupier of premises must take reasonable steps to ensure that sufficient and appropriate receptacles stipulated by Council are provided.

(2) The owner or occupier of premises must ensure that all receptacles on the premises for the collection of litter are —

- (a) maintained in good condition;
- (b) suitably placed and anchored so that they cannot be inadvertently overturned;
- (c) placed in locations convenient for the use by users or occupants of the premises to discourage littering or the unhealthy accumulation of waste.

- (3) Any person who violates this section shall be liable to a fine specified in the First Schedule.

*Prohibition of littering*

5. (1) No person shall —
- (a) deposit or abandon, or cause or permit to be deposited or abandoned, any litter in a public place, except in the receptacle especially provided for the receipt of such litter;
  - (b) sweep any waste into a gutter, onto a road reserve, road culvert, or onto any other public place;
  - (c) disturb anything in, or remove anything from any receptacle which has been placed for the purposes of collecting litter in such a manner as to cause the contents of the receptacle to spill or fall onto the ground around it; and
  - (d) allow any person under his or her control to do any of the acts contemplated in paragraphs (a), (b) or (c).
- (2) Any person who violates this section shall be liable to a fine specified in the First Schedule.

#### *Prohibition of nuisance*

6. (1) Any person handling waste within the Council area, either through storage, collection, transportation, recycling or disposal shall—
- (a) take reasonable measures to prevent nuisance, injury, harm, damage, annoyance or inconvenience to any person and the environment;
  - (b) take measures to remedy any spillages, harm, damage or nuisance referred to in paragraph (a);
  - (c) at their own cost, clean any waste causing nuisance to any person or the environment;

Provided that the Council may clean or remedy litter causing nuisance to any person or the environment and claim costs incurred from the offender.

#### *Unauthorised disposal or dumping*

7. (1) No person shall dump, accumulate, place, deposit, dispose, leave or cause or allow to be dumped, accumulated, placed, deposited or left any litter whatsoever, whether for gain or otherwise, on or in a public place or open space or sanitary lane or servitudes.
- (2) The council shall at the expense of an owner or occupier of land, person in control of land, rehabilitate any damage caused to the environment as a result of the activity or failure of the person referred to in subsection (1) to take reasonable measures to prevent unauthorised disposal or dumping.

#### *Abandoned articles*

8. (1) Any article, other than a motor vehicle deemed to have been abandoned in terms of the City of Mutare (Abandoned vehicles) By-laws, which, in the light of such factors as the place where it is found, the period it has been lying at such place and the nature and condition of such article, is reasonably regarded by the Council as having been abandoned, may be removed and disposed of by the Council as it may deem fit.
- (2) The Council may remove and dispose of any article which is chained or fastened to any pole, parking meter or any other property belonging to the council, without authorisation as it may deem fit.

#### *Special removal of accumulated waste*

9. When any category of waste defined in section 3, accumulates on premises so as to constitute or so as to render it likely that a nuisance will be created thereby, the Council may make a special removal of such waste and the owner or occupier of such premises on which waste has accumulated shall be liable in respect of such special removal to pay the applicable tariff charge as prescribed by Council.

#### *Offences and penalties*

10. Any person who contravenes any provision of these by-laws shall be liable to a fine specified in the First Schedule.

#### FIRST SCHEDULE: OFFENCES AND PENALTIES

Section	Description of offence	Fixed Penalty (US\$)
4	Fails to provide an adequate number of bins in and around his or her area of business	US\$20.00
5	Depositing litter in any public place	US\$5000.00
	Sweep any waste into a gutter, road reserve or road culvert.	US\$20.00
	Disturb anything in, or remove anything from any receptacles which has been placed for purposes of collecting litter.	US\$10.00
6	Fails to pick up any litter which, in the exercise of his or her business, has fallen on any public place	US\$5.00
6	Refuses to comply with an instruction issued by an authorised person in terms of section 4(2)	US\$50.00
7	Deposits or abandons or causes or permits to be deposited or abandoned any form of litter in a public place	US\$100.00

Statutory Instrument of 2025

[CAP.29:15

### **3. City of Mutare (Cemeteries) By-Laws, 2025**

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#### ARRANGEMENT OF SECTIONS



## *Sections*

1. Title.
  2. Application.
  3. Interpretation.
  4. Permission for burial.
  5. Reservation for future burial.
  6. Application for exclusive right of burial.
  7. Burial times.
  8. Fees to be paid for burial.
  9. Sections of cemetery may be assigned for exclusive use.
  10. Erection of memorial works.
  11. Depth of grave.
  12. Exhumation.
  13. Erection of buildings in cemetery.
  14. Hours cemetery open to the public.
  15. Other restrictions.
  16. Offences and Penalties
- First Schedule: Fees  
Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], approved the following by-laws:

### *Title*

1. These by-laws may be cited as the City of Mutare Cemeteries) By-laws, 2025.

### *Application*

2. These by-laws shall apply to all areas under the jurisdiction of the council.

### *Interpretation*

3. In these by-laws—

“adult” means any deceased person over the age of twelve years and any deceased person whose coffin exceeds the dimensions prescribed for a child’s grave section 11 (4);

“allotment” means the area of ground set aside for the purpose of forming a grave;

“ashes” means the ashes resulting from the burning of any body cremated in terms of the Burial and Cremation Act [*Chapter 5:04*];

“body” means any human dead body and includes the body of a still-born child, but does not include ashes;

“burial” means a burial in earth, interment or any other form of sepulchre of a body;

“child” means any deceased person twelve years of age or under whose coffin does not exceed the dimensions prescribed for a child's grave section 11(4);

“council” means the City of Mutare

“designated officer” means an official appointed by the Council for the purposes of these regulations;

“grave” means a burial place formed in the ground by excavation without any internal wall or brickwork or stonework or any artificial lining;

“memorial garden” means any area of land in a cemetery set aside by the Council for the disposal of ashes of deceased persons;

“memorial plot” means a plot of ground in a memorial garden, for which the Council has granted the right to any person to dispose of the ashes of a deceased person;

“memorial work” means any tombstone, railing, fence, monument, memorial, inscription or other work erected or which may be erected upon any grave;

“register” means the register required to be kept by the Council in terms of section 25 of the Cemeteries Act [Chapter 5:04];

“reserved” means reserved in terms of section 5 and “reservation” shall be construed accordingly;

“resident” means any person who at the time of death was normally resident within the area under the jurisdiction of the Council;

“responsible person” means the person to whom permission has been granted by the Council in terms of section 10(1);

“still born” shall apply to any child which has issued forth from its mother after the twenty-eight week of pregnancy and which did not at any time after being completely expelled from its mother breathe or show any signs of life;

“vehicle” includes any motor vehicle, bicycle, tricycle or handcart;

“vault” means any protective masonry or other work carried out in a grave.

#### *Permission for burial*

4. (1) No person wishing to bury or cause any body or any ashes to be buried in a cemetery shall bury or cause such body or ashes to be so buried unless he or she has delivered to the designated officer the written permission of Council to such burial.

(2) Every application for such permission shall include the full names of the deceased person, his or her age, last address and religious denomination, the proposed time and date of burial and any other details which the Council may require.

(3) Permission for such burial shall be given—

- (a) in the case of a body, upon the production of a burial order, issued in terms of the Burial and Cremation Act [Chapter 5:03] or regulations enacted there under, made out in the name of the person whose body is to be buried;
- (b) in the case of ashes, upon the production of a certificate issued by the officer in charge of the cremation established in terms of the Burial and Cremation Act [Chapter 5:03] indicating that the ashes are those of the cremated body of the person named in the certificate.

(4) No person shall bury or cause any body or ashes to be buried in a cemetery unless the Council has allotted a grave and grave number for the particular burial.

(5) No person shall dispose of any ashes of any deceased person in the memorial garden without the written permission of the Council.

(6) The grave number allotted in terms of subsection (4) and the date of interment shall be entered by the Council in the register against the name of the person whose body is or whose ashes are to be buried

(7) The Council shall fix to every grave a sign displaying the number allotted to that grave in the register.

(8) Any person who fails to abide by the provisions of this section shall attract a fine specified in the Second Schedule.

#### *Reservation for future burial*

5. (1) Any person wishing to reserve an allotment or memorial plot for his or her own future burial or for that of any other person shall make application to the Council giving full names, address and religious denomination of the person for whom the reservation is to be made.

(2) On the receipt of such application and the reservation fee prescribed by Council, the Council shall reserve an allotment or memorial plot; assign a grave number in the register against the name of the person in respect of whom the allotment or memorial plot is reserved.

(3) The effect of reserving such allotment or memorial plot shall be that, at any period within five years of making such reservation, the person in respect of whom the reservation is made may be buried in that allotment or his or her ashes placed in that memorial plot, as the case may be on payment of the interment fee and no other body may be buried within that allotment or ashes placed in that memorial plot during that period of five years.

(4) If that allotment or memorial plot reserved in terms of this section is not used for burial within five years of such reservation, the reservation shall lapse unless application is made to the Council for the extension of the reservation for a further five years.

(5) On payment of the prescribed fee to the Council for the renewal of the reservation, the allotment or memorial plot shall be reserved for a further period of five years.

(6) No person shall cede or assign his or her right to an allotment or memorial plot reserved in terms of this section without the permission of the Council.

(7) The area of an allotment shall be —

- (a) for an adult's body, 2m by 1m
- (b) for a child's body, 1m by 60cm;
- (c) for ashes in an urn, 60cm by 60cm

*Application for exclusive right of burial*

6. The Council, on receipt of an application by any person for the exclusive right of burial in a portion of a cemetery, may grant, sell or lease to such person the exclusive right of burial in a portion of a cemetery subject to such terms or conditions as it deems fit to impose.

*Burial times*

7. (1) Burial shall take place on daily basis.

(2) All burials shall take place between the hours of 0900 to 1600hrs:

Provided that burial of infants under the age of one, shall be allowed outside the normal burial hours at no extra cost.

*Fees to be paid for burial*

8. (1) Subject to the provisions of section 11 of the Cemetery Act [Chapter 5:04], no person shall bury any body or ashes within a cemetery or dispose of any ashes of a deceased person in a memorial garden unless he or she pays the fee prescribed by Council.

(2) The burial fee for any burial permitted outside the time prescribed in section 7(2) shall be double the burial fee prescribed by Council.

(3) The Council may, upon application being made by the person administering the estate of the deceased within six months of the date, refund the fee paid in terms of section 5(2), but such fee will not normally be refunded unless the person for whom the allotment was reserved died outside the area under jurisdiction of the Council, in which case the fee shall be refunded to the deceased estate of that person.

(4) The Council may for good cause and upon application allow any burial free of charge.

(5) The prescribed fees shall be paid to the Council at the council offices.

*Sections may be assigned for exclusive use*

9. The Council may assign sections of any cemetery for the exclusive use of any religious denomination.

*Erection of memorial works*

10. (1) No person shall erect or cause to be erected any memorial work without the prior written permission of the Council and any application for such permission shall be accompanied by a plan showing full details of the memorial work it is proposed to erect.

(2) The Council may refuse to permit the erection of any memorial work until the burial fee for the particular grave has been paid in full.

(3) Any person erecting or causing any memorial work to be erected shall pay a fee which shall be prescribed by council from time to time.

(4) No memorial work shall exceed—

(a) in the case of an adult's grave, 2,438m in length or 1,219m in width

(b) in the case of a child's grave, 1,20m in length or 70cm in width

Provided that, in the case of an allotment of two or more allotments to a single family, the Council may approve a memorial work exceeding 1,219m width.

(5) Only materials approved by Council shall be used in memorial work.

(6) Any person constructing any memorial work in a cemetery shall—

(a) securely cramp from the outside with suitable cramps all head and border stones;

(b) use suitable cramps, pins or dowels of a thickness approved by the Council and of a length sufficient to fit holes of not less than two inches deep wherever any part of any memorial work is joined to any other part;

(c) securely attach to the base all memorials or headstones to the satisfaction of the designated officer;

(d) place on a slab or concrete foundation—

(i) measuring 2.4m by two, wide by 30cm, for any gravestone or monument exceeding 40kg, in weight;

(ii) measuring 90cm by 30cm wide by 30cm deep for any gravestone or monument not exceeding 40kg in weight;

(e) make the line of all memorial work correspond correctly to a line drawn between iron pegs placed in the various sections of the cemetery for that purpose.

(7) The responsible person shall keep the memorial work erected in terms of subsection (1) in good order and repair after its erection.

(8) Any person in charge of work within any cemetery shall, upon demand at any time by the designated officer produce his or her written permission to carry out such work.

(9) No person shall erect any memorial work in a memorial garden other than erection of plaques made of brass, bronze or aluminium and such plaques shall not be larger than eleven inches in size and shall be securely attached to the concrete kerb adjacent to the memorial plot.

#### *Depth of grave*

11. (1) Every grave, other than a grave for the reception of ashes, shall be dug to a depth of not less than two point one meters below the surrounding ground level and there shall be at least one point two meters of earth between a coffin and the surrounding ground level.

(2) No person shall cause or permit more than two bodies to be placed in any grave unless at the first opening the grave has been made to an extra depth.

(3) No person shall cause or permit any body or coffin to be removed from any grave with a view to making room for a new burial.

(4) Every grave for an adult shall be seven feet(210cm) long by two feet(60cm) six inches(15,24cm)(75,24cm) wide and for a child shall be five feet(150cm) long by one foot(30cm) six inches(15,24cm)(45,24cm) wide:

Provided that any person requiring an aperture of larger dimensions for any burial shall, together with the notice of the burial, give notice to the Council of the additional dimensions required.

(5) No person shall permit any exhumation except at such time as shall be specified by the Council and other relevant authorities.

#### *Exhumation*

12. (1) Subject to the provisions of the Inquests Act [Chapter 7:07], no body which has been buried shall be exhumed within two years after the date of burial.

(2) Any person wishing to exhume a body which has been buried in a cemetery for reburial in another place shall make application to the Council for permission to do so.

(3) Any exhumation sanctioned by the Council shall be subject to such conditions as the Council may stipulate.

(4) No person shall open any grave within two years after the date of any burial therein without the prior written permission of the Council.

#### *Erection of buildings in cemetery*

13. No buildings of any description shall be erected within a cemetery without the consent of the Council.

#### *Hours cemetery open to the public*

14. (1) Every cemetery shall be open to the public during such hours as the Council shall determine, and no person except those authorised shall be in a cemetery at any material times.

(2) No person shall enter or leave a cemetery except through the designated entrance points.

#### *Other restrictions*

15. (1) No person shall—

(a) carry out the hewing or dressing of stone or carry out like operations within a cemetery without the written permission of the Council; or

(b) exhibit or distribute or leave any business card or advertisement within a cemetery; or

(c) use a cemetery or any road or walk through therein for the conveyance of goods or other materials unless such goods or materials are required for use in such cemetery; or

(d) sit, stand or climb upon or over any memorial work, gate, wall, fence or building in a cemetery; or

(e) hinder, obstruct or resist the designated officer in the course of his or her duty; or

(f) place any floral tribute, flowers, vases or any other container within the memorial garden without Council approval; or

(g) plant any tree on any grave.

(2) No vehicles shall be caused or permitted into a cemetery unless Council approval is sought.

(3) Subsection (2) shall not apply to hearses or to vehicles used for the conveyance of infirm persons.

#### *Offences and penalties*

16. Any person who contravenes any provision of these by-laws shall be liable to a fine specified in the Second Schedule.

#### FIRST SCHEDULE (Section 4,5, 6,7,8,10 and 12) FEES PAYABLE TO THE COUNCIL

	Section	Amount (USD)
<b>Mutare City Common Cemetery</b>		
<b>Adults</b>		
Normal Casket Jumbo	4 and 8	70.48 105.71
Weekends & Public Holidays	4 and 8	20.00
Non Residents week days- casket/jumbo	4 and 8	115.50
Non Residents weekend –casket/jumbo	4 and 8	136.50
<b>Children</b>		
Normal Weekdays Residents	4 and 8	31.26
Weekends & Public Holidays	4 and 8	31.26
Non Residents Weekdays	4 and 8	31.26



Non Residents Weekends	4 and 8	43.76
<b>Upmarket Cemetery</b>		
<b>Adults</b>		
Normal Casket		103.18
Jumbo	4 and 8	137.54
Weekends & Public Holidays Casket		116.97
Jumbo	4 and 8	148.59
Non Residents week days- casket		130.65
Jumbo	4 and 8	137.54
Non Residents weekend –casket		144.44
Jumbo	4 and 8	178.79
<b>Children</b>		
Normal weekdays	4 and 8	37.35
Weekends and public holidays	4 and 8	49.34
Non Residents weekdays	4 and 8	49.34
Non Residents weekend	4 and 8	75.01
<b>All areas</b>		
Tombstone installation application fee	4 and 8	12.50
Grave Reservation(upmarket)		331.04
(common)		165.52-
Grave Reservation renewal-uptown	5	27.59
common		16.55
Application for exclusive right of burial	6	157.64
Special burial times	7	50.00
Grave Panels (eight)(8)		Cost Recovery
Application for erection of memorial works	10	20.00
Application for exhumation	12	20.00
Lined Grave		29.77
Exhumation within 12 months		375.06
Exhumation after 12 months		437.57

**SECOND SCHEDULE (Section 16)**  
**OFFENCES AND PENALTIES**

Offences	Section	Amount (USD)
Unauthorised burial of a body or ashes at a Council Cemetery	4	250.00
Cause or permit more than two bodies to be placed in any grave	11	250.00
Cause or permit any body or coffin to be removed from any grave	11	250.00
Permit any exhumation without approval	12	250.00
Erect building within a cemetery without the consent of the Council.	13	250.00
Unauthorised entry of cemetery	14	50.00

Enter or leave a cemetery except through the designated entrance points	14	20.00
Hewing or dressing of stone or carry out like operations within a cemetery without the written permission of the Council; or	15	20.00
Exhibit or distribute or leave any business card or advertisement within a cemetery	15	50.00
Use a cemetery or any road or walk through therein for the conveyance of goods	15	30.00
Stand or climb upon or over any memorial work, gate, wall, fence or building in a cemetery	15	50.00
Hinder, obstruct or resist the designated officer in the course of his or her duty; or	15	100.00
Place any floral tribute, flowers, vases or any other container within the memorial garden without Council approval	15	5.00
Plant any tree on any grave.	15	20.00
Cause unauthorised entry of vehicle	15	70.00

Statutory Instrument of 2025

[CAP.29:15

#### 4. City of Mutare (Control of Livestock) By-laws, 2025

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##### ARRANGEMENT OF SECTIONS

1. Title
2. Application
3. Interpretation
4. Control of Livestock Marketing and Movement
5. Movement of Livestock

## 6. Stray Stock

## 7. Offences and Penalties

### First Schedule: Fees

### Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 90 of the Rural District Councils Act [Chapter 29:13], made the following by-laws —

#### *Title*

1. These by-laws may be cited as City of Mutare (Control of Livestock) By-laws, 2025.

#### *Application*

2. These by-laws shall apply within the council area.

#### *Interpretation*

3. In these by-laws—

“Council” means City of Mutare;

“levy” means any charge imposed by council;

“livestock” means domesticated animals which includes large stock and small stock;

“large stock” means cattle, horses, donkeys, mules and any animals or birds.

“small stock” means goats, sheep and pigs and any animals or birds.

“owner”, in relation to livestock, means the person who has lawful custody or control of the livestock;

“private livestock buyer” means any person who is buying livestock outside the publicly organised livestock sales.

#### *Control of Livestock Marketing and Movement*

4. (1) No person shall buy or sell livestock for commercial purposes—

(a) without a permit from council; or

(b) except at a livestock sale organised by the council.

(2) At all livestock sales, whether privately organised or organised by a local authority, a cattle levy of 10 *per centum* of the price of each animal sold, shall be collected from every buyer of livestock and the levy shall be distributed as determined by Council.

#### *Movement of Livestock*

5. (1) No person shall move livestock from council area to another council area and within the council area without clearance from Police and Veterinary Office.

(2) No person shall approach the Veterinary Office without a supporting letter from the Council for livestock movement.

(3) In the case of cattle being moved outside the council area for slaughter, the council shall issue a supporting letter in support of the request before the veterinary services department issues such movement permit.

(4) Council shall refuse to issue a supporting letter if there is evidence that the objective of removal of livestock from the council area is for the purpose of evading levies or marketing fees arising from organised livestock sales.

#### *Stray Stock*

6. (1) Any person, who finds a stray stock shall act in terms of section 16 of the Stock Trespass Act [Chapter 19:14].

(2) Any stray stock shall be impounded by the council.

(3) Any livestock found straying within rural district area shall be impounded by the council.

(4) Any person who intends to claim the impounded stock in terms of subsection 1, 2 and 3 shall be charged a penalty prescribed by council.

(5) Any unclaimed stock shall be auctioned in terms of the Stock Trespass Act [Chapter 19:14].

(6) Any person, whether an inhabitant or otherwise, who within the area regulated by these by-laws —

(a) dehorn or castrates any stray stock he or she held without having reported to the poundmaster;

(b) whose livestock is found in service or business areas,

shall be liable to a fine specified in the Second Schedule.

#### *Offences and penalties*

7. Any person who contravenes any provision of these by-laws shall be guilty of an offence and liable to a fine specified in the Second Schedule.

#### *First Schedule (Fees)*

Section	Description	Fee (USD)
4	Application for permit to sell or buy livestock or de-pasture livestock: Commercial	\$50.00 per annum
	: Individual	\$10.00 per annum
4	Keeping of livestock fees	\$0.5 per animal-small
		\$2.00 large
5	Support letter for livestock movement	\$10.00

Second Schedules ( <i>Penalties</i> )		
Section	Description	Penalty (US\$)
5	Moving livestock without a supporting letter	\$20.00
6	A person who intends to claim the impounded stock	\$5.00 per animal(small)
		\$20.00 per animal (large)
6	A person who dehorn or castrates any stray stock he or she held without having reported to the poundmaster	\$100.00
6	A person whose livestock is found in service or business areas (Stray Livestock): Donkey	\$20.00
	: Cattle	\$30.00
	: Goat	\$10.00
6	Movement of livestock livestock on the hoof on roads or on Council land:	\$10.00 per animal (small)
		\$20.00 per animal(large)
6	Storage of livestock Small	10per day
	Large	50 per day
Statutory Instrument of 2025		
[CAP.29:15		

## 5. City of Mutare (Control of Worship in Open Spaces) By-Laws, 2025

### ARRANGEMENT OF SECTIONS

#### Section

1. Title
2. Application
3. Interpretation
4. Control of public worship

5. Permit and permit fees
6. Designation of places for public worship
7. Application procedures
8. Days and times of worship
9. Obstruction of access to an open space
10. Cancellation of permit
11. Offences and penalties

First Schedule

Second Schedule

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*] approved the following by-laws:

*Title*

1. These by-laws shall be cited as the City of Mutare (Control of Worship in Open Spaces) By-laws, 2025.

*Application*

2. These by-laws shall apply within the City of Mutare area.

*Interpretation*

3. In these by-laws:—

“authorised person” means any person employed or delegated by City of Mutare to carry out any functions prescribed in these by-laws;

“Council” means City of Mutare;

“environmental health practitioner” means an environmental health officer (EHO) or environmental health technician (EHT) registered as such by the Health Professions Council of Zimbabwe and employed by council;

“open space” means any open space to which the public or any section of the public has access or any area which has been designated for development under district plans but remains undeveloped and can be used for the purposes approved under these by-laws;

“permit” means permit issued in terms of these by-laws;

“permit fee” means a fee prescribed in terms of section 5;

“prescribed form” means the form for applying for the issue or renewal of a permit provided by Council.

### *Control of open space worship*

4. No person or persons shall gather in an open space for purposes of worship unless a permit has been issued by the Council after payment of a fee specified in the First Schedule.

### *Permit and permit fees*

5. (1) A permit issued or renewed in terms of these by-laws shall be in the form set out by Council.

(2) The holder of a permit who wishes to renew the permit shall apply to council for the renewal.

### *Designation of places for public worship*

6. (1) Council shall designate places or areas where persons can gather for purposes of public worship provided that such areas have adequate sanitary facilities of a temporary or permanent nature approved by the Council.

(2) The facilities in subsection (1) should be inspected and approved by an Environmental Health Practitioner in terms of the Public Health Act [Chapter 15:17].

### *Application procedures*

7. (1) An application for a permit to conduct open space worship shall be made to the Council, and shall:

(a) be in the form prescribed by Council upon payment of the fee prescribed in the First Schedule.

(2) The Council may or may not approve such application taking into account the provisions of the Public Health Act [Chapter 15:17] and the Environmental Management Act [Chapter 20:27] and other Council by-laws including but not limited to Anti-litter by-laws.

(3) Application and the inspection report from the Environmental Health Practitioner as well as the building plans should be submitted to the Council prior to the erection of any temporary or permanent structures on the area.

(4) Upon approval, Council shall issue a permit with such conditions as it deems necessary in the circumstances.

(5) No person shall cut down any tree on the open space without prior council approval.

### *Days and Times of Worship*

8. (1) Public worship shall be restricted from 0500hrs to 1800hrs and the days of worship shall be as stated in the permit.

(2) Time extensions may be granted by Council upon written application by interested persons, at a fee specified in the First Schedule.

### *Obstruction of access to an Open Space*

9. (1) Any police officer or authorised person may direct any person who is directly or indirectly obstructing the use of any open space by or is a nuisance to any person worshipping in any open space to move away from such space as may be reasonable.

(2) No person or persons offending or causing a nuisance to those worshipping in such open space shall refuse to comply with any such direction given in terms of subsection (1).

### *Cancellation of permit*

10. (1) Council shall cancel a permit to any person who fails to comply with any condition of the permit.

(2) Any permit cancelled in terms of subsection (1) shall not be renewed until the cause of such cancellation is rectified and the holder shall return the permit to Council within forty-eight (48) hours of being notified of such cancellation.

(3) Any person who fails to return the permit upon being notified to do so in terms of subsection (4) shall be liable to a fine specified in the Second Schedule.

### *Offences and Penalties*

11. (1) Any person who contravenes or fails to comply with any provision of these by-laws shall be liable to a fine specified in the Second Schedule.

(2) Any person who fails to comply with any liability emanating from his or her contravention of any of the offences stipulated in these by-laws within 90 days, shall be liable to a fine specified in the second schedule.

### *First Schedule (Fees)*

Section	Description	Fees (US\$)
5 (1)	Application for permit	50.00 per session
5 (3)	Permit renewal fees	50.00 per session
6	Inspection fees	20.00
8	Application for extension of permit	10.00 per session
5(1)	Permit fees (monthly)	50.00

### *Second Schedule (Penalties)*

Section	Description	Penalty (US\$)
4	Open space worshipping without permit	50.00
6	Designated place without adequate sanitary facilities	50.00



7 (5)	Cutting down trees on the open space	100.00
9	Obstruction of access to open space	50.00
10 (3)	Failure to return permit upon notification	50.00

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## 6. City of Mutare (Cycle Licensing) By-laws, 2025

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### ARRANGEMENT OF SECTIONS

#### *Section*

1. Title.
  2. Application.
  3. Interpretation.
  4. Licensing of cycles.
  5. Cycle License and Token
  6. Application for cycle licenses and tokens
  7. Duplicate cycle license and token
  8. Register of cycle licence and token
  9. Sale and change of ownership
  10. Exemption.
  11. Inspections, enforcement and impoundment.
  12. Cancellation of Licenses
  13. Disposal of unclaimed cycles
  14. Offences and penalties.
- First Schedule: Fees  
Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], made the following by-laws—

#### *Title*

- I. These by-laws may be cited as the City of Mutare (Cycle Licensing)By-laws, 2025.

#### *Application*

2. These by-laws shall apply to the area under the jurisdiction of the City of Mutare.

*Interpretation*

3. In these by-laws—

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"authorised person" means any person authorised by the council to exercise any function conferred by these by-laws and includes a police officer ;

"council" means the City of Mutare;

"council area" means the area under the jurisdiction of City of Mutare;

"cycle" means any pedal cycle or tri-cycle or motor cycle or a motor cycle with a trailer attached to it;

"licensing official" means a person appointed by the council to receive licence fees and collect moneys payable under these by-laws;

"licence or token" means a badge on which is inscribed the year of issue, the licence number and the words " City of Mutare ";

"owner" in relation to any cycle includes the owner, joint owner or part owner of such cycle, and any person who has the lawful use of such cycle;

"road" includes, any existing street, bridge, subway, avenue, lane, footpath, sanitary lane, close or thoroughfare.

#### *Application for licensing of cycles*

4. (1) No person shall use on any road within the council area any cycle which is ordinarily kept within the area unless it has been licensed in terms of these by-laws.

(2) The application for any cycle licence under these by-laws shall be made by the owner of the cycle to the licensing official and shall be accompanied by—

- (a) the receipt or letter from whom the cycle is bought or obtained ; and
- (b) name, address, make and manufacturers number, if any, of such cycle; and
- (c) the licence fees specified in the First Schedule; and
- (d) when required, the applicant shall exhibit the cycle for which a licence is required at the office of the licensing official.

#### *Licenses and licence tokens*

5. (1) In respect of every cycle, the licensing official shall issue to the applicant a licence signed by the licensing official and shall contain the following:—

- (a) a description of the cycle to which the licence relates;
- (b) the manufacturer 's number of the cycle;
- (c) the council registration number;
- (d) the number of the cycle licence with a distinctive mark;
- (e) the receipt number; and
- (f) period of validity.

(2) Each year the owner of a cycle which is ordinarily kept and used on any road within the council area shall obtain a licence for the cycle.

(3) The licensing official shall issue a serialised cycle licence.

#### *Display of cycle token*

6. (1) Every cycle owner shall firmly affix to the cycle in respect of which it is issued, in such a position and such manner as is prescribed by these by-laws.

(2) The owner of any cycle to whom a licence is issued in terms of subsection (1) shall forthwith cause the licence to be attached—

- (i) to the left side of the hub on the front wheel of the cycle; or
- (ii) in the case of tricycle at the front, to the left side of the hub of the wheel on the left.

#### *Duplicate cycle licence*

7. (1) If a licence issued in terms of section 5(1) is lost or destroyed, the owner of the cycle to which it relates shall forthwith apply to the licensing official for a duplicate cycle licence.

(2) A duplicate cycle licence shall be issued to an applicant on proof of a licence accompanied by the fee prescribed by council.

(3) A duplicate cycle licence shall be valid for the unexpired period of the original cycle licence.

#### *Register of licences*

8. Council shall keep a register of all cycles which have been licensed in terms of these by-laws and shall record in such register —

- (a) the name and residential address or company address or the owner of such cycle; and
- (b) the make, manufacturers number and the council registration number of such cycle; and
- (c) the receipt, token number, date of issue of the licence and the date on which the licence shall expire.

#### *Sale and change of ownership*

9.(1) On the sale or change of ownership of any cycle, the person selling or disposing of the cycle shall deliver the relative cycle to the new owner and the new owner shall within fourteen days of his or her becoming the owner, register the change of ownership at the office of the licensing official and shall be accompanied by a police clearance and transfer fees prescribed by council from time to time.

(2) A duplicate cycle licence shall be valid for the unexpired period of the original cycle licence.

#### *Exemption*

10. Any cycle—

- (a) which is kept by a dealer for the purpose of a sale only; or
- (b) which is not used on any road;
- (c) which has broken down and not in use;
- (d) duly licensed by any local authority in Zimbabwe and bearing a cycle licence issued by such local authority will:

provided no change of ownership has taken place, be exempt from licence fees for the unexpired portion of the period for which the licence is current.

*Inspections, enforcement and impoundment*

11. (1) An authorised person may at any reasonable time enter upon any property where he or she suspects any cycle to be used on any road, within the council area in order to ascertain whether the provisions of these by-laws are not contravened.

(2) An authorised person may stop any cycle on any road for the purpose of inspecting a cycle licence and to ensure that the provisions of the by-laws are not contravened.

(3) An authorised person may if he or she has reason to believe that a violation of section 5 of these by-laws has been committed impound or cause to impound any cycle so connected to the offence and remove or cause to be removed such cycle to a secure place and such cycle shall be recorded in a records book and kept safely.

(4) An impounded cycle removed to a secure compound shall be released to the owner upon payment of the prescribed penalty and storage charges set by council.

*Cancellation of cycle licence*

12. (1) Council shall cancel a certificate if the holder is penalised of any contravention of the provisions of these by-laws.

(2) Where the cycle licence is cancelled in terms of subsection (3) the holder shall return the cycle licence to the council within 48 hours of being given notice of such cancellation.

(3) Any person who fails to comply with the notice stated in subsection (5) shall be liable to a fine specified in the Second Schedule.

(4) Any person who contravenes any other provision of these by-laws not specified in subsection (1), shall be liable to a fine specified in the Second Schedule.

*Disposal of unclaimed cycles*

13. (1) Council shall publish in a newspaper of wide-circulation within the council area a list of unclaimed cycles which have been in its custody for one month and advise the owners to claim the cycles within 30 days.

(2) Council shall sell by public auction any cycles that remain unclaimed thirty 30 days after the notice has been published.

(3) Money realised from the sale of unclaimed cycles shall be deposited into any account of Council.

#### *Offences*

15. (1) Subject to the provisions of section 4(2), no person shall use or cause or permit to be used on any road, within the council area any cycle which is ordinarily kept within the council area unless a valid cycle licence issued in terms of section 5 is in force in respect of the cycle.

(2) No person shall use or cause or permit to be used on any road within the council area any cycle which is required to be licensed in terms of section 4 unless the cycle has a valid token issued in terms of section 5 affixed thereon.

(3) No person shall transfer a licence issued in terms of section 5 to any other person, or from one cycle to another, or attach, or cause to be attached, any licence so issued to any cycle other than the cycle to which it relates.

(4) No person shall obliterate, deface or alter any licence issued in terms of these by-laws.

(5) No person shall obliterate, deface or alter any registration number impressed on any cycle in accordance with these by-laws.

(6) No person shall use or cause or allow to be used on any road within the council area—

(a) any cycle which does not bear the licence as provided in these by-laws: or

(b) any cycle upon which the registration number has been obliterated, defaced or altered.

#### *Penalties*

16. Any person who contravenes any section of this by-law shall be liable to pay a fine specified in the Second Schedule.

### First Schedule (*Fees*)

Section	Description	Fees (US\$)
4	Application for licence	15.00
4	Licence fees	4.41
7	Application for a duplicate licence	5.00
9	Change of ownership fees	5.00
11	Storage fees	1.00

### Second Schedule (*Penalties*)

Section	Description	Fees (US\$)
4 (2)	Use unlicensed bicycle	13.24
15	Use cycle without token	5.00
15 (3)	Transfer a licence token to another	5.00
15 (4)	Obliterate, deface or alter any licence token	10.00
15 (5)	Obliterate, deface or alter any registration number impressed on any cycle	10.00
9 (1)	Failure to return a licence token	5.00

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## 7. City of Mutare (Dog Licensing and Control) By-laws 2025.

### Arrangement of sections

1. Title
2. Application
3. Interpretation
4. Application for licence
5. Register of licences
6. Prohibition of keeping dog causing nuisance
7. Impounding, sale and destruction of dogs
8. Inspection and enforcement
9. Exemption from liability of Council and authorized officials from any loss to any dog
10. Maximum permitted number of dogs to be kept at any premises
11. Offences

First Schedule

Second Schedule

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 90 of the Urban Council's Act [Chapter 29:15], made the following by-laws—

*Title*

1. These by-laws shall be cited as the City of Mutare (Dog Licensing and Control) By-laws, 2025.

*Application*

2. These by-laws shall apply to the area under the jurisdiction of the City of Mutare.

*Interpretation*

3. In these by-laws—

“at large” in relation to dogs means roaming without restraints beyond the limit of its owner's property;

“authorised officer” means a council police officer, police officer or any other person duly authorised by the council to exercise any function conferred by these by-laws;

“council” means City of Mutare;

“dog” means any dog or bitch which is of or over the age of six months;

“owner” in respect of the dog, includes any person who has control and custody of a dog which is kept in the council area;

“pound” means a building, premises or other place set aside by the Council for the keeping of dogs for the purpose of these by-laws;

“spayed bitch” means a bitch in respect of which a certificate has been signed by a registered veterinary surgeon certifying that the bitch has been spayed;

“unspayed bitch” means a bitch which, at the time of licensing, has not been certified by a registered veterinary surgeon as having spayed.

*Application for Licence*

- 4.(1) No person shall keep a dog in a council area unless he or she has obtained a licence and a licence badge:

Provided that if the dog—

- (a) attains the age of six months after the 30<sup>th</sup> of September in any year; or
- (b) is licensed by another local authority;

the owner of the dog shall be exempted for licensing the dog according to the by-laws until the 1st day of January of the forthcoming year.

- (2) The owner of any dog required to be licensed in terms of this section shall apply to the Council for a licence and licence badge.

- (3) An application for licence shall be accompanied by—



- (a) a fee specified in the Second Schedule;
- (b) a valid rabies vaccination certificate in respect of the dog for which application relates;
- (c) in the case of urban centres, proof that the premises have got a secured perimeter fence or a perimeter wall.

(4) On payment of licensing fee and the production of a valid rabies vaccination certificate by the owner of the dog, the council shall issue to the owner of the concerned dog—

- (a) a licence; and
- (b) a badge bearing the year and number of the licence.

(5) If a licence badge issued in terms of subsection (4) is lost, defaced or destroyed, the owner of the dog in respect of which such licence badge was issued must, on payment of a sum equal to fifty *per centum* of fee fixed in terms of section 3(a) obtain a duplicate of such licence badge from the council.

(6) A licence or licence badge issued in accordance with these by-laws shall not be transferrable—

- (a) to any other person; or
- (b) from one dog to another.

#### *Register of licences*

5. Council shall keep a register of licenses issued in terms of this section, with the following:—

- (a) the name and address of the owner of such a dog;
- (b) the number and date of issue of :—
  - (i) the licence and licence badge;
  - (ii) any duplicate licence badge issued in respect of each dog.

#### *Prohibition of keeping dog causing nuisance*

6.(1) No person shall keep any dog which, by constant or excessive barking, howling or whining or by straying property, creates a disturbance to, or destroys the comfort of any other person.

(2) Where repeated complaints of nuisance or dangerous incidents to members of the public due to the keeping of a dog by any owner are brought to the attention of the council, the council, through the efforts of an authorized officer, may give written notice to the owner concerned that if any further complaint is brought to the attention of council within a period specified in the notice, the council may prohibit any owner from keeping any dog within the council area for a period not exceeding one year:

Provided that before disqualifying an owner in terms of this section, the council shall allow the owner concerned to make any written representation he or she might wish to make as to why such disqualifications should be imposed on him or her. The Council may not disqualify such an owner if the written representation is seen to be valid.

#### *Impounding, sale and destruction of dogs*

7. (1) No person shall permit a dog to be at large.

(2) If any dog is at large in contravention of this section, an authorised officer may seize such dog and cause it to be detained in a pound.

(3) Upon the seizure and detention of a dog in terms of subsection (2), the council shall—

- (a) if the owner is known, forthwith notify him or her of the fact;
- (b) if the owner is unknown, forthwith publish a notice or advertise in a newspaper circulating within the area—

- (i) giving a full description of the dog;
  - (ii) containing a warning that the dog may be killed or sold if the owner does not claim it within seven days of the publication of the notice.
- (4) If, within seven days of a notice being in terms of subsection (4) the owner of any dog seized and detained in terms of subsection (3)—
  - (a) claims the dog, the council shall ensure that the dog is licensed in terms of the by-laws and then release the dog upon payment by the owner of any expense which the council may have reasonably incurred during the detention of that dog; or
  - (b) fails to claim the dog, having claimed it, fails or refuses to comply with paragraph (a), the council may without any liability for compensation, sell, or otherwise dispose of the dog as it thinks fit.
- (5) Notwithstanding anything to the contrary in this section, an authorised officer may kill any dog found at large if such dog poses danger to the public, or is incurably injured or diseased.
- (6) Council provides the manner and circumstances in which the authorised officer may deal with any nuisance dog.

#### *Inspection and enforcement*

- 8. (1) Any authorised officer may at any reasonable time during the day and with the consent of the owner of the property, enter any property in order to ascertain whether these by-laws are complied with.
  - (2) An authorised officer may require any person found on the property to truthfully answer any question that he or she may ask in order to ascertain the true identity and whereabouts of the owner of the dog.
  - (3) For the purpose of these by-laws, every person in which custody, charge or possession, or whose premises any dog is found, shall be deemed to be the owner of such dog until the contrary is proven.

#### *Exemption from liability of Council and authorised officials from any loss to any dog*

- 9. The council or any authorised officer shall not be liable for any loss or damage to any dog which—
  - (a) is sold, killed or otherwise disposed of; or
  - (b) sustains injury or contracts any disease during its conveyance to or during its detention in a pound, for the purpose of these by-laws.

#### *Maximum permitted number of dogs to be kept at any premises*

- 10. (1) No person shall keep –
  - (a) in the case of low density areas, not more than three dogs;
  - (b) in the case of medium density areas, not more than two dogs;
  - (c) in the case of high density areas, not more than one dog;within the limits of his or her property unless the council grants him or her written permission to do so.
  - (2) Any person to whom permission has been granted in terms of subsection (1) shall, within 14 days of the date upon which he or she ceases to keep more than the permitted number of dogs within the limits of his or her property, notify the Council to that effect and the said permission shall be deemed to have been withdrawn.

#### *Offences*

- 11. (1) Any person who—
  - (a) contravenes any provisions of these by-laws; or
  - (b) fails to comply with a lawful requirement made by an authorised officer in terms of these by-laws; or

(c) obstructs any authorised officer in the execution of his or her duties in terms of the by-laws;

shall be liable to:—

(i) a fine specified in the Third Schedule; or

(ii) if the offence has continued for more than thirty days, a fine or penalty specified in the Third Schedule for each day during which the offence has continued.

(2) Any person who fails to comply with any liability emanating from his or her contravention of any of the offences stipulated in these by-laws within 90 days, shall be guilty of an offence and liable to a fine specified in the Third Schedule.

#### FIRST SCHEDULE (Section 7)

##### Guidelines for Action:

Dog at large but vaccinated:	1. Dog may be impounded
	2. Dog may be shot
Dog at large but not vaccinated:	1. Dog may be impounded
	2. Dog may be shot
Dog at large but vaccinated and person bitten:	1. Dog may be impounded
	2. Dog may be shot
	3. Owner to pay for health bills incurred
	4. Compensation to the aggrieved person be determined by the court
Dog at large but not vaccinated and person bitten:	
	1. Dog may be shot
	2. Owner to pay health bills incurred
	3. Compensation to the aggrieved person to be determined by the court
Nuisance dog (not at large):	1. Dog may be impounded
	2. Dog may be shot".

SECOND SCHEDULE  
FEES

Description	Section	Amount (USD)
Application for licence	4	free
Dog licence: Sprayed Bitch	4	4.41
Unsprayed Bitch	4	88.28
Dog	4	4.41
Replacement of badge	4	5.00
Application fee for keeping dogs beyond the permitted threshold	10	20.00

THIRD SCHEDULE: PENALTIES

Description	Section	Amount (USD)
Dog at large (vaccinated):	7	10.00
Dog at large (not vaccinated):	7	33.10
Dog at large (ferocious and unmuzzled)	7	33.10
Dog at large (vaccinated and person bitten):	7	10.00
Dog at large (unvaccinated and person bitten):	7	50.00
Dog at large (suffering from contagious disease )	7	30.00
Bitch at large (on heat or season)	7	30.00

Dog at large (suffering from contagious disease – person bitten)	7	50.00
Dog without a licence	4	33.10
Keeping beyond approved threshold	10	33.10
Dog nuisance	6	20.00

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## 8. City of Mutare (Environmental and Natural Resources Conservation) By-Laws, 2025

### Arrangement of sections

#### Section

1. Title
2. Application
3. Interpretation
4. Preparation and adoption of a plan
5. Amendment of plan
6. Grazing areas
7. Cultivation areas
8. Conservation of Natural Resources
9. Waste management sites
10. Environment impact assessments
11. Environmental rehabilitation works on abandonment of project
12. Environmental works carried out by council
13. Burning of vegetation and prevention of fires
14. Invasive alien species
15. Protection of wetlands
16. Environment committee and sub-committee

17. Sleights
18. Cutting of trees
19. Forest produce
20. Collection or removal of gravel, stones, river sand and pit sand
21. Brick making
22. Protection of water sources
23. General provisions on protection of the environment and natural resources
24. Biodiversity protection
25. Commercial timber logging
26. Protection of wildlife and indigenous plants
27. Fencing and conservation works
28. Air pollution
29. Solid and effluent waste Management
30. Waste management plans
31. Waste management enterprises
32. Refuse removal and management
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38. Protection of genetic resources

First Schedule: Invasive species

Second Schedule: Fees

Third Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

### *Title*

1. These by-laws may be cited as the City of Mutare (Environmental and Natural Resources Conservation) By-Laws, 2025.

### *Application*

2. These by-laws shall apply to the City of Mutare area.

### *Interpretation*

3. In these by-laws—

“agency” means the Environmental Management Agency;

“biological diversity” means the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part, includes diversity within species, between species and of ecosystems;

“council” means the City of Mutare;

“council area” means the area for which the council has been established or under its jurisdiction;

“developer” means a person who develops land or is engaged in extractive activities including mining;

“effluent” means waste water or other fluid originating from domestic, agricultural or industrial activity, whether the water or fluid is treated or untreated and whether it is discharged directly or indirectly into the environment;

“environment” means—

(a) the natural and man-made resources, including water, soil, air, minerals and living organisms, whether indigenous or exotic and the interaction between them;

(b) eco-systems, habitats, spatial surroundings or other constituent parts, whether natural or modified or constructed by people and communities;

“environmental action plan” means an environmental action plan prepared by a Rural District Council for the area under its jurisdiction in terms of section 95 of the Environmental Management Act [*Chapter 20:27*];

“environment committee” means an environment committee of the council as appointed in terms of section 61 (2) of the Rural District Councils Act [*Chapter 29:13*];

“environment sub-committee” means a sub-committee meant to assist the environment committee in carrying out its functions as appointed in terms of section 61 (6) of the Rural District Councils Act [*Chapter 29:13*];

“environmental impact assessment” means an evaluation of a project to determine its impact on the environment, human health and community livelihoods whose specific requirements and procedures are set out in terms of section 97 of the Environmental Management Act [*Chapter 20:27*] as read with sections 8 to 13 of the Environmental Impact Assessment & Ecosystems Protection Regulations, 2007 ([SI 7/2007](#));

“environmental impact assessment report” means a report on an environmental impact assessment produced by the developer of a project in terms of section 97 of the Environmental Management Act [Chapter 20:27];

“environmental impact assessment certificate” means a certificate issued by the Director-General of the Environmental Management Agency for a particular project in terms of section 97 of the Environmental Management Act [Chapter 20:27];

“grazing area” means the area set aside in a plan or other system adopted by the Rural District Council in collaboration with the traditional leaders and the community for the grazing of livestock;

“high flood level” means maximum level of water which can safely be contained by a dam, river or stream without encroaching on the dry free board. The maximum level to which the water level could rise due to rainfall or run off in the catchment areas over and above the level of water normally conserved in any artificially constructed water storage work;

“invasive alien species” means, generally, exotic plants which have become naturalised and threaten the existence of indigenous species by penetrating and replacing indigenous vegetation, as specified in the Third Schedule of the Environment Management Act [Chapter 20:27];

“livestock” means domestic animals including; cattle, donkeys, sheep and goats among others that are ordinarily kept by people at the homestead;

“natural resource” includes—

- (a) the air, soil, waters and minerals;
- (b) the mammal, bird, fish and other animal life;
- (c) the trees, grasses and other vegetation;
- (d) the springs, vleis, sponges, reed-beds, marshes, swamps and public streams; and
- (e) any other thing that the Minister of Environment and Natural Resources may, by notice in a statutory instrument, declare to be a natural resource, including a landscape or scenery which, in his or her opinion, should be preserved on account of its aesthetic appeal or scenic value;

“occupier”, in relation to land or premises, means any person lawfully occupying or controlling the land or premises;

“owner” means—

- (a) in the case of livestock, the person who normally has custody or control thereof;
- (b) in the case of cultivated land, any person who has the right to the produce of the land, including the spouse of such person and children over the age of eighteen years; and
- (c) the person registered in the Deeds Registry as the owner of the land or premises;

“plan” means a diagram or illustration depicting or describing any area of land within communal or resettlement land areas set aside for exclusive use by inhabitants for residential, grazing, environmental conservation or cultivation purposes;

“sleigh” means any vehicle used for transport which;

- (a) travels on runners instead of wheels; or



(b) travels on any other manner on the surface of the ground without the use of wheels or trucks driven by wheels;

“vegetation” includes any tree, shrub, fern, flower, grass, creeper, crop or any other plant or organic matter or any part thereof, whether dead or alive;

“waste material” includes any containers, wrappings, cartons, cigarette packets, paper, vegetable matter, garden waste, hedge clippings, dead animals, ash, tins, rubbish, bricks, stone, soil and any other matter or substance which is offensive, unwholesome or untidy;

“wetlands” means an area of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt and includes riparian land adjacent to the wetlands.

#### *Preparation and adoption of a Local Environmental Action Plan*

4. (1) The council shall prepare an environmental action plan for the area under its jurisdiction in terms of Section 95 of the Environmental Management Act [Chapter 20:27].

(2) In developing the environmental action plan, Council shall—

- (a) place on public exhibition a copy of the proposed environmental action plan for inspection by any of the inhabitants of the area;
- (b) put public notices by means of various communication channels indicating the place or places and period at which the plan shall be open for exhibition and inspection by council inhabitants.
- (c) call upon any inhabitant who have objections to the proposed plan to lodge their objections with the council within thirty days after the date of notification of the proposal;
- (d) consult all relevant stakeholders in the council area

(3) In preparing any plan, the council shall—

(a) seek the advice of—

- (i) the provincial planning officer; and
- (ii) the provincial officer responsible for agriculture; and
- (iii) the provincial environmental officer; and
- (iv) the provincial warden; and
- (v) the provincial Mining Commissioner; and
- (vi) any groups or individuals with expertise, skills, knowledge or an interest in the matter relevant for the development of the plan.

(b) take into account any objections received in terms of subsection (2) (c).

- (4) If in preparing any plan, the council does not act in accordance with the advice given by the officers and interested parties referred to in subsection (3), it shall advise the Provincial Council, in writing, of this fact and the reasons thereof.
- (5) Once a plan has been prepared and approved by the council by resolution, a copy thereof shall be forwarded to the Provincial Council together with the substance of any—
- (a) objections lodged in terms of subsection (2) (c); and
  - (b) advice tendered in terms of subsection (3).
- (6) The Provincial Council may within thirty days from the date a plan is forwarded to them in terms of subsection (5) —
- (a) inform the council in writing of their approval of the plan; or
  - (b) inform the council in writing of their approval of the plan subject to such amendments as they may propose.
- (7) Where the Provincial Council makes proposals for the amendment of a plan, the council may—
- (a) proceed in terms of subsections (2), (3) and (4); or
  - (b) if it is not satisfied with the decision of the provincial council, within thirty days of notification of the decision, appeal to cabinet through the Minister who after calling for representations from all the parties concerned, including, if necessary from the inhabitants of the area for which the plan is intended, shall make a decision on the matter and the cabinet's decision shall be final.
- (8) In describing areas in the plan, which must have coordinates, reference may be made to any summits of hills, streams, rivers, roads, fences, buildings, communal boundaries, prominent rocks or trees or any other thing which is readily identifiable by or is well known to the inhabitants.
- (9) once a plan has been approved, a copy thereof shall—
- (a) be made available for inspection, free of charge, during normal working hours at the offices of the council or at any place or places considered by council to be convenient; and
  - (b) be sent to each Ward Assembly in the Council area.

#### *Amendment of Plan*

- 5 Subsections (2) to (9) of section 4 shall apply mutatis mutandis, to any proposal to amend a plan.

#### *Grazing areas*

6. (1) In respect of any area set aside in a plan for grazing of livestock, the council may specify—
- (a) the maximum number of livestock which may be grazed in that grazing area;
  - (b) which owner or owners or community may graze livestock in a specific grazing area;

- (c) the maximum number of livestock or the maximum number of different types of livestock which each owner may graze in a specific grazing area;
  - (d) the period within which any inhabitant is to reduce the number of livestock to the levels he or she is permitted to graze in any grazing area in terms of paragraph (c);
  - (e) the period within which any inhabitant is to cease grazing livestock within any area where such inhabitant is not permitted to graze his or her livestock in terms of paragraph (d);
  - (f) measures to be taken to ensure the conservation of grazing lands in the area.
- (2) If any livestock is found grazing in an area other than a grazing area, the owner thereof shall be presumed to have allowed the livestock to graze in that area, provided that it shall be a sufficient defence if the owner proves that he or she took all reasonable precautions to ensure that the livestock did not graze outside the grazing area.
- (3) The holder of a livestock card upon which is recorded the number of cattle which he or she dips shall be deemed to have the custody or control of the number of cattle recorded on his or her dipping card until the contrary is proved.
- (4) No plan or part thereof shall be deemed to be invalid because it is not possible to determine the exact situation on the ground of the boundary of any grazing or cultivation area.
- (5) Any person or inhabitant who grazes livestock in an undesignated area for grazing in terms of a Plan shall be liable to a fine specified in the Third Schedule or if it is the first time Council may consider giving the person a written warning.

#### *Cultivation areas*

7. (1) In respect of any area set aside in a plan for cultivation, the council may, in the plan, specify—

- (a) which inhabitants may cultivate in any cultivation area;
- (b) the means or implements which may be used to cultivate in any cultivation area;
- (c) the type of crops which may be grown and their rotation;
- (d) the responsibility for removing noxious weeds;
- (e) contour ridging schemes and other land and soil protection and conservation measures;
- (f) areas to be set aside as wood lots or conservation areas;
- (g) areas to be set aside for renewable energy production crops;
- (h) the date on which cultivation shall cease until certain land protection and conservation measures have been implemented.

- (2) Any person or inhabitant who deliberately fails to comply with a Council plan with respect to cultivation of land shall be liable to a fine specified in the Third Schedule or if it is the first time, Council may consider giving the person a written warning.

*Conservation of Natural Resource areas*

8. (1) In respect of any area set aside in a plan for environmental and natural resources conservation, the council may, in the plan, specify—
- (a) natural resources to be conserved in the area and measures to protect and conserve the natural resources;
  - (b) areas to be set aside as wood lots and conservation areas;
  - (c) areas for growing renewable energy crops;
  - (d) contour ridging schemes and other land and soil protection and conservation measures;
  - (e) measures that may be taken to protect and conserve the environment and natural resources
- (2) Any person who contravenes the requirements and conditions of a plan for conservation of natural resources as prescribed by the Council shall be liable to a fine specified in the Third Schedule, or to a written warning.

*Waste Management sites*

9. In respect to the management of waste in the council area, the plan shall specify—
- (a) the areas designated as waste management sites in the Council area;
  - (b) the types of waste generated and measures to recycle or reuse the waste.

*Environmental impact assessments*

10. (1) The developers of any projects in the council area for which an environmental impact assessment is required in terms of section 97 and the First Schedule of the Environmental Management Act [Chapter 20:27] shall:—
- (a) consult Council during the consultation process leading to the development of an environmental impact assessment;
  - (b) involve Council in organising public consultations meetings with traditional leaders and the local community in the area regarding the proposed development project;
  - (c) submit to Council the name, contact details and other relevant particulars such as qualifications of any consultant hired or engaged by the project developer to carry out the environmental impact assessment on his or her behalf and proof of their registration with the Environmental Management Agency;
  - (d) submit to Council a copy of the Environmental Impact Assessment Report for the proposed project;

(e) submit to Council a copy of the approved Environmental Impact Assessment report and an Environmental Impact Assessment Certificate issued for the project by the Director-General of the Environmental Management Agency;

(f) submit to Council a copy of the annual Environmental Management Plan produced by the project developer.

(2) Council shall make environmental impact assessment reports submitted by project developers available and open for public inspection at council offices during working hours free of charge:

Provided that where any member of the public requires a copy, council shall provide such copy subject to payment of a fee specified in the Second Schedule ;and

Provided further that no person shall use any information contained therein for personal benefit and this has to be done in compliance with Section 108 of the Environmental Management Act [Chapter 20:27].

(3) Council shall monitor the implementation of the environmental impact assessment report submitted by project developers jointly with Environmental Management Agency.

(4) It is an offence for any project developer in a Council area to start operations without submitting to Council a copy of the Environmental Impact Assessment Report or a copy of the Environmental Impact Assessment certificate issued by the Director-General of the Environmental Management Agency or a copy of the annual Environmental Management Plan produced by the project developer.

(5) Any person who fails to submit the documents required in terms of subsection (4) of this section shall liable to a fine specified in the Third Schedule.

#### *Environmental rehabilitation works on abandonment of project*

11. (1) Any person who undertakes any project for commercial exploitation of natural resources including mining projects, resource extraction projects with the effect of causing environmental damage or environmental degradation or harm in the council area shall;

(a) submit to Council a rehabilitation plan containing rehabilitation works that will be undertaken before abandonment or closure of the project.

(b) rehabilitate the environment before abandonment or closure of the project.

(2) Council shall monitor the implementation of rehabilitation plans of projects with assistance from the Environmental Management Agency.

(3) Any person who fails to rehabilitate the environment after abandonment or closure of the project shall be liable to a fine specified in the Third Schedule.

#### *Environmental works carried out by council*

12. Where a land owner or occupier as the case may be, requests council to carry out environmental works on his or her land, or in the event that the owner fails to do so on his or her own, council may undertake such environmental works as may be necessary to rehabilitate the environment and recover the costs associated with such works from the land owner or occupier of the land.

#### *Burning of vegetation and prevention of fires*

13. (1) The council shall ensure compliance with Statutory instrument 7 of 2007, in controlling the burning of vegetation in the council area.

(2) No person in the council area shall burn growing or standing vegetation on any land without lodging a notice of intention to burn to Council, the Traditional leaders, Environmental Sub Committee, Environmental Management Agency, Forestry Commission, occupiers of adjoining land or to a police officer at the nearest convenient police station.

(3) The notice of intention to burn standing vegetation shall be made in line with the requirements of Section 67 of the Forestry Act [Chapter 19:05].

(4) Every land owner, user or occupier who intends to burn vegetation or whose land is susceptible to perennial fires shall put in place adequate fire protection measures before the 31<sup>st</sup> of July each year.

(5) It shall be the duty of every land owner or occupier to put out any fire on his or her land.

(6) All persons within the vicinity of a fire have a duty to take appropriate measures to put out fires irrespective of who started the fire or whose land or property it is.

(7) Every land owner, user or occupier in the Council area is required to fully comply with all the fire prevention, pre-suppression, suppression and post suppression measures provided for in section 16, 17 and 18 of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007, published in [Statutory Instrument 7 of 2007](#).

(8) Any person who contravenes subsections (2), (4), or (5) shall be liable to a fine specified in the Third Schedule.

#### *Invasive Alien Species*

14. (1) Every occupier or owner of land within the council area shall keep their land free from invasive alien species in line with the requirements of Section 118 of the Environmental Management Act [Chapter 20:27] as read with the First Schedule of the by-laws.

(2) The council may give a written or oral order on the occupier or owner of land where invasive alien species is growing to clear or cause to be cleared any invasive alien species from his or her land.

(3) In relation to invasive alien species "clearing" means to dig up or pull out and burn invasive alien species or to employ other means of destruction authorised by the Environmental Management Agency.

(4) In cases where there is imminent threat to the environment, livestock or human health from invasive alien species on land belonging to or occupied by a resident in the council area, council may take measures to control, remove or clear the land of invasive alien species, at its own cost and recover the expenses incurred from the land owner or occupier as the case may be.

(5) Any occupier or owner of land who fails to keep his or her land free from invasive alien species without an adequate and reasonable explanation or fails to comply with a Council order issued in terms of subsection (2) of this section shall be liable to a fine specified in the Third Schedule.

#### *Protection of wetlands*

15. (1) Any person who intends in a Council area to reclaim or drain, drill or make a tunnel, introduce any exotic animal or plant species, cultivate, or licence the cultivation of, or destroy any natural vegetation on, or dig up, break up, remove or alter in any way the soil or surface of —

- (a) wetland; or
- (b) land within 30 metres of the naturally defined banks of a public stream; or
- (c) land within 30 metres of the high flood-level of any body of water conserved in artificially constructed water storage work on a public stream; or
- (d) bed, banks or course of any river or stream;

shall, furnish the Council with a licence issued by the Environmental Management Agency in terms of section 20 (1) of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007, published in Statutory Instrument 7 of 2007, to perform any of the aforesaid activities.

(2) In order to promote the protection of wetlands, council shall take additional measures and make orders for the protection of wetlands in the council area in line with the requirements of section 113 of the Environmental Management Act [Chapter 20:27] and section 20 of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007, published in [Statutory Instrument 7 of 2007](#).

(3) Any person who fails to produce or furnish Council with a valid licence issued by the Environmental Management Agency in terms of subsection (1) of this section or fails to comply with a council order made in terms of subsection (2) shall be liable to a fine specified in the Third Schedule.

#### *Environment committee and sub-committee*

16. (1) Council shall establish an Environment Committee and Environment Sub-Committees whose functions and duties are as prescribed in section 61 of the Rural District Act [Chapter 29:13], in pursuance of the need to promote environmental conservation, the development of the council area using natural resources and environmental protection.

(2) In appointing the Environment Committee and Environment Sub Committees, Council shall follow the prescribed procedures and composition of the Committees as set out in section 61 of the Rural District Councils Act [Chapter 29:13].

#### *Sleighs and farming implements*

17. (1) No person shall own, possess, use or have in his or her custody or control a sleigh, in a council area.
- (2) No person is allowed to drag ox-drawn farming implements in such a manner as to cause gullies along field routes or other paths in the council area.
- (3) Council may on its own take measures or make an order on any owner or occupier of land to rehabilitate or reclaim land affected by gullies in the council area.
- (4) Any person who contravenes subsection (1), (2) and orders made in terms of subsection (3) shall be liable to a fine specified in the Third Schedule.

#### *Cutting of trees*

18. (1) No person shall cut down trees in the council area except—
- (a) the collection and removal of dead wood for firewood;
  - (b) cutting of tree branches for building houses, keeping livestock, and other domestic uses;
  - (c) land clearing for agricultural purposes; and
  - (d) for other domestic purposes.
- (2) Cutting of trees in the Council area for commercial and large scale agricultural purposes shall be controlled and done in consultation with the Forestry Commission and the ministry responsible for Agriculture.
- (3) No person shall cut down reserved trees in the Council area outlined in the Schedule of Reserved Trees in the Communal Lands Forest Produce Act [Chapter 19:04]
- (4) Council may develop its own list of reserved trees found in their area other than the ones listed in the Schedule of Reserved Trees in the Communal Lands Forest Produce Act [Chapter 19:04] and which inhabitants will not be allowed to cut down.
- (5) Any person growing tobacco in the area shall be required to plant a woodlot or use alternative source of fuel other than trees.
- (6) Any person who is found cutting down trees in contravention of subsection (1) shall be liable to a fine specified in the Third Schedule.

#### *Forest Produce*

19. (1) No person is allowed to harvest, collect or pick fruits or other forest produce for sale in the Council area, except in terms of a permit issued in terms of the Communal Forest Produce Act [Chapter 19:04] and under the following conditions—
- (a) any person who is involved in commercial exploitation or collection for sale of forest produce is required to notify council in writing,
- Provided council shall always seek ways of ensuring that the local inhabitants shall be given preference in accessing forest produce than people from other areas outside the council area and council may regulate or impose a fee for access;



- (b) council shall maintain a record of people or entities involved in the picking, collection or harvesting of fruits or other plant produce within council area for sale;
  - (c) council may impose restrictions or make orders on the picking, harvesting or picking of fruits or plant produce for commercial purposes if council finds it desirable to do so to conserve the environment or the forest produce
- (2) Any person who collects, harvest or pick fruits or other forest produce for sale in the Council area without seeking the permission of Council in writing shall be liable to a fine specified in the Third Schedule.

*Collection or removal of gravel, stones, river sand or pit sand, slates, pebbles, clay and lime*

20. (1) No person shall excavate, remove, possess, transport or licence the removal of river sand, stones and pit sand, slate, pebbles, clay and lime for commercial purposes without seeking a permit from Council and furnishing Council with a licence obtained from the Environmental Management Agency issued in terms of section 3 of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007.
- (2) Any person who intends to extract river sand, stones, pit sand, slate, pebbles, clay and lime on his or her land or on Council land shall apply to Council stating the details of the excavation works to be conducted and submit an environmental rehabilitation plan to Council, which shall also be forwarded to the Environmental Management Agency for consideration before any extraction or excavation is done in terms of section 3 (3) of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007
- (3) On Council land, Council shall have the sole authority to identify designated sites for the extraction of gravel, stones, river sand or pit sand in the council area for commercial purposes.
- (4) Council shall periodically monitor the collection or removal of gravel, stones, river sand or pit sand, slates, pebbles, clay and lime for non-commercial purposes.
- (5) All provisions related to the abstraction of sand and clay as stated in the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations, 2007, shall apply to the Council area and all inhabitants and any person who wishes to engage in commercial extraction of clay and sand in the Council area is required to comply with the law.
- (6) Any person who contravenes subsection (1) shall be liable to a fine specified in the Third Schedule.
- (7) Council shall cease any instrument that is used in the commission of an offence referred to in subsection (6) and keep it in safe custody until the offender has fulfilled the penalty provided for in subsection (6).
- (8) Where the ceased instrument remains in the custody of council for a period exceeding 90 days, Council shall auction the instrument and the proceeds from the auction will be used to satisfy the penalty fee plus any administration costs Council may have incurred.

### *Brick making*

21. (1) No person shall mould or make bricks for sale for commercial purposes in the council area without a licence or permission from council.
- (2) In the event that a person intends to mould or make bricks for sale or for commercial purposes he or she shall demonstrate to council that he or she is capable of taking the following measures before he or she is granted permission:—
- (a) rehabilitate the environment or pits created by his or her activities;
  - (b) use deadwood for burning the bricks; and
  - (c) in the event that compliance with paragraph (b) in this subsection is not possible, demonstrate that he or she is capable of carrying out reforestation projects in the area where trees have been cut or shall establish a woodlot failing of which the licence will be revoked by Council.
- (3) Council may set aside land for commercial brick making in the council area, which land shall be used by brick makers in the ward or village under specified terms and conditions as council may determine from time to time.
- (4) The selling of bricks shall be done at the registered brick making site or other site approved by Council.
- (5) Inhabitants of the council areas shall be allowed to make or mould bricks for domestic use and are required to ensure that all pits created are rehabilitated, use dead wood for burning bricks and where possible undertake reforestation measures.
- (6) Council shall monitor operations of moulding bricks for domestic purposes from time to time and when necessary make orders on rehabilitating the environment.
- (7) Any person who contravenes the provisions of this section or mould for sale or for commercial purposes in the council area without permission from council, or fails to rehabilitate the environment after moulding bricks, or moulds and markets bricks in an undesignated area shall be liable to a fine specified in the Third Schedule.

### *Protection of water sources*

22. (1) In order to guard against pollution and to promote sustainable use of water resources, all residents in the council area have a duty to protect and conserve water resources and other water sources such as boreholes, dams, rivers and weirs.
- (2) Council may prescribe the manner in which water resources within its jurisdiction shall be protected and preserved.
- (3) In the event that Council has been appointed as one of the stakeholder representatives to serve in water Catchment and Sub-catchment Councils in terms of the Water Act [Chapter 20:24], the Water (Catchment Councils) Regulations, Statutory Instrument 33 of 2000 and the Water (Sub-catchment Councils) Regulations, Statutory Instrument 47 of 2000, or when council has been delegated by the Minister responsible for Water Resources in terms of section 66 of the Water Act [Chapter 20:24] to exercise the powers conferred on a catchment council, the Council shall ensure that the interests of its inhabitants are served by discharging its duties in the catchment or sub-catchment with the objective of—
- (a) promoting the right of access to water for primary purposes for all inhabitants as contemplated by the Water Act [Chapter 20:24]; and
  - b) ensuring the protection, conservation and sustenance of water resources and the environment.

*General provisions on protection of the environment and natural resources*

23. Council may prescribe for further matters relating to the protection and conservation of the environment and natural resources.

*Bio-diversity Protection*

24. (1) All persons in the Council area have a duty to protect and conserve biological diversity in the Council area in accordance with the provisions of section 116 of the Environmental Management Act [Chapter 20:27];
- (2) Council may, if necessary prepare an inventory of the biological diversity of the council area, which can also be submitted to the Environmental Management Agency;
- (3) All developers of projects required in terms of the Environmental Management Act [Chapter 20:27]; to carry out Environmental Impact Assessments shall be required to submit to Council a plan of how the project will integrate the conservation and sustainable utilisation of biological diversity in the council area.

*Commercial Timber Logging*

25. (1) Council shall designate areas for timber logging in collaboration with the Forestry Commission and in compliance with the requirements of the Forest Act [Chapter 19:05]
- (2) All Persons carrying out commercial timber logging in the area shall pay a prescribed fee specified in the Second Schedule.
- (3) Commercial timber loggers shall be responsible for reclamation of logging sites.
- (4) Section 57 and 58 of the Forest Act [Chapter 19:05] on the powers of the Environment Committee in relation to conservation of timber resources and restrictions on the cutting and removal of indigenous trees shall apply *mutatis mutandis* to the Council area.

*Protection of Wildlife and Indigenous Plants*

26. (1) Council shall take all necessary measures where it has been appointed as the appropriate authority in Communal Lands in terms of Section 108 (1) of the Parks and Wildlife Act [Chapter 20:14], to ensure compliance with the provisions of that Act and in particular shall—
- (a) ensure that all persons who are involved in safari hunting or photographic safari on Council land or communal land or other alienated land in the Council area as prescribed in section 65 of the Parks and Wildlife Act [Chapter 20:14] have permits;
- (b) control hunting, removal and sale of live animals and animal products outside national parks, sanctuaries and safari areas by any person with a permit as prescribed in section 59 (4) of the Parks and Wildlife Act [Chapter 20:14];

- (c) as the appropriate authority for any land, in terms of Section 56 of the Parks and Wildlife Act and subject to Part VI of the Forest Act [*Chapter 19:05*], give permits to any person to pick any indigenous plant of the land or to sell indigenous plant picked in terms of a permit.

(2) Environment committees and sub-committees established in the Council area shall have and exercise all the powers granted to them in terms of Section 77 and 78 of the Parks and Wildlife Act [*Chapter 20:14*] and in particular:—

- (a) investigate and report upon animals and indigenous plants on alienated land within the Council area
- (b) order the cessation of hunting where an environment committee is of the opinion that the hunting of animals is taking place on a scale which is, in its opinion, likely to be injurious to animal populations in the Council area.

(3) Any person who contravenes the provisions related to the protection of wildlife and indigenous plants in the Council area shall be liable to a fine specified in the third schedule.

#### *Fencing and conservation works*

27. (1) Council shall erect perimeter fence and maintain conservation works within the area.

(2) Any person who—

- (a) damages, destroys or removes any fence within Council land or on the boundary of Council land;
  - (b) damages or destroys any conservation works on Council land;
  - (c) undertakes a project that degrades the environment shall take responsibility to restore or rehabilitate the land worked upon at the conclusion of the project or otherwise;
- shall be liable to a fine specified in the Third Schedule.

#### *Air pollution*

28. (1) No person shall emit any substance prescribed in the air quality standards set out in terms of section 63 of the Environmental Management Act [*Chapter 20:27*] and the Environmental Management (Atmospheric Pollution Control) Regulations Statutory Instrument 72 of 2009, without permission and subject to payment of a fee specified in the second schedule.

(2) No person who engages in any of the following activities—

- (a) the burning of waste at a landfill; or
- (b) the burning of vehicle tyres; or
- (c) the burning of bitumen; or
- (d) the burning of metallic wire coated with any material; or
- (e) the burning of oil in the open air; or
- (f) the operation of an incinerator; or
- (g) any activity that causes the emission of a pollutant into the atmosphere;

shall in the course of that activity emit any substance into the atmosphere in excess of the amount prescribed in the Third Schedule of the Environment Management (Atmospheric Pollution Control) Regulations Statutory Instrument 72 of 2009;

(3) All air polluters in the Council area shall register with the Local Authority in order to assist Council in the development of its environmental action plan and Council shall maintain a database of all polluters in the area.

(4) All air polluters in the Council area shall submit copies of their emission licences and any other reports related to their emissions that are required to be submitted to the Environmental Management Agency or that are issued by the Environmental Management Agency to Council.

(5) In addition to notifying all relevant authorities and all persons who may be affected by any accidental emission of hazardous emissions as prescribed in section 17 of the Environment Management (Atmospheric Pollution Control) Regulations Statutory Instrument 72 of 2009, the person who is licenced by the Environmental Management Agency, shall also notify Council about the accidental emission within the time frame prescribed by the law.

#### *Solid and Effluent Waste Management*

29. (1) No person shall dispose of solid waste, effluent or hazardous waste on land or into a public stream or into any other surface water or ground water in the Council area whether directly or through drainage or seepage except under a licence approved by the Environmental Management Agency in terms of the Environmental Management Act [Chapter 20:27], and a permit issued by council, subject to payment of a fee specified in the second schedule .

(2) A licence shall not be required in respect of—

- (a) on site disposal of household domestic waste by means of pit latrines, septic tanks and associated soakways, refuse pits and other on-site household domestic sanitation systems;
- (b) the application of inorganic fertilizers, chemicals and animal manure used for the purposes of agricultural production, if the application is onsite and its effects are restricted to the location where such production takes place;
- (c) all registered generators of solid, effluent and hazardous waste shall submit copies of their licenses and other relevant records related to solid and effluent waste management issued by the Environmental Management Agency to the Council.

#### *Waste Management Plans*

30. (1) Council shall prepare its own waste management plan not later than the 31<sup>st</sup> of December of each year consisting of the matters specified in section 12 subsection (1) of the Environmental Management (Effluent and Solid Waste Disposal) Regulations Statutory Instrument 6 of 2007 in relation to waste generated by it or under its control;

(2) In preparing its waste management plan the local Authority may also request in writing that all generators of solid and effluent waste operating within its jurisdiction submit their Waste management plans no later than the 31<sup>st</sup> of November of each year.

(3) Council in rural areas shall designate collection points at business centres and growth points within its jurisdiction for the management of waste and ensure a waste collection frequency that minimises accumulation and avoids decomposition of waste on collection sites.

### *Waste Management Enterprises*

31. (1) The local authority shall keep records and a register of every waste collection and management enterprise operating within its area of jurisdiction and copies of their licences issued by the Environmental Management Agency in terms of the Environmental Management (Effluent and Solid Waste Disposal) Regulations Statutory Instrument 6 of 2007.

(2) The owner or occupier of a waste collection or waste management enterprise shall keep and maintain up to date records on the type, quality, origin and whereabouts of waste collected or managed by it.

(3) Council may operate a waste management enterprise, whether on its own account or through its agent.

(4) Council may issue a waste management enterprise licence to any person desirous of engaging in waste management business, subject to the payment of a fee specified in the second schedule.

(5) Every person requiring a waste management enterprise licence shall abide by the procedures of applying for a waste management enterprise licence prescribed in Section 16 of the Environmental Management (Effluents and Solid Waste Disposal) Regulations, 2007, shall apply *mutatis mutandis* with the necessary variations.

(6) For the avoidance of doubt the following provisions as stated in the Environmental Management (Effluents and Solid Waste Disposal) Regulations, 2007 shall apply *mutatis mutandis* in the Council area; and every person requiring a waste management enterprise licence shall—

(a) submit the application in duplicate to the licensing agent within whose area of jurisdiction the waste management enterprise is or is proposed to be located and get the consent of the local authority;

(b) pay to the licensing authority the appropriate fee as the local authority may require for the consideration of the application;

(c) submit with or in connection with the application such additional information as Council may require before granting its consent, including—

(i) information on the type, purpose, scope and duration of the waste management enterprise;

(ii) information concerning the ownership or condition of occupancy of the land on which the waste management enterprise is or is to be located;

- (iii) a description of the operation, including a list of the machinery and other operating equipment;
- (iv) a description of the premises of the waste management enterprise accompanied by the relevant drawings or plans;
- (v) a description of the wastes to be used for the purposes of the waste management enterprise and the manner of their storage, treatment, recycling or processing;
- (vi) a description of the measures intended for the prevention or mitigation of pollution including measures for the prevention of water pollution;
- (vii) a description of the emissions expected from the treatment plant;
- (viii) a description of the measures to be taken in the event of accidents.

(7) Immediately after receiving an application, council shall, at the expense of the applicant, publish, in not less than 3 consecutive issues of a newspaper circulating within jurisdiction of the council, a notice giving adequate particulars of the application and inviting any persons having any objections to the waste management enterprise licence being granted to lodge them in writing to council within 21 days from the date of the first publication of the notice.

(8) After council has considered any objections received, it shall—

- (a) issue the licence to the applicant; or
- (b) reject the application and give reasons.

#### *Refuse removal and management*

32. (1) All refuse accumulated on premises shall be removed from time to time and shall be deposited at a designated refuse disposal site, and the Council shall be entitled at its discretion either to remove such refuse itself or by its contractors or to require the owner or occupier to do so under the supervision of the Council's authorised officials from time to time and at such a time as the Council may determine.
- (2) All refuse collected by Council shall be disposed at a designated sanitary landfill.
- (3) Council may charge a fee for the collection of waste from households or other premises.

#### *Provision of waste receptacles*

33. (1) The owner or occupier of premises shall provide an adequate number of approved types of waste receptacles, in which all wastes shall be stored.

(2) The occupier of any premises referred to in subsection (1) shall deposit or cause to be deposited any waste generated on such premises in an approved waste receptacle. The occupier of the premises shall cause the refuse receptacles to be accessible for removal on stipulated collection dates by Council

(3) The occupier of any premises shall be responsible for keeping the waste receptacles area clean and orderly at all times.

#### *Landfills*

34. No person shall dispose general waste or hazardous waste at any other place except in a—

- (a) licenced general landfill; or
- (b) licenced hazardous waste landfill.

#### *Littering*

35. (1) No person is allowed to throw any litter on any land or water surface, street, road or site in or any place except in a container provided for that purpose or at a place specifically designed for that purpose

(2) All operators of a public passenger conveyance that enters Public Terminus shall put in place sufficient bins within the Vehicle for use by the passengers.

(3) An operator of a public passenger conveyance who fails to provide sufficient bins within the vehicle for use by the passengers shall be liable to a fine specified in the Third Schedule.

#### *Hazardous substances and toxic chemicals*

36. (1) No person shall generate, store, sell, transport, use, recycle, discharge or dispose of hazardous waste to the environment in the Council area except under a licence issued by the Environmental Management Agency.

(2) Any person who generates, store, transport, use, recycle, discharge or dispose hazardous waste in the Council area shall submit to the Council a copy of the licence issued by the Environmental Management Agency.

(3) Any person who fails to submit a copy of the licence issued to him or her or it by the Environmental Management Agency and is found generating, storing, selling, transporting, using, recycling, discharging or disposing of hazardous waste to the environment in the Council area, shall be liable to a fee specified in the Third Schedule.

(4) No hazardous waste shall be disposed of at any other place except in a licensed hazardous waste disposal site or landfill.

(5) All provisions related to the management, control, storage, transportation, recycling, discharge or disposal of hazardous waste prescribed in the Environment Management (Hazardous Waste Management) Regulations, 2007, shall apply mutatis mutandis to the Council area.

#### *Mining and mineral Panning*

37. (1) It is an offence for any person to pan any mineral in the council area, except in terms of a licence issued in terms of the Mines and Minerals Act [Chapter 21:05] and any person found guilty shall be liable to a fine specified in the Third Schedule.

(2) All holders of prospecting, exploration and mining rights operating in the council area shall submit copies of their licences to Council.

(3) Any holder of a prospecting, exploration or mining right operating in the council area without submitting a copy of their licence to council shall be liable to a fine specified in the Third Schedule.



## Protection of Genetic Resources

38. (1) The Local Authority shall establish a genetic resources and indigenous Genetic Resource based knowledge protection committee.

(2) The Committee shall have the following functions;

(a) evolving a long term policy and guidelines for–

(i) the conservation and sustainable use of genetic resources and their components; and

(ii) the equitable sharing of benefits arising out of the utilisation of genetic resources

(iii) assisting indigenous communities to document their indigenous genetic resource-based knowledge and to register any intellectual property rights in relation thereto; and

(iv) making a complete inventory of the genetic resources of the council area to input into the national database; and

(v) developing an archive of records in any medium embodying the indigenous genetic resource –based knowledge of indigenous communities, with a view to providing a basis for the recognition of community ownership rights in that knowledge

(vi) raising funds for the purpose of assisting local communities to manage access to genetic resources without affecting the environment.

(3) The Council shall make reference and be guided by the Environmental Management (Access to Genetic Resources and Indigenous Genetic Resource-based Knowledge) Regulations, 2009 in administering the above provisions.

### First Schedule (Section 14)

Botanical name	Common name
<i>Avena fatua</i> L.	Wild oat
<i>Azolla filiculoides</i> Lam	Water lettuce
<i>Cuscuta</i> spp.	Dodder
<i>Eichhornia crassipes</i> Solms	Water hyacinth
<i>Harrisia martinii</i> (Labouret) Britton	Moonflower cactus
<i>Lantana camara</i> L.	Cherry-pie
<i>Opuntia aurantiaca</i> Lindl.	Jointed cactus or jointed prickly pear
<i>Pistia Stratiotes</i> L.	Azolla
<i>Salvinia auriculata</i> Aubl	Water Fern

Third Schedule (*Penalties*)

Section	Description of Offence	Amount (USD)
7	Failure to comply with Council's plan on cultivation areas	\$30.00
10	Failure to submit EIA plans, reports and certificates to Council	\$100.00
11	Failure to rehabilitate the environment after abandonment of project	\$5,000.00
13	Burning vegetation without a permit from the relevant authorities	\$500.00
14	Failure to keep the land free from evasive alien species	\$25.00
15	Failure to produce or furnish council with a valid licence issued by the Environmental Management Agency	\$30.00
17	Using or having in their control a sleigh	\$50.00
17	Dragging an ox-drawn plough causing gullies along field routes or other paths in the council area	\$80.00
18	Cutting down reserved trees in the council area	\$500.00 per tree
19	Harvesting, collecting or picking fruits or other plant produce for sale except in terms of a permit issued in terms of section 5 of the Communal Lands Forest Produce Act [Chapter 19:04].	\$50.00
21	Moulding bricks without a permit	\$1,000.00
22	Pollution of water sources: Heavy metals	\$20,000.00
	Toxic chemicals	\$10,000.00
	Other	\$5,000.00
23	Failure to comply with the general provisions set out by Council	\$30.00
26	Failure to protect wildlife and indigenous plants	\$50.00
27	(a) damages, destroys or removes any fence within or along the boundary of Council land	\$200.00
	(b) damages or destroys conservation works on Council land	\$100.00
	(c) Tempering with conservation pegs	\$20.00/peg
	(d) undertakes a project that degrades the environment;	\$200.00
28	Exceeding acceptable air pollution standards	\$100.00
	Failure to notify Council of accidental emission of toxic substances.	\$100.00
29	Dispose of waste or effluent into a public stream or into any other surface water or ground water in the council area whether directly or through drainage or seepage except under a licence approved by the agency.	\$1,000.00
	Failure to comply with the requirements of pre-treatment facilities.	\$1,000.00
	Failure to comply with requirements for Pollution abatement facilities.	

	Obstructing an authorised official to exercise his or her duties.	\$5,000.00
	Knowingly giving false information on trade	\$100.00
		\$50.00
35, 37	Disposal of general waste or hazardous waste at any other place except in a licenced general landfill or a hazardous waste landfill.	\$5,000.00
36	Throwing or dispose of any litter on land or water surface, street, road, site or any place except in a container provided for that purpose or at a place specifically designated for that purpose.	\$50.00
27	An operator of a public passenger vehicle who fails to provide sufficient bins within the vehicle for use by passengers	\$20.00
38	Mining without submitting a copy of licence to Council	\$10,000.00

Statutory Instrument of 2025

[CAP. 29:15]

## 9. City of Mutare (Fire) By-Laws, 2025

### ARRANGEMENT OF SECTIONS

#### Section

1. Title.
2. Interpretation.
3. Procedures upon outbreak of fire.
4. Temporary closure of streets.
5. Reports.
6. Fire alarms and hydrant signs.
7. Making fires.
8. Fireworks.
9. Combustible materials.
10. Storing inflammable liquids.
11. Storing inflammable gases.
12. Inspection of building and land.
13. Inspection of premises and their use.
14. Approval of building plans.

15. Fire appliances in buildings.
16. Installation and repair of fire extinguishers.
17. Examination and inspection of fire-fighting equipment.
18. Removal of fire equipment.
19. Ringing and testing of fire alarms.
20. Interference and obstruction.
21. Offences and penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

#### *Title*

1. These by-laws may be cited as the City of Mutare (Fire ) By-laws, 2025.

#### *Interpretation*

2. In these by-laws—

“accidents” refers to any incident in a roadway, building, land or water of an unplanned nature causing damage to property and threat to life;

“authorised person” means a person registered with the Council for the installation and servicing of fire equipment;

“building” includes any structure, whether of a permanent or temporary nature—

- (a) for the housing or accommodation of human beings or animals; or
- (b) for the storage, manufacture or sale of goods or materials;

“chief fire officer” means the person holding office under the control as chief fire officer to perform any of the functions or exercise any of the powers assigned to the chief fire officer by these by-laws and in terms of section 201 of the Urban Councils Act [Chapter 29:15] and shall include any person authorised to exercise such functions;

“council” means the City of Mutare;

“fire appliance” means any motor-pump, service vehicle, ladder, or other equipment maintained by the fire brigade;

“fire brigade” means the fire brigade established and maintained by the Council in terms of section 200 of the Urban Councils Act [Chapter 29:15];

“fire-extinguisher” means a type of fighting equipment which is designed to generate pressure within a container, such pressure being sufficient to eject the liquid, powder, chemical or gas contained in some container when such appliance is actuated or a seal or valve within such appliance is broken or released;

“fire equipment” means any fire-extinguisher, hose reel, water pipe, fire hydrant, pump, pump connection, water tank, foam ejectors, carbon dioxide systems, sprinkler or drenched system which is installed in any building, for fire-fighting or protection purposes;

“fire-hydrant” means any water connection—

- (a) connected directly or indirectly to the council’s water mains;
- (b) situated in, near or upon any land or building, or under a street or thoroughfare;

(c) designed to discharge water through a hose for the purpose of extinguishing or controlling fire;

“function” includes a theatrical or musical performance, wedding reception, dance, cinema, show, meeting, lecture, display, sporting contest and any other function, event or occasion for which more than twelve members of the public are likely to attend;

“fire-works” include any article, package or object containing explosive or pyrotechnic matter primarily used for entertainment purposes;

“inflammable gas” means any gas having a flash-point of less than seventy-three degrees Fahrenheit of normal temperature and pressure;

“occupier” in relation to any land or building, means—

- (a) in respect of vacant land or building, the owner thereof; or
- (b) where such land buildings are occupied by persons other than the owner—
  - (i) the person in actual occupation; or
  - (ii) the person having the charge and management of such land buildings;

“public buildings” means a theatre, music hall, cinema, dance hall, public hall, concert room, indoor sports stadium or other building in which the public gather for the purpose of a function.

#### *Procedures upon outbreak of fire*

3. (1) If the chief fire officer or any other member of the fire brigade has been notified or has reason to believe that a fire has broken out, the chief fire officer—

- (a) shall be entitled to assume command and control over the land or building upon or in which the fire has broken out and over any other land or building which is in danger of being affected by the fire in the vicinity of such land or building;
- (b) may modify, interfere with or put a stop to any operation being conducted in respect of a fire by any persons who are not members of the fire brigade, including the occupier of the land or building which is on fire and his servants or agents;
- (c) may take measures which appear to him or her necessary or expedient for the purpose of preserving life or property, or for preventing, controlling or extinguishing any fire.

(2) In the exercise of his or her powers in terms of subsection (1) the chief fire officer—

- (a) may break into, pull down or destroy property in terms of section 201 of the Urban Councils Act [Chapter 29:15];
- (b) shall have access to, and the right to draw water from the hydrant, tank, cistern, pipe or private property;
- (c) shall forcibly evacuate people from any property and forcibly remove or cause to remove any persons interfering with or whom he or she considers likely to interfere with the operations of the fire brigade:

Provided that he or she shall exercise these powers in such a manner as to cause as little damage as possible.

(3) Any person, other than a member of the fire brigade who voluntarily, offers his or her assistance in preventing, controlling or extinguishing a fire and whose assistance is accepted, shall for such period as he or she assists in the fighting of a fire—

- (a) be deemed to be a member of the fire brigade; and
- (b) obey all orders and directions given to him or her by or on behalf of the chief

fire officer.

(4) The chief fire officer may, in terms of section 200 of the Urban Councils Act [Chapter 29:15], if he or she finds it necessary in the case of any fire or other emergencies, employ casual assistance on behalf of the council and avail himself or herself of the assistance of persons who place their services at the disposal, and any such assistance or persons, whilst engaged at that fire or in connection with that emergency, be deemed to be members of fire brigade.

#### *Temporary closure of streets*

4. (1) The chief fire officer may—
- (a) by appropriate signs, barriers or other suitable means, close for as long as it is necessary any road, street, thoroughfare or public place, in or near which an outbreak of fire had occurred or is in progress or any emergency;
  - (b) instruct any person to leave that area or the vicinity of the fire.
- (2) If a person has been requested to leave any road, thoroughfare or public place which has been closed in terms of subsection (1) but refuses to leave such place, the chief fire officer, any member of the fire brigade or police may remove him or her.

#### *Reports*

5. The chief fire officer shall make a report to the council in writing on every fire attended by the fire brigade.

#### *Fire-alarms and hydrant signs*

6. (1) The council may cause to be fixed to any land, building, wall, fence or tree—
- (a) a telephone, fire-alarm, instrument or apparatus for the transmission to the fire-brigade of any message, call or signal relating to an outbreak of fire or an accident;
  - (b) any board, metal plate or device indicating the position of any fire-fighting equipment.
- (2) No person shall wilfully—
- (a) deface, damage, tamper or interfere with—
    - (i) any telephone, fire-alarm, instrument apparatus, board, metal plate or device affixed in terms of subsection (1); or
    - (ii) any other fire-fighting equipment;
  - (b) give or cause to be given to the fire brigade or any member thereof any false alarm of fire, rescue or any information relating to any outbreak of fire which is false or inaccurate.

#### *Making fires*

7. (1) No person shall—
- (a) make a fire; or
  - (b) light a receptacle containing inflammable or combustible material; or
  - (c) burn any grass, wood, straw, waste paper or any combustible material in such a manner as to endanger the safety of any person, animal, vehicle, goods or building.
- (2) Controlled burn off and burning of such materials and combustible referred to in subsection (1) (b) shall only be done under the directive or supervision of the chief fire officer.

#### *Fireworks*

8. (1) No person shall—
- (a) discharge, or cause or permit to be discharged any fireworks in such manner as to endanger the safety of any person, animal, vehicles, goods or land.
  - (b) keep or display or cause to be kept or displayed any fireworks—
    - (i) on a payment display cabinet; or
    - (ii) in an open or exposed position in or any vehicle or building; or
    - (iii) in a place readily accessible to the public.

- (2) The chief fire officer shall inspect the premises, land or building and surroundings to authorise the discharging of any fireworks and ensure that no person shall act contrary to subsection (1).

#### *Combustible materials*

- 9.(1) The occupier of any building or land shall take all reasonable precautions to prevent damage by, or danger from fire to any person, animal, vehicle, goods, land or building, from any accumulation, pile or stack of straw, paper, cut or uncut timber, or other inflammable or combustible material, in such building or upon such land, upon receipt of written notice from the chief fire officer, shall, within the period specified in such notice, take such precautions as may be specified in such notice to prevent such damage or danger.
- (2) If the recipient of a notice issued in terms of subsection (1) fails to comply with the terms of such notice, the chief fire officer may take such steps as he or she considers necessary to secure compliance with such notice, and the cost of his or her so doing shall be charged to, and recovered from, the recipient of such notice.

#### *Storing inflammable liquids*

10. (1) No person shall keep or store on any premises—
- (a) more than twenty litres of paraffin;
  - (b) more than twenty litres of petrol or any inflammable liquids;
- without the permission of the council for the purpose of reducing the risk of fire.
- (2) No person shall keep or store paraffin, petrol or any inflammable liquids on any premises in terms of subsection (1) except—
- (a) in a container which is kept securely sealed against leakage; and
  - (b) in a place which is well away from the kitchen and the site of any fire or where large quantities are stored, they shall be stored in a separate room from the building of use.

#### *Storing flammable gases*

11. (1) Inflammable gas cylinders stored for the purpose of domestic or industrial use may be kept outside buildings or maybe kept in a room, cage or open, well-ventilated place with—
- (a) no source of fire or high voltage electric cables which are likely to produce sparks; and
  - (b) adequate protection from sunlight or any source of heat.

#### *Inspection of buildings and land*

12. (1) The chief fire officer shall—
- (a) at all reasonable times enter and inspect any building or land for the purpose of ascertaining—
    - (i) whether adequate precautions are being taken for the prevention of fire; and
    - (ii) whether effective means of readiness in case of fire are provided;
- in or such building or land.

Provided that the chief fire officer shall not enter a dwelling house in terms of this subsection otherwise than during the day time and with the consent of the occupier of the dwelling house, unless in the opinion of the chief fire officer it is necessary in the interests of public safety that he or she should enter the dwelling house, otherwise than during the day time and with the occupier's consent; and

(b) require the occupier of any building in which any fire-fighting equipment is installed, in terms of the building by-laws in use—

(i) to replace or repair within seven days any fire-fighting equipment which the chief fire officer finds to be defective, unsafe or ineffective, by virtue of its construction, design or deterioration; and

(ii) to recharge within seven days any fire-extinguisher which the chief fire officer finds to be empty.

(2) All commercial and industrial premises shall be required to obtain a fire compliance certificate issued by Council on the 1<sup>st</sup> of January of each year and such certificate shall expire on the 31<sup>st</sup> of December of each year. Such certificate shall be issued by Council upon payment of the prescribed fee.

(3) If an occupier referred to in subsection (1) and (2) fails to comply with any requirements specified by the chief fire officer, the occupier shall be liable to a fine prescribed by Council and the chief fire officer shall take such steps he or she considers necessary to secure compliance therewith, and the cost of his or her so doing shall be charged to and recoverable from, such owner or occupiers.

#### *Inspection of premises and their use*

13.(1) The chief fire officer or any member of the fire brigade may, in terms of section 220 of the Urban Councils Act [Chapter 29:15], at all reasonable times, enter upon any premises or building to examine arrangements and precautions for the prevention of fire or for reducing the risk of fire.

(2) The occupier of any premises or building on receipt of a notice from the council shall, within such period as is stipulated in such notice, take all precautionary measures and install and maintain such appliances as may be specified in such notice.

(3) If any building or its use is a source of danger to persons or property by reason of the risk of fire, the council shall, by notice in writing, advise the occupier that the use of such building or premises is to be restricted in any one or more of the following ways—

(a) by the restriction of its use to such uses as may be approved by the council; and

(b) by the imposition of conditions relating to the storage, handling and capacity of materials kept in such building or premises.

(4) At the request of the occupier of a building the chief fire officer may attend and patrol the building during the function.

(5) If he or she has reasonable grounds for believing that any article or thing in or at a building is likely to endanger the safety of persons during a function, the chief fire officer may attend at the function and patrol the building and its environment to ensure that no fire breaks out.

(6) If the chief fire officer attends at and patrols a building in terms of this section, the council may require the occupier to pay for these services at the appropriate charge prescribed by Council.

#### *Approval of building plans*

14. The council shall not consider the erection of a proposed new building until the plan is approved after recommendations by the chief fire officer or any authorised person to ensure that the building shall have—

(a) no risk or danger to life or property generally in case of fire; and

(b) no risk of spreading of fire.

#### *Fire appliances in buildings*

15. (1) The occupier of every commercial, industrial, shop or institutional building shall install in such building—



- (a) approved chemical fire extinguishers; or
- (b) fixed hose reels; or
- (c) landing valves; or
- (d) sprinklers or other approved automatic systems;

depending on the fire risk, floor area and height of such building.

- (2) If an occupier referred to in subsection (1) fails to comply with any requirements specified in subsection (1), the occupier shall be liable to a fine prescribed by Council.
- (3) Where an occupier is fined due to failure to comply with subsection (1), Council shall cancel the commercial, industrial, shop or institutional building licence or permit, whatever the case might be.

#### *Installation and repair of fire equipment*

16. (1) No person other than an authorised person shall—

- (a) install in a building any fire equipment which is required to be installed in a building in terms of any by-law; or
- (b) dismantle, repair, service or recharge any fire equipment referred to in paragraph (a).

(2) Every person who repairs and services fire-fighting equipment shall render before the tenth day of every month to the chief fire officer, a return giving particulars of any fire-fighting equipment which he or she has repaired or serviced during the preceding month.

#### *Examination and Inspection of fire-fighting equipment*

17. (1) The occupier of any land or building in or upon which there is installation in terms of section 17 shall cause any fire equipment, to be examined and tested by an authorised person not less than once in every calendar year.

(2) If, upon examination, an authorised person has found a fire equipment to be in good order so as to be usable for a further year, he or she shall affix to the fire equipment a label indicating—

- (a) his or her name and registration number, which he or she is given on authorisation; and
- (b) the date by which the extinguisher must be re-examined.

(3) If he or she finds during his or her examination, that any fire equipment is in any way defective, the authorised person shall give written notice thereof to: —

- (a) the Chief fire officer; and
- (b) the occupier of the building shall within twenty-one days or within such period as is stipulated by the Chief fire officer repair or replace the defective equipment.

(4) The occupier of the building shall, within twenty-one days of the receipt of the notice given in terms of subsection (3), repair or replace the defective equipment.

(5) If a fire equipment referred to in subsection (3) is not repaired or replaced in terms of subsection (4), council shall suspend the operations of the occupier until the occupier complies with subsection (4).

#### *Removal of fire equipment*

18.(1) Save upon the outbreak of fire, no person shall remove any fire equipment installed in a building in terms of section 17 from such building without temporarily replacing the equipment with another which is in good order and repair.

(2) If any person wishes to remove from a building of any of the fire equipment installed in such building in terms of section 17, he or she shall—

- (a) inform the chief fire officer, in writing; or

- (b) comply with any directions given by the chief fire officer concerning alternative fire-preventive measures.

*Ringling and testing of fire-alarms*

19. (1) No person shall ring any bell, fire-alarm or warning device except: —

- (a) on the outbreak of fire; or
- (b) whilst conducting an authorised test.

(2) If a person wishes to test any bell, fire-alarm or warning devices, he or she shall first obtain the permission of the chief fire officer.

(3) In granting permission in terms of subsection (2), the chief fire officer may specify the time and date on which the bell, fire-alarm or warning devices shall be tested.

*Interference and obstruction*

20. No person shall—

- (a) interfere with, molest or obstruct the chief fire officer or any member of the fire brigade in the execution of his or her duties;
- (b) fail to comply with any reasonable direction of the chief fire officer or any member of the fire brigade given in the course of his or her duty.

*Offences and Penalties*

21. Any person who contravenes any provisions of these by-laws shall be liable—

- (a) to a fine prescribed by Council; or
- (b) to closure of the building until the occupier complies with these by-laws.
- (c) to cease operating until the occupier complies with the relevant provisions.

*First Schedule (Fees)*

Description	Section	Amount (US\$)
Fire and Rescue Services:		
Within the Jurisdiction	3	Cost Recovery
Outside Jurisdiction	3	Cost Recovery
<b>Fire compliance Certificate:</b>		
Fuel Depot	12, 13, 14, 15	
Fuel Service Stations	12, 13, 14, 15	
LPG Gas Retail ( Upto 900 kgs)	12, 13, 14, 15	
LPG Gas Bulk (901kgs to 5000 kgs)	12, 13, 14, 15	
LPG Wholesale (Over 5001 to 43 000 kgs)	12, 13, 14, 15	

Single Storey Commercial Shops	12, 13, 14, 15	10% of Shop Licence Fee
Mult-Storey Commercial Shops	12, 13, 14, 15	10% of Shop Licence Fee
Light Industrial Stands	12, 13, 14, 15	10% of Shop Licence Fee
Industrial Units	12, 13, 14, 15	10% of Shop Licence Fee
Inspection Fees	12, 13, 17	50.00
Attendance and patrol of buildings during functions (local)	13	
Outside Jurisdiction	12	US\$... plus travelling costs

Second Schedule (*Penalties*)

Description	Section	Amount (USD)
Tempering with Fire-alarms and hydrant signs	6	\$625.66
Making fires	7	\$625.66
Discharge Fireworks	8	\$625.66
Improper Storing of inflammable liquids	10, 11	\$625.66
Improper Storing of inflammable Gases	10,11	\$625.66
Unauthorized Installation and repair of fire extinguishers	16	\$33.10
Removing a extinguisher and fire-fighting equipment	18	\$33.10
Unauthorized ringing and testing of alarms	19	\$238.35
Obstructs an authorized official to exercise his or her duties	20	\$100.00

**10. City of Mutare (Food Hygiene) By-laws, 2025**

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*ARRANGEMENT OF SECTIONS*

- 11. Title
- 12. Application
- 13. Interpretation
- 14. Prohibition against the sale or storage of food in unsuitable premises
- 15. Cleanliness of premises
- 16. Storage
- 17. Cleanliness of food handlers
- 18. Notification of infectious disease in food handlers
- 19. Powers of entry and inspection
- 20. Offences and penalties
- First Schedule: Fees
- Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

*Title*

- 1. These by-laws may be cited as the City of Mutare (Food hygiene) By-laws, 2025.

*Application*

- 2. These by-laws shall apply within the City of Mutare area.

*Interpretation*

- 3. In these by-laws:—

“aerated water” means every kind of non-alcoholic effervescent, clear, odourless, colourless liquid intended for human consumption;

“animal feed” means food including pet food which is intended for consumption by animals only;

“approved” means approved by the Environmental Health Officer or an officer assigned or appointed by council;

“bakery product” means bread, biscuits, rolls, tarts, cakes, pies and confectionery;

“container” includes any approved receptacle of any kind, whether open or closed;

“cordial” include every kind of non-alcoholic liquid whether frozen or not, which is—

- (a) intended for human consumption; and
- (b) ordinarily diluted before being consumed

“council” means City of Mutare;

“equipment” includes apparatus (mechanical or manual), furnishings, utensils and vehicles;

“risk of contamination” means as determined by the Environmental Health Officer or any officer assigned or appointed by council;

“food” and “article of food” means any substance in any form state or stage of preparation which is intended or is ordinarily used for human consumption including ice, but not drugs or water;

“food room” means any room or other place in which food is prepared or sold, manufactured, kept, stored, deposited, conveyed, handled or exposed for sale;

“meat” means the flesh (including the offals, bones, blood products and fat) of animals which is intended for human consumption;

“open food” means food other than that kept in a sealed container;

“premises” means a building or part of a building or any faculty, yard or place used in any connection with any buildings;

“sanitary convenience” means a water closet, urinal or similar device approved by the Environmental Health Officer or any officer assigned or appointed by council and which is intended to be used for the disposal of human waste;

“soft drinks” includes every kind of non-alcoholic liquid, other than aerated water, whether frozen or not, which is —

- (a) intended for human consumption; and
- (b) diluted or not before being consumed.

#### *Prohibition against the sale or storage of food in unsuitable premises*

4. (1) No food shall be prepared, manufactured, stored, deposited, sold or exposed for sale in or on any premises if the condition, situation or construction of the premises is in such a way as to expose such food to the risk of contamination.

(2) The sale, preparation, manufacture, storage and exposure for sale of food shall be done from premises approved by Council.

#### *Cleanliness of premises*

5. (1) Every person who sells, prepares, manufactures, keeps, stores, deposits, conveys, handles or exposes for sale any food in or on any premises shall: —

(a) cause the walls, floors, doors, windows, ceilings, woodwork and all other parts of every food room to be kept clean and in good order, repair and condition so as to: —

(i) enable them to be effectively cleaned after use; and

(ii) prevent any risk of contamination by rats, mice, flies or insects (vermin) cockroaches and other humans;

(b) cause all containers, utensils or equipment with which food comes into contact, or liable to come into contact to be kept clean and in good repair and condition so as to: —

(i) enable them to be thoroughly cleaned; and

(ii) to prevent any contamination of food;

(c) cause all working surfaces to be clean; and

- (d) take all such steps as may be necessary to protect the food from risk of contamination, and in particular: —
- (i) before offering any food for sale, ensure that any food which is unfit for human consumption is kept apart from any other food; and
  - (ii) not place any food lower than 500 millimetres from the ground on any pavement or in or about any forecourt or yard; and
  - (iii) ensure that open food, while displayed or exposed for sale, or during delivery, is kept covered or otherwise effectively screened so as to prevent any infection or contamination thereof; and
  - (iv) ensure that all food is stored in such a manner as to permit the thorough cleaning of the storage facilities and where appropriate to prevent spoilage by being stored at unapproved temperature.
- (e) take all practical measures to maintain the premises free from flies, rodents, cockroaches and any other vermin.
- (f) ensure that insecticides and pesticides are stored and used in such a manner so as to avoid any possible contamination of any food.
- (g) cause every sanitary convenience in the premises—
- (i) to be provided with adequate water and to be kept clean and in efficient and proper working order; and
  - (ii) to be so placed that no offensive odour from there can penetrate into any food- room; and
- (h) cause every wash hand basin provided for the use of persons engaged in the handling of food in or about the premises to be: —
- (i) kept clean and in good working condition; and
  - (ii) provided with adequate supply of water and soap and hot air hand-drying facilities; and
  - (iii) used for securing personal cleanliness, and not for any other purposes;
- (i) cause every room containing a sanitary convenience to be: —
- (i) kept clean; and
  - (ii) provided with a legible notice requesting any person who uses such convenience to wash his or her hands after using the convenience; and
  - (iii) provided with sanitary bins.
- (j) cause all refuse to be placed in approved impervious bins with lids and not to be deposited or allowed to accumulate in the food room.
- (k) cause all persons engaged in the handling of food to be clean and dressed in clean light coloured over clothing, head gear and footwear while so employed.
- (l) keep articles of wearing apparel only in such place as shall be approved for that purpose.
- (m) provide a first-aid kit and adequate supply of suitable bandages, dressings (including waterproof dressings) and antiseptic for first aid treatment of persons engaged in the handling of food in or about those premises, and such first aid kit shall be kept in a place readily accessible to those persons.

(n) ensure that the food – room contains only such articles as are necessary for the proper conduct of the activity carried on, or intended to be carried on, in the food-room.

#### *Storage*

6. No person who sells, prepares, manufactures, keeps, deposits, conveys, handles or exposes for sale any food shall:—
- (a) Use for wrapping or containing any open food any paper or other wrapping material which is not clean or which is liable to contaminate such food; or
  - (b) Use any printed material, other than printed material designed exclusively for wrapping or containing food, to come into contact with any food, other than uncooked vegetables or unskinned rabbits or unplucked poultry; or
  - (c) Use or cause or permit to be used, any crockery, utensils or vessel which is either cracked or chipped; or
  - (d) Use any vehicle or receptacle for conveying or delivering food unless such vehicle or receptacle: —
    - (i) is constructed as to protect the food conveyed or delivered therein from contamination or any risk of contamination; and
    - (ii) is in a clean sanitary condition; and
    - (iii) bears the name and address of the owner legibly painted on it or affixed to it in a conspicuous position.
  - (e) Permit any food to be carried in a vehicle or container with any live animal or live poultry.
  - (f) Permit any food room to be used as a sleeping place or to communicate directly with a sleeping place.
  - (g) Keep in any food-room any animal feed unless it is in a sealed container.
  - (h) Permit any room which contains a sanitary convenience to be used as a food room or to communicate directly with a room used for the handling of food.
  - (i) Permit any live animal or bird to enter or remain in a food-room unless the consent of the Council has been obtained.
  - (j) Use any cracked, chipped or dirty milk bottle, cordial bottle or soft drink container.
  - (k) Sell any food which, in the opinion of the Council or an Environmental Health officer, is unwholesome, adulterated or diseased.

#### *Application for registration of food handlers*

7. Every person who is employed in the handling of open food shall be registered by the Council upon payment of a prescribed fee and while so engaged shall—

- (a) need a valid medical certificate from a medical practitioner before taking up employment and every 12 (twelve) months thereafter or after having suffered enteric disorders; and
- (b) keep clean all parts of his person which are liable to come into contact with the food; and
- (c) keep clean all parts of his clothing or over clothing which are liable to come into contact with the food; and
- (d) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing; and
- (e) refrain from spitting on the premises; and
- (f) refrain from smoking or using tobacco or snuff while on the premises; and
- (g) use only an approved apparatus or instrument for handling cooked meats and confectionary; and
- (h) wear clean and washable over clothing and if employed in carrying unwrapped meat which is liable to come into contact with the head or neck, wear an approved form of clean head- and-neck covering; and
- (i) take all such steps as may be necessary to protect the food from the risk of contamination.

#### *Notification of infectious disease in food handlers*

8. (1) Immediately upon a person engaged in the handling of food becoming aware that he or she is suffering from or is a carrier of typhoid, paratyphoid, cholera, tuberculosis or any other salmonella infection, dysentery, infectious hepatitis or any staphylococcal infection likely to cause food poisoning, he or she shall notify his or her employer, who shall immediately notify the Environmental Health Officer or official assigned or appointed by council.

Provided that where the person required to give such information is either the employer or is self-employed, he or she shall give the information immediately to the Council.

(2) Upon receiving notification, Council shall immediately take the necessary measures to ensure that the disease is contained.

#### *Powers of Entry and Inspection*

9. (1) An authorised council official may, at all reasonable times, and at any time when business is in progress, enter and inspect any premises and any equipment or any process being carried on therein to which these by-laws apply.

(2) No person shall hinder, obstruct or resist any such official in the exercise of his or her powers of entry and inspection.

#### *Offences and penalties*

10. Any person who contravenes any provision of these bylaws, shall liable to a fine specified in the Second Schedule.

#### FIRST SCHEDULE FEES

Section	Description	Fee \$ (Annually)
7	Food handling registration	20.00 per year

#### SECOND SCHEDULE OFFENCES AND PENALTIES

Section	Description Of Offence	Penalty (USD)
4	Prepare, manufacture, store, deposit, sell or expose for sale in or on any premises prone to contamination	150.00
	Sale, preparation, manufacture, storage and exposure for sale of food at unapproved premises	300.00
5	Failure to provide sanitary conveniences with adequate water and to keep them clean in an efficient and proper working order.	100.00
	Prohibition against the sale of:	
	(a) Food items which have passed the expiry date	50.00
	(b) Food items that have been contaminated	100.00
	(c) Food items that are unwholesome	50.00
8	Failure to notify Council of infectious disease	100.00
9	Hinder, obstruct or resist any such official in the exercise of his or her powers of entry and inspection.	100.00



## 11. City of Mutare (Game Meat) By-laws 2025

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IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], made the following by-laws—

1. These by-laws may be cited as the City of Mutare (Game meat) By-laws, 2025.

2. These by-laws shall apply within the City of Mutare area.

3. In these by-laws—

“authorised person” means the Officer of Health, health inspector and any meat Environmental Health Officer employed or assigned by the Council or an officer authorised by Council;

“area” means the area referred to in section 2;

“Council” means City of Mutare;

“game animal” means any elephant, hippopotamus, zebra, struthia and all cloven-hoofed animals but does not include domestic bovine, ovine, caprine, porcine or equine animals;

“game meat” means meat or offal derived from a game animal, other than—

(a) meat which has been thoroughly cooked; or

(b) meat which has undergone a sterilisation process and is contained in hermitically sealed containers; or

(c) biltong; or

(d) tallow, meat-meal, bone meal or any other by-product from a game animal which has been produced by a process of heat rendering;

“game ranger” means a person who, or an organisation which, holds a game cropping and sale permit issued by Zimbabwe Parks and Wildlife Management Authority;

“Health inspector” means any person appointed by the Council as a health officer, health inspector, hygiene officer or sanitary inspector or his or her designate.

“Officer of Health” means the Officer of Health appointed or designated officer assigned by the Council.

4. (1) No game meat shall be sold to any member of the public in a council area or brought into a council area for sale unless it has been supplied by a game ranger registered with the Council.

(2) No game ranger shall be registered with the Council unless—

(a) the facilities and the premises which he or she uses for the handling and the dressing of game meat have been approved by the Officer of Health; and

(b) he or she produces a current game cropping and sale permit issued to him or her by the Zimbabwe Parks and Wildlife Management Authority.

(3) No vehicle shall be used for the purposes of conveying or transporting game meat unless—

(a) it is constructed in a manner which protects such game meat from contamination; and

(b) it is kept and maintained in a clean, wholesome and sanitary condition.

5. (1) No game meat which has been brought into a council area from any place outside the council area shall be sold to any member of the public in the area, unless it has been inspected and marked in terms of this section by an authorised person.

(2) Any person who brings any game meat into a council area for the purpose of selling to the public shall—

(a) notify an authorised person; and

(b) produce such game meat to an authorised person for inspection at the place and time specified by such authorised person.

(3) If an inspection by an authorised person of game meat produced to him or her in terms of this section reveals that such game meat—

(a) is sound and wholesome and appears to be free from disease, the authorised person shall mark such meat with an indelible stamp indicating that such meat has been inspected;

(b) is not sound and wholesome or is diseased, he or she may seize and destroy such meat, in which case he or she shall issue a certificate in a form prescribed by the council.

6. (1) Any person who—

(a) contravenes any provision of these by-laws; or

(b) fails to comply with any lawful requirements made by an authorised person in terms of these by-laws:

shall be liable to a fine specified in the Second Schedule.

(2) Any person who fails to comply with any liability emanating from his or her contravention of any of the offences stipulated in these by-laws within 90 days, shall be guilty of an offence and liable to a fine specified in the Second Schedule.

#### FIRST SCHEDULE FEES

Section	Description	Charge
4	Game Rancher Registration	US\$20.00
	Game meat licence	US\$175.00
5	Inspection fees	US\$30.00

#### SECOND SCHEDULE OFFENCES AND PENALTIES

Section	Description Of Offence	Charge
4	Selling of game meat without approval from Council	US\$50.00

4	Transportation of game meat without proper health and safety precautions	US\$50.00
5	Sell of uninspected game meat	US\$50.00
5	Obstructs an authorized official to exercise his or her duties.	US\$100.00

Statutory Instrument of 2025

[CAP.29:15

## 12. City of Mutare (Hairdresser's, Beautician's and Barber's Shop) By-laws, 2025

### ARRANGEMENT OF SECTIONS

#### Section

1. Title
2. Application
3. Interpretation
4. Hairdressers', Beauticians' and Barbers' shop to be licensed.
5. Issue of license
6. Requirements for licensed hairdressers', beauticians' and barbers' shop.
7. Requirements of hairdressers, beauticians and barbers
8. Hairdressers, Beauticians and Barbers personnel to consent medical examinations
9. Closure of hairdressers', beauticians and Barbers shop which do not meet health requirements.
10. Offences and penalties

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government, in terms of section 299 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

#### Title

1. These by-laws may be cited as the City of Mutare (Hairdresser's, Beautician's and Barber's shop) By-laws, 2025.

#### Application

2. These by-laws shall apply in all areas under the jurisdiction of City of Mutare.

### *Interpretation*

#### 3. In these by-laws —

“approved” means approved by the Council.

“barber” means a person, who carries on the business of cutting and shaving, the hair of persons;

“beautician” means a person whose job is to give people beauty treatment;

“Class A licensee” means any hairdresser holding a hairdresser’s skilled Worker Class One (Journeyman) certificate or its equivalent, issued by the Ministry responsible for Higher Education;

“Class B licensee” means any person who does beauty treatment, braiding and hair extensions only, from approved premises by Council;

“hairdresser” means a person who carries out the business of shaving, cutting or dressing the hair of persons including braiding and chemical treatment;

“hairdresser chemical” means a perm lotion, tint, bleach, peroxide, setting lotion or any potential hazardous chemical or substances used in the dressing of hair;

“hairdresser’s shop” means any premises on which the business of a barber, beautician or hairdresser is carried on;

“licence” means a licence referred to in section 4.

#### *Hair dressers’, Beauticians’ and Barbers’ shop to be licensed*

4. (1) No person shall carry on the business of a hairdresser, beautician and barber except in a licenced hairdresser’s, beautician’s or barber shop.

(2) An application for a licence shall be submitted to Council in the appropriate form upon payment of a fee specified in the First Schedule and shall be accompanied by a health inspector’s report prepared by the Health Officer or any person appointed to act on his or her behalf.

#### *Issue of licence*

5. (1) A licence may be issued for any period not exceeding one year, and shall, notwithstanding the date of issue, expire on the 31st of December of the year of issue.

(2) Council shall issue a licence—

(a) if Council is satisfied that the hairdresser’s, beautician’s or barber’s shop conforms to the requirements of these by laws; and

(b) upon payment of the appropriate licencing fee specified in the First Schedule.

(3) Council may—

(a) refuse to issue a license to an applicant who fails to comply with or has been convicted of any offence in terms of these by laws;

(b) cancel in writing any licence if a hairdresser, beautician or barber or any employee of his or hers fails to comply with or is convicted of any offence in terms of these by laws;

(c) cancel or refuse to issue a licence for any other justifiable reasons.

(4) Council shall give the reasons in writing to an applicant for refusing to issue or for cancelling a license in terms of subsection (3).

(5) A licence shall be issued and shall specify whether the holder is a class A or class B licensee.

(6) A licence shall not be transferred—

(a) from the hairdresser's shop in respect of which it was issued to any other premises; or

(b) from a person to whom it was issued to any other person.

(7) The current licence shall be fixed and maintained in a conspicuous place in the hairdresser's, beautician's or barber's shop.

*Requirements for licenced hairdressers', beauticians' and barbers' shop*

6. (1) In every licensed hairdresser's, beautician's and barber's shop —

(a) all rooms shall have a window or windows of an area not less than one tenth of the floor area, and minimum of one half of such a window or windows shall be capable of being opened and shall be so placed as to secure through or cross ventilation.

Provided that where natural lighting and ventilation cannot be provided, approved artificial lighting and approved mechanical means of ventilation must be provided; and

(b) the floor and walls of any room shall be;

(i) of impermeable, non-absorbent and easily cleanable material;

(ii) the minimum height between the floor and ceiling shall be three meters; and

(c) the wash basin or basins or other approved fittings, to which has been connected a piped hot water and cold water supply, shall be provided in the ratio of one wash basin or approved fitting to every two chairs, with a minimum one wash basin or approved fitting; and

(d) every shelf, fitting and table on which any hair cutting, hairdressing or shaving instruments or implements are placed shall be of glass, marble, slate enamel or similar material; and

(e) no part of the premises shall be used as a dwelling place.

(2) In a hairdressers' shop operated by a class A licence holder, there shall be available on the premises hairdressing electrical equipment such as dryers, blow dryers, clippers, tongs and hot brushes and facilities for storing hairdressing chemicals.

*Requirements for hairdressers, beauticians and Barbers*

7. (1) Every hair dresser, beautician or barber shall—

(a) keep every part of his or her shop in good order and repair; and

(b) when attending to a customer, wear an approved clean clothing of white or light washable material;

(c) cause all hair falling on the floor to be swept and placed in the container provided; and

(d) after attending to a customer wash his or her hands thoroughly before attending to a subsequent customer;

(e) apply antiseptic liquids only as a spray or powder with pneumatic dispenser, pneumatic duster or on a clean unused piece of cotton wool; and

(f) cause all combs, razors, scissors, clippers, brushes, towels, shaving brushes and other instruments, appliances or implements, after being used on any one person to be cleaned and sterilised by the following methods—

- (i) in the case of metal instruments such as clippers, razors, scissors and bowls or receivers, by flaming or bowing or disinfection with an approved preparation or by any other approved method;
- (ii) in the case of plastic or backslide instruments such as curlers and combs, or rubber instruments such as curlers and ear pads or hair and shaving brushes, by disinfection with an approved preparation or by another approved method;
- (iii) in the case of towels, face and neck clothes by soaking in a disinfectant followed by washing with soap and hot water and thorough rinsing;
- (iv) trolleys, tables, shelves, hairdryers, wash basins, neck rests and other fittings are to be washed thoroughly with soap and water daily, wiped periodically after use with a clean cloth soaked in approved disinfectant solution.

(2) No hairdresser, beautician and or barber shall:—

- (a) use hairdressing chemical unless he or she is a class A licence holder;
- (b) permit any person who appears to him or her to be suffering from any disease of the skin or hair or from any infectious, contagious or communicable disease to be attended to in his or her shop;
- (c) permit any person referred to in paragraph (b) to be employed in the shop.

*Hairdressers, Beautician and Barbers personnel to consent to medical examination*

8. (1) Every person employed on or in connection with the business of a hairdresser, beautician or barber shall consent to examination by a registered medical practitioner at a health centre whenever required to do so by Council, at his or her own expense.

(2) Every such person, who on examination by a registered medical practitioner, may be found to be suffering from any infectious, contagious or communicable disease or who refuses or fails to submit himself or herself to examination by the medical practitioner within three days of his or her being required to do so by Council, or fails to produce to the Council within three days such examination certificate from the Medical Practitioner who has examined him or her certifying that he or she is free from any infectious, contagious or communicable disease, shall not be employed in the business of hairdresser, beautician or barber until such time as he or she shall have been so medically examined and found to be free from any infectious, contagious or communicable disease.

*Closure of hairdressers', beauticians' and barbers' shop which do not meet health requirements*

9. Where council establishes that any hairdresser's, beautician's or barber's shop poses a danger to public health and safety due to non-compliance and requirements stipulated in these by-laws it shall withdraw or suspend such hairdresser, beautician or barber.

*Offences and penalties*

10. (1) Any person who —

- (a) deposits, throws or places or causes hair or artificial hair to be deposited, thrown or placed upon any street side walk, open land or space or down the drain; or
- (b) performs any hairdressing or hair cutting in any street or public place or;
- (c) being a hairdresser uses his or her hairdresser's shop for any other purpose other than hairdressing without the approval of Council; or

(d) being a class B licence holder uses any hairdressing chemicals; or

(e) otherwise fails to comply with any provision of these by laws with which it is his or her duty to comply;

shall be guilty of an offence.

(2) Any person found guilty of an offence under subsection (1) shall be liable to a fine specified in the second Schedule.

(3) Any person who fails to comply with any liability emanating from his or her contravention of any of the offences stipulated in these by-laws within 90 days, shall be guilty of an offence and liable to a fine specified in the Second Schedule.

#### FIRST SCHEDULE

##### FEES

Section	Description	FEE (US\$)
4	Application fee for licence: Barber Beautician Hairdresser: Class A Class B	\$10.00 per year \$15.00 per year \$20.00 per year \$20.00 per year
5	Licence/Permit fee for: Barber Beautician Hairdresser : Class A Class B	\$28.00 \$50.00 \$160.00 \$100.00
5	Licence/Permit renewal fee for: Barber Beautician Hairdresser : Class A Class B	\$28.00 \$50.00 \$160.00 \$100.00

SECOND SCHEDULE  
OFFENCES AND PENALTIES

SECTION	Description of offence	Penalty(US\$)
4 and 5	Operating without a license	US\$50.00
4	Failure to renew a license	US\$50.00
5	Transfer of license to any other premise without approval	US\$50.00
5	Transfer of license to any other person without approval	US\$52.00
5	Failure to display license in a conspicuous place	US\$20.00
6	Use of part of the premise as a dwelling place	US\$50.00
7	Failure to keep barber and hairdresser's shop in good order and repair	US\$40.00
7	Failure to wear an approved clean overall jacket, both jacket and safari or any clothing of white or light material washable material without pockets when attending to a customer.	US\$20.00
7	Failure to sweep falling hair on the floor and placing it in the container.	US\$20.00
7	Failure to wash hands thoroughly before attending to a subsequent customer.	US\$20.00
7	Failure to sterilize instrument, appliances or implements after being used on any one person.	US\$100.00
7	Use of hair dressing chemicals by classes B.	US\$50.00
7	Failure to display classes.	US\$100.00
7	Permitting any person who appears to be suffering from any diseases of the skin or hair or from any infectious, contagious or communicable diseases to be attended in his or her shop	US\$50.00
7	Permitting any person who appears to be suffering from any diseases of the skin or hair or from any infectious, contagious or communicable diseases to be employed in his or her shop.	US\$50.00
8	Refusal to consent to examination by a registered medical practitioner when required to do so by the Officer responsible for health.	US\$60.00
10	Deposits throw or places or causes or suffers to be deposited, thrown or placed upon any street side walk, open land or space or down the drain, hair or artificial hair.	US\$50.00
10	Perform any hairdressing or hair cutting at any undesignated place.	US\$20.00
10	Being a hairdresser uses his or her hairdresser's shop for any other purpose other than hairdressing without the approval of Council.	US\$40.00
10	Being a class B licence uses any hairdressing chemicals.	US\$50.00



### 13. City of Mutare (Hawkers and Vendors) By-laws, 2025

#### ARRANGEMENT OF SECTIONS

##### *Section*

1. Title.
2. Application.
3. Interpretation.
4. Control of hawkers.
5. Control of vendors.
6. Control of flea market trading, employers of hawkers and vendors.
7. Application for hawkers, vendor's or fleamarket licence or permit.
8. Land set aside for people's markets.
9. Application for bay, stall or table in peoples market.
10. Vacation of bay, stall and table in a peoples market.
11. Application for hawker's vendor's or flea market employer's licence.
12. Applicants to permit inspection.
13. Medical Certificate of Health.
14. Restrictions and conditions of licence or permit.
15. Renewal and variation of licence or permit.
16. Refusal of application or renewal of licence or permit.
17. Cancellation of licence or permit.
18. Inspection of food carts, stall storage-premises.
19. Hygiene and food safety.
20. Removal of waste.
21. Replacement of lost or damaged licence and permit.
22. Change of address or abandonment of business.
23. Appearance of vending bays or obstruction or nuisance.
24. Fees.
25. Offences and penalties.
26. Seizure of goods
27. Disposal of unclaimed goods

First Schedule: Areas where trading is prohibited or restricted.

Second Schedule: Fees

Third Schedule: Penalty

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 299 of the Urban Councils Act [Chapter 29:15], made the following by-laws—

*Title*

1. These by-laws may be cited as City of Mutare ( Hawkers and Vendors) By-laws, 2025.

#### *Application*

2. These by-laws shall apply to City of Mutare area.

#### *Interpretation*

3. In these by-laws—

“appropriate fees” means the appropriate fee specified in the Second Schedule;

“authorised person” means any person employed or delegated by council to carry out any function in terms of these by-laws;

“contagious and infectious disease” means any disease specified in or declared as such in terms of the Public Health Act [Chapter 15:17] as an infectious disease;

“bay” means an area situated within a building or under a roof or other structure and whether or not is situated on a paved or unpaved surface;

“council” means City of Mutare;

“council area” means the area under the jurisdiction of council;

“designated area” means a stand or site set aside for vending or flea market purposes;

“designated officer” means a person assigned by council to be in charge of people’s markets;

“employer’s licence” means a licence issued to an employer or issued to a person who will engage someone as a hawker, agent or a vendor agent;

“flea market” means a place or a type of bazaar where a number of stall or table holders carry on the business of selling inexpensive or second hand goods in one controlled area that is governed by an imposed code of conduct;

“food” means anything other than drugs, which is ordinarily used or intended to be used in human consumption, including drink, whatever its form or stage of preparation as approved by the Health Officer;

“hawker” means any person who carries on the business of selling goods whilst travelling about for that purpose from place to place with the goods, either on foot or with a carrier but does not include:—

(a) a baker or her or his employee in respect of the sale of bread;

(b) a dairy marketing authority or a dairyman or its employee as the case may be, in respect of the sale of milk;

“Environmental Health Practitioner” means an officer registered as such by the Environmental Health Practitioners Council of Zimbabwe and designate by the council as such;

“licence” means a licence issued by the Council in terms of these by-laws;

“Medical Certificate of Health” means a medical certificate of health referred to in section 13(1);

“people’s market” means any designated place and premises set aside by the council for the purpose of vending and flea market providing a place of sale of approved goods and food stuffs;

“permit” means any temporary document issued by the council permitting the use of stall, table or stand at a people’s market or at any given function or event, for a period not exceeding 3 months;

“public place” means any bridge, enclosure, footpath, garden, open space, pavement, road, sanitary lane, side walk, square, subway or street of the nature of a thoroughfare vested in or controlled by the council and to which the public or any section of the public has access;

“sell” in addition to its ordinary meaning means barter or exchange, or expose or prepare for a sale or to attempt to sell, offer, expose or display for sale a good or foodstuff;

“stable or table” means any surface constructed above ground level, or similar structure, whether or not it is situated within a building or under a roof or other structure;

“stall or table holder” means any person who carries on the business of selling goods in or within a flea market premise or designated site;

“stand” means any area designated as a stand to carry out a business activity and has been provided with sanitary facilities and water;

“under garments” means bras, panties, socks, pantyhose, etc;

“vendor” means any person who sells goods from one or more fixed places in or on any public place as designated by council and should be a holder of a licence or a permit;

#### *Control of hawkers*

4. No person, whether as principal or agent, is to carry on the business of a hawker unless—

- (a) he or she is the holder of a hawker licence or is engaged or employed by the holder of a hawker's employer's licence; and
- (b) he or she is the holder of a valid medical certificate of health if he or she sells food in any area specified in the First Schedule.

#### *Control of vendors*

5. (1) No person shall, whether as principal or agent carry on the business of a vendor unless—

- (a) he or she is the holder of a vendor's licence or is engaged or employed by a holder of a vendor's employer's licence; and
- (b) he or she is the holder of a valid medical certificate of health [food handlers medical certificate]; in any area specified in the First Schedule if he or she sells food.

(2) The council may, by notice, designate any place or stand in any area specified in the First Schedule, authorise vendors, subject to the condition or restrictions imposed upon the licence in terms of which they are authorised to carry on their business, to carry on such business places or stands on such days and during such hours and in respect of such goods as may be specified in the notice.

#### *Control of flea market trading, employers of hawkers and vendors*

6. No person shall engage, allow or employ another, whether as an agent, an employee, a hawker or a vendor unless—

- (i) the first mentioned person is the holder of a hawker's employer's licence or a vendor's employer's licence, as the case may be; or
- (ii) the hawker or vendor concerned is the holder of a hawker's licence or a vendor's licence, as the case may be;
- (iii) unless the hawker or the vendor concerned, is the holder of a valid Medical Certificate of Health for the sale of food.

#### *Application for hawker's or vendor's licence or permit*

7. (1) An application for, hawker's or vendor's licence shall be made to the council, and shall—

- (a) be in the form prescribed by council and be accompanied by—
  - (i) the appropriate fee;
  - (ii) two recent identical passport size photos;
  - (iii) a valid Medical Certificate of Health in the case of an applicant who wishes to sell food.

(2) An application for hawker's or vendor's permit shall be made to the council, and shall be—

- (a) in the form prescribed by council and be accompanied by—
  - (i) the appropriate fee;
  - (ii) two recent identical passport size photos;
  - (iii) a valid Medical Certificate of Health in the case of an applicant who wishes to sell food.

(b) valid for a period of three months.

*Land set aside for people's markets*

8. The Council may set aside land or premises for the purpose of people's markets and may divide such land or premises into separate stands, stalls or tables, as the case may be.

*Application for bay, stall or table in people's market*

9. (1) Any person wishing to use a bay, table or stall in a people's market shall apply to Council for a licence or permit.
- (2) Upon application being made in terms of subsection (1), and on payment of the appropriate fee which shall be fixed by council and reviewable annually, the designated officer may allocate to the applicant a bay, stall or table, as the case may be and shall issue him or her with a licence or permit which clearly defines the area of the bay, stall or table and state the name of the licence or permit holder.
- (3) A licence or permit issued in terms of this section shall not be transferred by the person to whom it was issued to any other person(s) without the written authority of council.

*Vacation of bay, stall or table in people's market*

10. A person who has been allocated a bay, table or stall in a people's market shall vacate such a bay, stall or table promptly on the expiry of the licence unless he or she has made an application for further use of such a bay, stall or table and has paid the required fee before such expiry.

*Application for hawker's, vendor's licence or permit*

11. An application for a hawker's or a vendor's licence or permit shall be made to the council and shall—
- (a) be in the form prescribed by council;
  - (b) be accompanied by the fee specified in the Second Schedule.

*Applicants to permit inspection*

12. Any person who is an applicant in terms of section 7 or 8, at the request of an Environmental Health Officer or any person specially authorised thereto by the council shall—
- (i) produce for inspection to Council any food cart, container, clothing or equipment to be used in connection with the business for which the licence is required;
  - (ii) permit Council to inspect any food cart, container, storage-premises, site, clothing or equipment which is to be used in connection with the business for which the licence or permit is required;
  - (iii) permit council to inspect monthly rental payments and compliance.

*Medical Certificate of Health*

13. (1) Any person who, is the holder of a licence or permit, or as the agent, wishes to carry on the business of selling food as a hawker or vendor shall obtain a certificate from a medical practitioner or medical officer of health, certifying that, at the date of certification, he or she was examined and found not to be suffering from any contagious and infectious disease in terms of the Public Health (Food handlers Medical Examination) Regulations 1994, published in Statutory Instrument 41 of 1994.

(2) A Medical Certificate of Health shall be valid for twelve months from the date of issue:

Provided that nothing in this subsection shall be construed as preventing the council from cancelling a licence issued in terms of these by-laws, despite the fact of the validity of any such Certificate held by the hawker or vendor concerned.

*Restrictions and conditions of licence or permit*

14. (1) The council may, in issuing or renewing a licence or permit—

(a) restrict the applicant to dealing in goods listed in his or her application; restrict the applicant dealing in certain goods, whether listed in his or her application or not, if, in its opinion, not to make such restriction would—

- (i) adversely affect any existing trade or business carried on in the area of jurisdiction of the council;
- (ii) be undesirable in the interest of public health, public safety or public morality;
- (iii) create a fire hazard which could endanger life or property;

(b) restrict the applicant to carry on the business for which the licence is required to certain areas or sites and to certain hours and days;

(c) in the case of an application for a hawker's employer's licence or vendor's employer's licence, restrict the applicant to engaging or employing not more than a specified number of hawkers or vendors, as the case may be;

(d) require the applicant to affix to any food cart, container or stall used in connection with the business for which the licence is required such identification mark as the council may specify;

(e) require the applicant, in the case of hawker's employer's licence or vendor's employer's licence, to ensure that his or her agent or employee, whilst engaged upon the business for which the licence is required, such employer's licence for the purposes of identifying the applicant as the council may specify.

(2) Any condition or restriction imposed by the Council in terms of subsection (1) shall be specified on the licence concerned—

(a) conditions to be imposed on the vendors licence for open fires for roasting—

- (i) ensure that there are no combustible materials in proximity to the area;
- (ii) open fire should be consistently checked when not in use;
- (iii) never use fuels which are not recommended as safe for use on a roasting fire by Council;
- (iv) avoid using flammable liquid to start up a fire;
- (v) site spot for open fire in proximity to the building openings (doors or windows) must be avoided;
- (vi) ensure open fire is totally extinguished with water after use and dispose ashes or ambers in a safe place or kept safely for re-use as the case may be.

#### *Renewal and variation of licence*

15. (1) A licence issued in terms of these by-laws shall be in the form prescribed by council and shall be valid up to the 31st of December of the year for which it was issued or renewed.

(2) The holder of a licence for the next succeeding year shall apply to the council for the renewal thereof during the month of December preceding that year, and the provisions of sections 7 and 8 shall, *mutatis mutandis*, apply:

Provided that the Council may require the production of the licence or permit previously issued to him or her.

#### *Refusal of application or renewal of licence*

16. (1) The council may refuse to issue or renew a licence if—

- (a) the applicant has failed to adhere to council by-laws and has been fined three consecutive times;
- (b) the applicant is guilty of any offence under the Rural District Councils Act [Chapter 29:13];
- (c) the applicant is guilty of any offence which involves carelessness concerning or a disregard for, cleanliness, hygiene, public health or public nuisance;
- (d) sale of illegal items, sleeping overnight at the site or fighting at the site.

(2) In the opinion of the Council the renewal will be denied if—

- (i) the renewal would adversely affect any existing trade or business carried on in the area of jurisdiction of the council; or
- (ii) the goods sought to be dealt in ought not to be dealt in, in the interest of public health, public safety or public morality; or
- (iii) any food cart, container, stall, storage-premises, clothing or equipment used, or to be used, in connection with the business for which the licence is required is unsuitable in the interest of public health; or
- (iv) there are sufficient hawkers or vendors dealing in the goods, in respect of which an applicant requires the licence or permit; or
- (v) has not paid for the licence or rentals for the previous year; or
- (vi) has not complied with any of the terms and conditions set by council.

#### *Cancellation of licence or permit*

17. (1) The Council may cancel a licence or permit if the holder thereof at any time after the issue of the licence or permit—
- (a) has been convicted of any offence referred to in section 16 (1); or
  - (b) does not maintain a satisfactory standard of cleanliness and public safety in respect of his or her person or employee of his or hers who is engaged or employed in the business to which the licence or permit relates; or
  - (c) does not maintain a satisfactory standard of cleanliness in respect of any food cart, container, stall, storage- premises, clothing or equipment used by him or her or by any agent of his or hers in connection with the business to which the business licence relates; or
  - (d) sells illegal items or goods, makes illegal fires; or
  - (e) has not complied with any of the terms and conditions set by council.

(2) The Council shall temporarily withdraw a hawker's or vendor's, or stall holder's licence or permit if the holder thereof is dealing in food and is found to be suffering from a contagious and infectious disease:

Provided that the council shall, at no extra charge, return the temporarily withdrawn licence if—

- (a) he or she produces a Medical Certificate of Health issued after the date of withdrawal of the licence, certifying that he or she is no longer suffering from a contagious or infectious disease; or
  - (b) he or she applies to the council for his or her licence to be restricted to the sale of goods other than food, and submits his or her licence to the council for the purpose of the relevant endorsement to be made.
- (3) If any hawker or vendor engaged or employed by the holder of a licence or permit in connection with the sale of food is found to be suffering from a contagious and infectious disease, the council may, by notice, in writing, direct him or her to cease forthwith engaging or employing that hawker, vendor or stall holder in connection with the sale of food, and if such direction is not complied with forthwith, the council shall cancel the licence or permit:

Provided that the council shall, at no extra charge, return to the holder the temporarily withdrawn licence if he or she produces a Medical Certificate of Health issued after the date of withdrawal of the licence, certifying that the hawker or vendor concerned is no longer suffering from a contagious and infectious disease;

- (4) Any licence cancelled and temporarily withdrawn in terms of this section shall be returned to the council with immediate effect.

#### *Inspection of food carts, stall or bay, storage or premises and Peoples' markets*

18. (1) A Health Officer or any person specially authorised thereto by the council may at any reasonable time inspect any food cart, container, stall, bay, storage premises, clothing or equipment used by the holder of a licence or a hawker or a vendor engaged or employed by the holder of a licence in connection with the business to which the licence or permit relates, in order to ascertain whether a clean and sanitary condition is being maintained and fire precautionary measures taken or the provisions of these by-laws are being complied with.

(2) No person shall hinder, obstruct or prevent a health officer or person authorised in terms of subsection (1) from making an inspection.

#### *Health hygiene and food safety*

19. (1) No holder of a licence or any person employed or engaged by the holder of a licence shall allow or permit any food cart, container, stall, bay, storage- premises, clothing or equipment used in connection with the business to which the licence or permit relates to be in a dirty or insanitary condition.

(2) No holder of a licence or permit shall sell or allow to be sold, any food which is not in a sound or wholesome condition.

(3) No hawker or vendor shall sell any food—

(a) unless he or she has taken adequate precautions to safeguard the food from dirt, dust, flies or other contamination;

(b) whilst to his or her knowledge, he or she is suffering from any contagious or infectious disease.

(4) No vendor or hawker, shall use any vehicle, container, stall or table, storage-premises, clothing or equipment, used for transporting or storing food, for any other purpose.

(5) No holder of a licence engaged in the sale of second hand clothes shall be allowed to sell under garments as defined in section 3.

#### *Removal of waste*

20. (1) A hawker or vendor shall—

(i) not drop litter of any sort onto the land surface or street;

(ii) on request by any official of the council, move his or her receptacles and goods so as to permit such official to clean the street or gutters;

(iii) remove all receptacles and goods from his or her place or stand on the completion of business for the day, and shall leave his or her place or stand in a clean condition;

(iv) not sleep at the area of business;

(v) totally extinguish any open fire (roasting) and safely dispose of ashes or ambers as recommended by Council by-laws.

(2) Any hawker or vendor who will not comply with subsection (1) shall be liable to a fine specified in the Third Schedule.

#### *Replacement of lost or damaged licence and permit*

21. Any person who has been issued with a licence or permit in terms of these by-laws may obtain a duplicate thereof—

(a) on certifying to the council that the licence or permit concerned has been lost or destroyed; and

(b) on payment of the appropriate fee.

#### *Change of address or abandonment of business*

22. (1) A holder of a licence shall, within seven days of the abandonment of his or her business, or any change of address of his or her business or his or her storage-premises, notify the council, in writing, of such change of address or abandonment as the case may be.

(2) A vendor or hawker who fails to notify council of his or her abandonment within fourteen days shall have his or her licence cancelled.

#### *Appearance of vending bays or obstruction or nuisance*

23. (1) Vending bays shall be as demarcated by council.

(2) Vending bay shades, shall be determined by council.

(3) Any vendor whose shade is not approved in terms of council's standards would be requested to rectify within seven (7) days, failure of which council will destroy it without further notice.

(4) All goods on display should be within the bay.

(5) Display tables of vendors who sell food should be 1 meter above ground level.

(6) Goods that are displayed outside the bay or overlapping or displayed below the stipulated height as mentioned in subsection (5) will attract a fine specified in the Third Schedule.

(7) Any police officer or person specially authorised theretoby the council may direct any hawker or vendor who is directly or indirectly obstructing the use of any public place, or is anuissance to any person in the vicinity of any public

place, to move for such distance as may be reasonable or to cease such obstruction or to abate such nuisance, as the case may be. Failure to do so, will attract a fine specified in the Third Schedule.

(8) No hawker or vendor shall refuse to comply with any direction given in terms of subsection (1). Anyone who refuses shall have the said item removed and should pay a fine specified in the Third Schedule.

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### *Fees*

24. The council shall fix fees for any application made in terms of these by-laws and for any licence, permit, certificate or duplicate thereof, issued in terms of these by-laws:

Provided that—

- (i) any fees shall be fixed through a council's resolution; and
- (ii) the fee for a licence issued after the 30<sup>th</sup> of June in any year shall be fifty *per centum* of the annual fee for such licence.

### *Offences and Penalties*

25. (1) Any person who—

- (a) fails to comply with the provisions of these by-laws;
- (b) contravenes any condition or restriction of a licence or permit issued to him or her;
- (c) transfers to another or makes fraudulent use of any licence, permit or certificate issued in terms of these by-laws with intent to deceive;

shall be liable to a fine specified in the Third schedule.

(2) Any person who—

- (a) unlawfully attempts to obstruct, obstructs or causes to be obstructed an authorised person;
- (b) threatens or assaults an authorised person in the execution of his or her duties:

shall be liable to a fine specified in the Third Schedule.

### *Seizure of goods*

26. (1) An authorised person may seize any goods that is the subject matter of an offence in terms of these bylaws and make a record of the owners of the goods so seized.

(2) The goods so seized shall be taken to a secure warehouse designated for such purpose by the council.

(3) The goods seized shall only be released upon the owner paying—

- (a) the prescribed penalty within the prescribed period; and
- (b) such storage charges as prescribed by council.

### *Disposal of unclaimed goods*

27. (1) Any goods seized in terms of section 26 which remain unclaimed—

(a) in the case of perishable food, for a period of twenty-four hours from date of seizure, shall be disposed in terms of the Food and Food Standards Act [*Chapter 15:04*]; or

(b) in the case of any other goods, for a period of three (3) months, shall be disposed subject to the procedure given in subsection (2).

(2) Where persons whose goods were seized by council in terms of subsection (1) do not claim their goods within thirty (30) days, council shall publish in a newspaper of wide circulation within the council area a list of the seized goods which remain unclaimed and call upon the owners to claim the same within fourteen (14) days.

(3) If the 14 days referred to in subsection (2) lapses, Council shall sell by public auction any goods that is the subject of the seizure.

(4) Council shall operate an account into which money realised from the sale of unclaimed goods shall be deposited.

### First schedule (Sections 4, 5, 8 and 14)

#### Part 1

#### AREAS WHERE TRADING IS PROHIBITED OR RESTRICTED

1. Restaurant
2. Tea room or café
3. Hotels
4. Boarding houses
5. Lodging houses
6. Butcheries
7. Fishmonger's
8. Bakeries
9. Food factories
10. Aerated-water factory
11. Food purveyor's
12. Caterer's
13. Meat purveyor
14. Fruits and vegetables dealer
15. Food vending machine
16. Barber
17. Hairdresser
18. Laundry houses or laundry depot
19. Stables
20. Food premises
21. Service stations
22. Garages
23. Financial institutions
24. Professional bodies
25. Funeral parlours
26. Kiosks
27. Curio shops
28. In front of all types of shops (except designated areas)
29. On pavements or public walkaways
30. On roads or parking places and sanitary lanes
31. Any area restricted by Council.

#### Part 2

#### AREAS WHERE TRADING IS PERMITTED PROVIDED ONE HAS A LICENCE OR PERMIT OR AUTHORITY

- Designated vending sites
- Areas around schools and tertiary institutions
- Public meeting places
- At all public institutions which includes but not limited to churches, pre-schools and hospitals.
- Along major tourist routes
- Major road intersections
- All shopping centres
- All stadia and recreational areas
- Any place approved by the local authority

### Part 3

#### PERMITTED ITEMS TO BE SOLD

The items to be sold are the following and are subject to the health officer approval:

1. New and second hand clothes, footwear, bolts and nuts, belts and accessories.
2. Fruits, vegetables, tubers, dried food stuff.
3. Airtime, newspapers and periodicals.
4. Cell phone chargers and accessories
5. Eggs, amacimbi or madora (Mopani worms) etc.
6. Firewood.
7. Homemade items which include floor polish, brooms, wooden cooking utensils and scouring powders.
8. Herbalist and traditional medicines and services.
9. Roasting of nuts, sweet potatoes and maize.
10. Curios, flowers, worms and nursery plants
11. Tyres, tubes, empty containers and other small mechanical merchandise.
12. Waste recycling, waste such as bottles, plastics, metals etc
13. The list may be reviewed by council.

#### Second Schedule (Fees)

Description	Section	Amount (USD)
Application fee (Licence for Vendors ,flea market , Hawkers)	7	5.00
Application fee for permit (Stall or Bay for Vendors)	9	10.00 per month
Bay or stall permit fees	9	29.77 per month
Application for renewal of licence or permit	15	10.00
Vendors Licence Fees	24	37.51 per year
Hawkers Licence Fees	24	22.07 per year
Vendors Employer's Licence Fees	24	15.00 per person per year
Hawkers Employer's Licence Fees	24	15.00 per person per year

### Third Schedule: Penalties

Section	Description of offence	Penalty (USD)
4 and 5	Sells goods without a valid licence or permit	33.10
9	Sublets a bay	50.00
12	Fails to produce a licence when asked to do so by an authorised person	30.00
12	Fails to produce valid receipts	30.00
10	Leaves goods on the bay after expiry of licence	40.00
10	Sleeps on the bay overnight	100.00
14	Sells prohibited goods on the bay or at the site	30.00
14	Does hairdressing or barbing at the vending bays	50.00
14	Occupies undesignated caravan sites	50.00
14	Fails to display a mobile kitchen registration certificate or licence or permit	50.00
14	Roasts maize at undesignated areas	20.00
14	Pushes pushcarts or parks or operates at undesignated areas	20.00
14	Does wholesaling from the bays	50.00
23	Displays goods outside the vending bay	5.00
23	Makes noise or is a public nuisance for example use of hailers and radio	50.00
14	Makes a fire without council permission	100.00
14	Sell goods or wares from an undesignated area, including pavements, parking bays, roads and sanitary lanes	30.00
18	Hinders, obstructs or prevents a health inspector or authorised person to carry out his duties	100.00
14	Fails to extinguish an open fire at the conclusion of business	100.00
20	Littering of any form	20.00

## 14. City of Mutare (Human Excreta and Dangerous Substances) By-laws 2025

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### ARRANGEMENT OF SECTIONS

#### *Section*

1. Title.
2. Application.
3. Interpretation.
4. Human Excreta and Dangerous Substances not to be used as Fertilizer.
5. Removal of vegetables and plants by designated officers.
6. Offences and penalties.

First Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has in terms of section 299 of the Urban Councils Act [Chapter 29:15] approved the following by-laws:

#### *Title*

1. These by-laws may be cited as the City of Mutare (Human Excreta and Dangerous Substances) By-laws, 2025.

#### *Application*

2. These by-laws shall apply within City of Mutare area.

#### *Interpretation*

3. In these By-laws:

“council” means City of Mutare;

“dangerous substance” means any liquid, gas or solid that poses a risk to human health or safety;

“designated officer” means any person employed or delegated by Council to carry out functions prescribed in these by-laws;

“edible plant” means plant or vegetable that is fit to be eaten by human beings;

“human excreta” means by-products of digestion that is faeces and urine.

#### *Human Excreta and Dangerous Substances not to be used as Fertilizer*

4. (1) No person shall use or allow to be used as a fertilizer in growing vegetables and edible plants, human excreta or any other dangerous substance.

(2) No person shall use raw waste water to irrigate vegetables and edible plants for use by human beings and animals.

(3) No person shall plant vegetables and edible plants along raw waste water flowing or logged areas.

(4) No person shall sell human excreta for use as a fertilizer.

*Removal of vegetables and plants by designated officers*

5. (1) A designated officer shall be entitled to slash or remove any vegetables and edible plants where—

(a) the vegetables and edible plants are being grown using human excreta or dangerous substances as fertilizer; or

(b) the vegetables and edible plants are being irrigated by raw waste water; or

(c) the vegetables and edible plants have been planted on raw waste water flowing or logged areas.

*Offences and Penalties*

6. Any person who contravenes the provisions of these by-laws shall be liable to a fine specified in the First Schedule.

*First Schedule (Penalties)*

Description	Section	Amount (USD)
Use Human Excreta and Dangerous Substances as fertilizer	4	50.00
Sell Human Excreta and Dangerous Substances as fertilizer	4	50.00
Sell of vegetables or edible plants grown using human excreta and dangerous substances as a fertiliser	4	100.00
Obstructs an authorized official to exercise his or her duties	5	100.00

## 15. City of Mutare (Mining and Mineral Panning) By-Laws, 2025

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### Arrangement of sections

#### *Section*

1. Title.
2. Application.
3. Interpretation.
4. Submission of prospecting, exploration and mining rights licences to Council.
5. Application for Submission of Environmental Impact Assessment Plans.
6. Environmental rehabilitation works on abandonment of project.
7. Environmental Degradation Fund.
8. Environmental rehabilitation works to be carried out by Council.
9. Corporate Social Responsibility.
10. Inspection of Mining Activities in a Council Area.
11. Elution plant
12. Payment to local authorities
13. Offences and penalties.

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

#### *Title*

1. These By-Laws may be cited as the City of Mutare (Mining and Mineral Panning) By-Laws, 2025.

#### *Application*

2. These by-laws shall apply within the City of Mutare area.

#### *Interpretation*

3. In these by-laws:—

“alluvial deposit” means—

- (a) in relation to precious stones, any deposit, either non-coherent or consolidated, of any geological age, which has been formed by water or wind;
- (b) in relation to any accumulation of sand, gravel or clay deposited by surface water containing valuable minerals;

“council” means City of Mutare;

“exploration” means geological examination in search of minerals;

“licence” means a licence issued in terms of Part 1 which is valid and current;  
 “licensee” means any person who is the holder of a licence;  
 “licensed premises” means premises in respect of which a licence is issued;  
 “elution” means a process of extracting one material from another;  
 “mine” includes any place excavation or working whereon, wherein or whereby any operation in connection with mining purposes is carried on;  
 “miner” the person actually carrying on the work of mining on any mining location, whether he or she is the holder or the lessee or assignee of the rights of such holder;  
 “mineral” means—  
 (a) any substance occurring natural in or on the earth which has been formed by or subjected to a geological process; and  
 (b) any substance declared to be a mineral in terms of Mines and Minerals Act [Chapter 21:05].  
 “mining” means any act of extracting minerals as defined by these by-laws;  
 “prospecting” means the first stage of the geological analysis of a territory in search of minerals;  
 “mineral panning” means the separation of minerals using water.

*Submission of prospecting, exploration and mining rights licences to Council*

4. (1) All holders of prospecting, exploration and mining rights operating in the Council area shall submit certified copies of their licences to Council.
- (2) Any holder of a prospecting, exploration or mining rights operating in the Council area shall:—
  - (a) submit a certified copy of the Environmental Impact Assessment Report, Environmental Management Plan and Environmental Impact Assessment Certificate issued by the Environmental Management Agency in terms of the Environmental Management Act [Chapter 20:27];
  - (b) carry out all relevant mine closure and environmental rehabilitation measures as prescribed by the Environmental Management Act [Chapter 20:27].
- (3) All the provisions related to applications for mining rights, compensation for acquisition of land for mining purposes and payment of levies to local authorities by holders of mining rights as prescribed in the Mines and Minerals Act [Chapter 21:05] shall apply to the Council area with necessary changes.
- (4) No person shall pan any mineral in the Council area, except in terms of a licence issued by the Ministry of Mines and Mining Development.

*Application for Submission of Environmental Impact Assessment Plans*

5. (1) The developers of any projects in the Council area for which an environmental social impact assessment is required in terms of section 97 and the First Schedule of the Environmental Management Act [Chapter 20:27] shall:—
  - (g) submit an application of his or her environmental social impact assessment for consideration by Council upon payment of a fee specified in the First Schedule;



- (h) consult Council during the consultation process leading to the development of an environmental impact assessment;
- (i) involve Council in organising public consultations meetings in the area regarding the proposed development project;
- (j) submit to Council the name, contact details and other relevant particulars such as qualifications of any consultant hired or engaged by the project developer to carry out the environmental impact assessment on his or her behalf and proof of their registration with the Environmental Management Agency;
- (k) submit to Council a certified copy of the Environmental Impact Assessment Report for the proposed project;
- (l) submit to Council a certified copy of the Environmental Impact Assessment Certificate issued for the project by the Director-General of the Environmental Management Agency;
- (m) submit to Council a certified copy of the annual Environmental Management Plan; and
- (n) submit to Council a certified copy of the siting of works plan.

(2) It is an offence for any miner in a Council area to start operations without submitting to Council a certified copy of the Environmental Impact Assessment Report, a copy of the Environmental Impact Assessment certificate issued by the Director-General of the Environmental Management Agency and a certified copy of the annual Environmental Management Plan produced by the miner.

(3) Any person who fails to submit the documents required in terms of subsection (2) shall be liable to a fine specified in the Second Schedule.

(4) The miner shall submit to Council all relevant information related to quarterly environmental monitoring reports submitted to the Environmental Management Agency, in terms of section 106 of the Environmental Management Act [Chapter 20:27], operating in the Council area.

(5) Council shall take measures to make environmental impact assessment reports submitted by miners available and open for public inspection at all reasonable times at the Council offices upon payment of a fee specified in the First Schedule.

Provided that no person shall use any information contained therein for personal benefit and this has to be done in compliance with section 108 of the Environmental Management Act [Chapter 20:27].

#### *Environmental rehabilitation works on abandonment of project*

6. (1) Any person who undertakes any mining projects, resource extraction projects or any other projects for commercial exploitation of natural resources with the effect of causing environmental damage or environmental degradation or harm in the council area shall:—

(c) submit to Council a rehabilitation plan containing rehabilitation works that will be undertaken before abandonment or closure of the project; and

(d) rehabilitate the environment before abandonment or closure of the project.

(2) Council shall monitor the implementation of rehabilitation plans of projects with assistance from the Environmental Management Agency.

(3) Any person who fails to rehabilitate the environment after abandonment or closure of the project shall be liable to a fine specified in the Second Schedule.

#### *Environmental Degradation Fund*

7. Council shall establish a fund known as the Environmental Degradation Fund into which any person who undertakes any mining activity with the effect of causing environmental degradation shall contribute a fee specified in the First Schedule.

#### *Environmental rehabilitation works to be carried out by Council*

8. Where a land owner, developer or occupier as the case may be, requests council to carry out environmental rehabilitation works on his or her land, or in the event that the owner fails to do so on his or her own within six months, council may undertake such environmental rehabilitation works as may be necessary to rehabilitate the environment and recover the costs associated with such works from the land owner or occupier of the land.

#### *Corporate Social Responsibility*

9. A memorandum of agreement may be mutually drawn between the miner and Council on what will be given to the community as corporate social responsibility.

#### *Inspection of Mining Activities in a Council Area*

10. (1) The officer of a council, the inspector of mines, an agent of the Reserve Bank or an officer of Environmental Management Agency may do all or any of the following:

(a) ascertain whether those regulations are being complied with by inspecting any mining operations;

(b) ensure that persons operating upon any stretch or stretches of any public stream hold a permit issued in terms of this by-law;

(c) make inquiries in respect of the state or condition of any mining operations and of all matters or things connected to the well-being or safety of persons employed or in any operations contiguous, thereto;

and may, where it appears that this by-law is not being complied with —

(i) give directions to the permit holder as to the proper working of the mineral deposits; or

(ii) recommend to the issuer of the licence to suspension of the operations concerned pending rectification by the miner.

(d) ensure that all mining claims are fenced to avoid encroachments by animals.

(e) ensure that all mining shafts are timbered to avoid internal collapse and loss of life.

(f) ensure that movement of ores using council roads shall be undertaken after obtaining a permit from council.

(g) ensure that mining activities are done in such a way that minimizes pollution to the environment.

(2) A designated officer shall have access to and inspect any of the records required to be maintained by the miner and the officer shall report any irregularities or breaches of these regulations.

#### *Elution*

11. Any person who wishes to establish an elution plant is required to obtain a permit after paying a fee specified in the First Schedule.

#### *Payment to local authorities*

12. Every miner who has been authorized to conduct mining activities in the Council area shall pay to Council royalties, levies, licence and any other fees approved by Council.

#### *Offences and penalties*

13. Any person who contravenes any provision of these by-laws shall be liable to a fine specified in the Second Schedule.

#### *First Schedule: Fees*

Section	Description	Fee \$
4 and 15	Council land development levies:	
	Artisanal mining: Class A	1,000.00 per year
	Class B	500.00 per year
	Medium scale gold mining	1,500.00 per year
	Large scale gold mining	2,000.00 per year
	Milling permit-bow mill	1,500.00 per year
	Milling permit hammer mill	1,500.00 per year
	Mining base minerals per unit	1,000.00 per year
	Gold claims non-producing per claim	300.00 per year
	Base mineral non-producing per block	250.00 per year
	Cyanidation companies	2,000.00 per year
	Individuals	500.00 per year
5	EIA Consultation fee	125.02
	EIA reports inspection	100.00
6	Environmental rehabilitation levy:	
	Artisanal mining: Class A	1,000.00 per year

7	Class B	500.00 per year
	Medium scale gold mining	1,500.00 per year
	Large scale gold mining	2,000.00 per year
	Milling permit-bow mill	1,500.00 per year
	Milling permit hammer mill	1,500.00 per year
	Mining alluvial	2,500.00 per year
	Mining base minerals	1,000.00 per year
	Gold claims non-producing per claim	300.00 per year
	Base mineral non-producing per block	250.00 per year
	Cyanidation companies	5,000.00 per year
	Individuals	2,500.00 per year
	Rehabilitation fund levy	500 per year

#### Second Schedule: Penalties

Section	Description Of Offence	Amount (USD)
4	Panning any mineral in the Council area without a licence or permit issued by Council and Ministry of Mines and Minerals	10,000.00
4	Failure by a holder of prospecting, exploration and mining rights operating in the Council area to submit copies of their licences to Council	10,000.00
4	Failure to submit a copy of the Environmental Impact Assessment Report, Environmental Management Plan, or Environmental Impact Assessment Certificate issued by the Environmental Management Agency to council	100.00
6	Failure by owner to reclaim all disused mines and carry out environmental rehabilitation measures	5,000.00
5	Starting of operations by a project developer without submitting to Council a copy of the Environmental Impact Assessment Report or a copy of the Environmental Impact Assessment certificate issued by the Director-General of the Environmental Management Agency or a copy of the annual Environmental Management Plan produced by the project developer.	100.00
6	Failure by a project developer to rehabilitate the environment after abandonment or closure of the project	5,000.00

## 16. City of Mutare (Noise) By-laws, 2025

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### ARRANGEMENT OF SECTIONS

#### *Section*

1. Title.
2. Application
3. Interpretation.
4. Suppression of noise.
5. Regulation of noisy business and machinery.
6. Temporary noise permit.
7. Powers of authorised person.
8. Obstruction.
9. Impoundment of equipment.
10. Disposal of unclaimed equipment, gadgets and machinery.
11. Cancellation of permit
12. Offences and penalties.

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

#### *Title*

1. These by-laws shall be cited as the City of Mutare (Noise) By-laws, 2025.

#### *Application*

2. These by-Laws shall apply within the City of Mutare area.

#### *Interpretation*

3. In these by-laws—

“authorised person” means any person employed or delegated by the council to carry out any of the functions prescribed in these by laws;

“community event” includes any wedding, party, church service, awareness campaign or any such gathering where people are likely to congregate in huge numbers;

“council” means the City of Mutare;

“promotional event” means any event done at a public place, public street or in the neighbourhood to promote a business or event to a target audience;

“public place” means any street alley, park, public building, shopping centre, any place of business or assembly, open to, or frequented by the public and any other place which is open to the public view, or to which the public has access;

“public street” includes any road, street, thoroughfare, greenway, land, footpath, open space or bridge to which the public has access;

“scheme” means a scheme as defined in the Regional, Town and Country Planning Act [Chapter 29:12];

“urban centres” means any area designated by Council as such.

#### *Suppression of noise*

4. (1) No person in the Council area shall emit noise in excess of the emission standards prescribed in terms of section 79 of the Environmental Management Act [Chapter 20:27].

(2) Subject to the provisions of section 6 no person shall—

- (a) operate or cause or permit to be operated any wireless, loudspeaker, gramophone, record-player, amplifier, musical instrument or similar device so as to disturb or interfere with the rest, peace or tranquility of any occupier of premises in the neighborhood or in any public street, or in any public place; or
- (b) operate, or cause, or permit to be operated for the purpose of advertising, any wireless, loudspeaker, gramophone, record-player, amplifier, musical instrument or similar device in the neighborhood in or adjacent to any public street or public place, without the prior written consent of the council; or
- (c) make any noise or disturbances, by shouting, yelling or blowing upon any wind instrument, beating upon any drum or other instrument, article or device, or by any other means, which the noise or disturbances disturbs or interferes with the rest, peace or tranquility of any occupier of premises in the neighborhood or in any public place or public street; or
- (d) operate or cause to or permit to be operated any model aeroplane, steam or diesel powered model locomotive, model car, or other similar machine; or contrivance of the noise or disturbances is such as to disturb or interfere with the rest, peace or tranquility of any occupier of premises in the neighborhood or in any public place or public street; or
- (e) ring bell, sound a horn, blow whistle or a musical or other instrument or shout in any public street or public place or in the neighborhood for the purpose of hawking, selling or distributing any article or thing whatsoever, or for advertising any entertainment, to the annoyance, disturbance or inconvenience of any occupier of premises in the neighborhood or in any public place or in any public street; or
- (f) operate, or cause or permit to be operated, on any land zoned for residential purposes in any scheme, any power driven grass-cutting or hedge-cutting machine before the hour of 8 a.m. and up to 16:00 hours on any day; or
- (g) keep, or cause or permit to be kept, any bird or animal which, by reason of continued or repeated crowing, screeching, barking or whining, or other noisy or troublesome habits, causes annoyance, disturbance or inconvenience to any occupier of premises in the neighborhood or public place.

#### *Regulation of noisy businesses, trades and machinery*

5. (1) Subject to the provisions of subsections (2) and (3), no person shall, other than on land zoned for industrial purposes in any scheme, on a Sunday or public holiday, or before the hour of 7 a.m. or after the hour of 6 p.m. on any other day—

- (a) carry on or cause or permit to be carried on, any business, trade or industry; or
- (b) use or cause or permit to be used, in the course of building, demolition or excavation operations, any machine, machinery, engine, apparatus, tool or contrivance, whether powered or not;

which disturbs, or which is likely to disturb, the rest, peace and tranquility of any occupier of premises in the neighborhood or in any public place or public street.

(2) The prohibition contained in subsection (1) shall not apply in circumstances in which the carrying on of such business, trade or industry, or the use of such machine, machinery, engine, apparatus, tool or contrivance, is urgently necessary—

- (a) to preserve the life, safety or health of any person; or
- (b) to preserve property; or
- (c) to maintain essential services.

(3) The council may, for good cause, on the written request of any person, grant whole or partial exemption from the prohibition contained in subsection (1), and may—

- (a) attach to any such exemption such conditions as it considers desirable; and
- (b) withdraw such exemption at any time by notice, in writing.

#### *Temporary noise permit*

6. (1) Any person may submit an application for a temporary noise permit for a community event or promotional event.

(2) The application made in terms of subsection (1) shall be made in writing to the authorised person and shall contain the following—

- (a) name and address of the applicant;
- (b) description of the event;
- (c) location of the event;
- (d) description of the source of sound and level of sound for which the temporary noise permit is sought; and
- (e) times of day and the period of time (not in excess of six (6) months) for which temporary noise permit shall be granted.

(3) An application made in terms of subsection (1) shall be accompanied by such application fee specified in the First Schedule.

(4) Upon the application being granted, the applicant shall pay such temporary noise fee as specified in the First Schedule.

#### *Powers of authorised person*

7. (1) In making his or her determination in terms of section 6, the authorised person shall—

- (a) determine whether the event falls within the definition of community or promotional event; or
- (b) consider any negative effects the issuance of the Temporary Noise Permit may have on neighbouring properties of the council area; or
- (c) consider any benefits the issuance of the Temporary Noise Permit may have for the neighbouring properties or the council area.

(2) Where the authorised person has made a decision in terms of subsection (1), he or she shall give written notice of the decision to the applicant

(3) The notice given in terms of subsection (2) shall—

- (a) set out the grounds of the decision; and
- (b) give reasonable particulars of the grounds.

(4) Any person aggrieved by the decision of the authorised person may appeal to council within twenty-one (21) days from the date such decision complained of was given.

#### *Obstruction*

8. No person shall hinder or obstruct an authorised person from carrying out any of the functions prescribed in these by-laws.

#### *Impoundment of equipment, gadgets and machinery*

9. (1) An authorised person may impound any equipment, gadget or machinery used in contravention of any provision of these by laws.

(2) The equipment, gadgets or machinery so impounded shall be taken to a secure compound designated for such purpose by the council.

(3) The equipment so impounded shall only be released upon the owner paying the prescribed penalty and such removal and storage charges as prescribed by the council.

### *Disposal of unclaimed equipment, gadgets and machinery*

10. (1) Any equipment, gadget or machinery impounded in terms of section 9 which remain unclaimed for a period of three (3) months from date of impoundment, council shall publish a notice in a newspaper of wide circulation within the council area a list of impounded equipment which remain unclaimed for a period of thirty (30) days from the date of impounding and advise the owners to claim the same within thirty (30) days.

(2) Council shall sell by public auction any equipment, gadgets or machinery that remain unclaimed thirty (30) days after the notice has been published.

(3) Council shall deduct its charges from the proceeds of the sale of unclaimed equipment, gadget or machinery and the balance (if any) shall be paid to the owner within thirty (30) days.

(4) Council shall operate a special account into which money realised from the sale of unclaimed equipment, gadgets or machinery shall be deposited.

(5) Any money not claimed within thirty (30) days after such sale shall be forfeited to council.

### *Cancellation of Permit*

11. (1) The authorised person shall cancel a permit if the holder is penalized for any contravention of the provisions of these by laws.

(2) Where the permit is cancelled, the holder shall return the permit to the council within 48 (forty-eight) hours of being given notice of such cancellation.

(3) Any permit cancelled shall not be renewed until a period of 1 (one) year has lapsed from the date of cancellation.

### *Offences and Penalties*

12. Any person who contravenes any provisions of these by-laws shall be liable to a fine specified in the Second Schedule.

First Schedule  
(Fees)

Section	Description	Fee \$
5	Application for exemption	50.00
	Central Business District Permit fees - Business	100.00
	Other Areas Permit fees - Business	100.00
		100.00
6	Application for temporary noise permit	50.00
	Residential Permit fees	50.00
	Central Business District Permit – Business	150.00
	Other Areas Permit - Business	100.00
		100.00
9	Impoundment and storage fees	20.00 per day

Second Schedule (Penalties)

Section	Description Of Offence	Charge (USD\$)
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4	Noise in Central Business District - Business	50.00
	Noise at Other Centres - Business	30.00
8	Hindering or obstructing an authorized person from carrying out any of the functions prescribed in these by-laws	100.00

Statutory Instrument of 2025

[CAP.29:15

## 17. City of Mutare (Occupation of Council Properties) By-Laws, 2025

### Arrangement of sections

1. Title.
2. Application.
3. Interpretation.
4. Records
5. No occupation without lease
6. Application for certificate to reside in council property
7. Issue of Lease
8. Payments of rents, service, supplementary and other charges
9. .Change of particulars
10. Orders to vacate council property
11. Abandoned Council property
12. No occupation without registration
13. Application for registration as a tenant
14. Refusal of application for registration
15. Eviction of tenants
16. Tenants fees.
17. Offences and penalties

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15], approved the following by-laws:

*Title*

1. These by-laws may be cited as the City of Mutare (Occupation of Council Properties) By-laws, 2025.

*Application*

2. These by-laws shall apply to all areas under the jurisdiction of the council.

*Interpretation*

3. In these by-laws—

“council” means City of Mutare;

“dependent” means any person who relies on another person especially a family member for financial support;

“eviction” means court ordered removal of a tenant from the Council property they reside or occupy;

“in arrears” means owing money that should have been paid;

“land uses” means the management and modification of the property’s natural environment;

“lease” means a contract outlining the terms and conditions under which one party agrees to rent council property;

“occupation” means the action of living in or using a building or other place;

“particulars” means any facts or details about the tenant which are written down and kept as a record;

“property” means any building or stand to which permission is granted by council for use by any person on a lease;

“rent” means any prescribed fee charged by council to any person occupying council property;

“responsible officer” means the person to whom permission has been granted by the Council to administer this by-law;

“spouse” means a husband or wife considered in relation to their partner;

“tenant” means the person to whom occupation of council property has been granted by way of a lease agreement by the council.

*Records*

4. (1) The responsible officer shall keep a register of all council property available, registering as separate premises each convenient unit of accommodation.

(2) In respect of each council property registered in terms of subsection (1), the responsible officer shall record—

(a) the number or some other description of such property; and

(b) the number of any lease agreement or purchase agreement or agreement of sale in terms of which such property is occupied or is being purchased; and

(c) the amount of rent or purchase instalment payable in respect of such property; and

- (d) the name and registration particulars of the holder of a lease; and
- (e) the names and the date of birth of each dependant of the holder of a lease; and
- (f) the name and registration particulars of any tenant and his or her spouse and dependants, if any, of the holder of a lease; and
- (h) the income of the holder of a lease.

*No occupation without lease*

5. (1) No person shall reside or occupy council property unless he or she is—
- (a) the holder of a lease and is registered by Council; or
  - (b) the dependant of the holder of lease; or
  - (c) a person referred to in section 10(2), who has complied with a notice in terms of the proviso to that subsection; or
  - (d) a person referred to in section 10(3).
- (2) Subject to the provisions of subsection (1), no person shall occupy council property in respect of which—
- (a) he or she is not a registered lease holder; or
  - (b) he or she does not have the consent of the holder of a lease.
- (3) It shall be the duty of the holder of a lease relating to council property to take reasonable steps to ascertain that every person occupying that property may lawfully do so in terms of these by-laws.
- (4) No holder of a lease shall permit another person to occupy council property registered in his or her name unless that person may lawfully do so.

*Application for certificate to reside in council property*

6. (1) Any person who wishes to obtain a lease to reside in council property shall apply to the responsible officer giving such information as the responsible officer may reasonably require in order to ascertain his or her identity and the nature of accommodation which he or she may require.
- (2) Notwithstanding the provision of section 5, any person who is lawfully residing in council property shall be deemed to be lawfully residing in the council property which he or she is then occupying:
- Provided that the responsible officer may, by notice, in writing, call upon any such person to apply for a lease in terms of these by-laws within one month of receiving such notice.
- (3) Where a person occupies council property within the area without a lease because he or she was the dependant of the holder of a lease ceases to be a dependant, he or she may apply to the responsible officer for a lease to reside on the property.
- (4) Whenever any person referred to in subsection (3) applies for a lease in terms of these by laws, the responsible officer shall make a determination.

*Issue of Lease*

7. (1) Upon receipt of an application, the responsible officer shall cause the applicant to complete an application form.
- (2) The responsible officer shall not issue any lease to any applicant if:—

- (a) the applicant already has a lease in respect of the same category zone for which he or she is applying for a lease; or
  - (b) there is no vacant property available; or
  - (c) the applicant fails to meet the criteria stipulated in the prescribed council policy.
- (3) The responsible officer may require any holder of a lease to produce his or her lease for inspection, and it shall thereupon become the duty of such holder—
- (a) to produce the lease; or
  - (b) to satisfy the responsible officer that he or she is the dependant of the holder of a lease
- as soon as it is reasonably possible and, in any case, within twenty-four hours.
- (4) If any person to whom a lease has been issued in terms of this section loses the lease document, he or she shall, within one week of noticing the loss, apply to the responsible officer for a duplicate lease document for which the council may charge a fee as prescribed by council.
- (5) A lease issued shall be issued subject to conditions specified by council.

*Payment of rent, service, rates and other charges*

- 8.(1) The rent, service, rates and other charges payable in respect of council property shall be determined by the council.
- (2) The holder of a lease of council property for which rent and other charges have been fixed by the council shall pay the rent and other charges monthly, in advance, to Council.
- Provided that metered supplies of water shall be prepaid or paid in arrears for a 30day period.
- (3) Where payment is tendered in terms of subsection (2), the payment shall first be allocated against the payment for rent and then against other charges.
- (4) If the rent for any council property has not been paid by the seventh day of the month, the responsible officer may order the holder of a lease to pay the rent within seven days or be given a notice to vacate the property.
- (5) If after the fourteenth day of the month the rent remains unpaid, the responsible officer may—
- (a) give a 3 months eviction notice to the holder of a lease and all other occupants from the property; or
  - (b) obtain an eviction order from the court.
- (6) Where the responsible officer evicts the occupants of council property in terms of subsection (5)(b), he or she shall ensure that—
- (a) the registered tenant is given an opportunity to remove his or her belongings; and
  - (b) care is taken not to injure any person or property;
  - (c) any unclaimed property upon eviction is taken into safe custody and responsible officer shall keep a record of—
    - (i) the nature of the property so taken; and
    - (ii) the date upon which the property was taken; and
    - (iii) the council property from which the property was taken.

(7) The responsible officer shall take reasonable steps to locate the owner of all property taken in terms of paragraph (c) of subsection (6) and, if it is not claimed within three months, and the responsible officer has reasonable grounds to believe that it has been abandoned, the responsible officer shall, subject to a council resolution, deliver the property to an auctioneer for sale at a public auction.

(8) The proceeds of the sales of any property sold in terms of subsection (7) shall be credited to the administration account of the council.

#### *Change of particulars*

9. The holder of a lease in respect of any council property shall, within seven days on the relevant event, report in writing, to the responsible officer—

- (a) any change in the marital status of any person occupying the property; and
- (b) the birth of a child to any woman occupying the property; and
- (c) the death of any person occupying the property.

#### *Orders to vacate council property*

10. (1) The responsible officer may order the holder of a lease to vacate council property occupied on a leasehold basis if—

- (a) the holder of a lease has failed to vacate the property one month after written notice has been given that the property is required by the council for repair, reconstruction, demolition or any other council or public purpose; or
- (b) the holder of a lease in respect of accommodation designed as married quarters ceases to occupy accommodation as a married person with his or her family.

(2) The holder of a lease who has been ordered to vacate property in terms of subsection (1) shall vacate the property within one week of being ordered to do so.

(3) The dependants of the holder of a lease who is required to vacate Council property in terms of this section, and registered tenant occupying that property, shall vacate the property before the end of the period within which the holder is required to vacate the property.

(4) The issue of an order to vacate Council property shall not affect —

- (a) any right of the council to recover payments and other charges due in respect of the occupation of the property including any damages suffered by the council;
- (b) the rights of the council or the holder of a lease in respect of approved improvements made to that property during the currency of a lease in terms of which the property was occupied.

#### *Abandoned Council property*

11. (1) If any Council property appears to have been abandoned by the holder of a lease, the responsible officer may enter the property, take into safe custody any moveable property left on the property and re-allocate the council property to any other person.

(2) The responsible officer shall take reasonable steps to locate the owner of the movable property taken in terms of subsection (1), and, if it is not claimed within three months, the responsible officer has reasonable grounds to believe that it has been abandoned, he or she shall deliver such property to an auctioneer for the sale at a public auction, after council resolution.

(3) The proceeds on the sale of the movable property sold in terms of subsection (2) shall be credited to the administration account.

*No occupation without registration*

12. No person shall reside in any council property as a tenant or spouse or dependant of a tenant unless that tenant, spouse or dependant is registered as such in the records kept by the responsible officer in terms of section 4(2)(f) and the tenant has been issued with a Council document as evidence of registration.

*Offences and Penalties*

13. Any person who contravenes these by-laws shall be guilty of an offence and liable to:—

- (a) a fine specified in the Second Schedule; or
- (b) eviction.

*First Schedule (Fees)*

**Commercial Properties**

Description	Section	Amount (USD)
Lease Rentals per month- Council Properties		
Application fee (Occupation of Council properties)	5 and 6	10.00
Base Stations/month	5 and 6	250.00
LP Gas stand per month - Wholesale	5 and 6	200.00
LP Gas stand retail	5 and 6	62.51
Firewood Stalls per month	5 and 6	62.51
Branded kiosks	5 and 6	30.00
Car wash	5 and 6	50.00
Car sale	5 and 6	350.00
Car park	5 and 6	75.00
Monthly Open Market (last wknd of the month)	5 and 6	\$5.52 per day
Food Stalls	5 and 6	30.00

## Residential Properties

### Staff Houses

6A & B	5 and 6	40.00
7	5 and 6	60.00
8	5 and 6	60.00

### Second Schedule (*Penalties*)

Section	Description	Amount (USD)
16	Obstruction of Authorised Official	100.00

Statutory Instrument of 2025

[CAP.29:15

## 18. City of Mutare (Registration and Licensed Premises) By-laws, 2025

### Arrangement of Sections

#### Sections

1. Title
2. Application
3. Interpretation of terms
4. Premises to be licensed
5. Issue of licences
6. General requirements for all food-handling premises
7. Requirements for cafés, restaurants, tea-rooms, hotels, boarding-houses and lodging-rooms
8. Requirements of butcheries and fishmongers' shop
9. Requirements for bakeries and food-factories
10. Requirements for food-purveyors and caterers
11. Requirements of food vending machines
12. Requirements for barbers and hairdressers
13. Requirements for laundries, launderettes and laundry depots
14. Requirements for stables and for keeping equine animals
15. Bulk water
16. Grain Buying
17. Liquefied Petroleum Gas trading
18. Grinding mill
19. Sand Mining
20. Sand Abstraction
21. Fish Pond
22. Service Providers
23. Display of by-laws, licence and registration certificate
24. Prohibitions
25. Inspections
26. Offenses and penalties

First Schedule: Specified business and premises  
Second Schedule: Fees  
Third Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15] approved the following by-laws:

*Title*

1. These by-laws shall be cited as the City of Mutare (Registration and Licensed Premises) By-Laws, 2025.

*Application*

2. These by-laws shall apply within the City of Mutare area.

*Interpretation*

3. In these by-laws –
  - “approved” means approved by the medical officer of health;
  - “bakery product” means bread, biscuits, rolls, tarts, cakes, pies, confectionery or other food-stuffs of a similar nature;
  - “building by-laws” means the Model Building By-laws,
  - “council” means the City of Mutare;
  - “equipment” includes apparatus, furnishings, utensils, vehicles and construction equipment;
  - “fee” means the appropriate fee specified in section 52;
  - “fixed date” means the date specified in section 52;
  - “food” and “article of food” means any substance, in any form, state or stage of preparation, which is intended or is ordinarily used for human consumption and includes ice, but does not include a drug or water;
  - “handling” in relation to food, means the manufacture, preparation, cooking or any other treatment of food and includes the storage or display of food;
  - “health inspector” means a person assigned by the council as a health inspector, and registered as such by the Health Professionals Council of Zimbabwe;
  - “licence” means a licence issued in terms of Part 1 which is valid and current;
  - “licensee” means any person who is the holder of a licence;
  - “licensed premises” means premises in respect of which a licence is issued;
  - “nuisance” means a condition which endangers or is injurious or is likely to endanger or to be injurious to the health or interferes, or is likely to interfere with the ordinary comfort of the public or any section of the public;
  - “officer of health” means a person assigned by the council as an officer of health;
  - “open food” means food which is not in a container of such material and so closed as to preclude the risk of contamination;
  - “perishable food” means food which is liable to deteriorate unless it is maintained at a temperature not exceeding seven degrees Celsius;
  - “premises” means a building or part of a building or any forecourt or yard used in connection with any building or part of any building;
  - “sell” means sell by retail or wholesale and includes barter or exchange or offer or expose for sale;
  - “service providers” means consultancy firms, law firms, auctioneers, churches, medical institutions, herbalists, gyms, financial institutions, educational institutions, non-governmental organizations, parastatals, telecommunications, workshops and garages, labour unions and other commercial buildings.



## PART I

### *Premises to be registered and licensed*

4. (1) No person shall carry out any business specified in the first schedule, or use any premises for any purpose specified in that schedule —

- (a) unless he or she is the holder of relevant licences; and
- (b) except on the premises specified in such licence.

(2) An application for a licence shall be submitted to Council, in the form prescribed by Council.

### *Issue of licences and registration certificates*

5. (1) A licence may be issued for any period not exceeding one year, and shall, notwithstanding the date of issue, expire on the 31<sup>st</sup> of December of the year of issue.

(2) A licence shall be issued—

- (a) if the officer of health is satisfied that the premises conform to the requirements of the Part of these by-laws applicable to the business which the applicant proposes to carry on; and
- (b) upon payment of the appropriate fee.

(3) A licence shall be refused by the officer of health if he or she considers that the premises do not comply with the Part of these by-laws applicable to the business in respect of which application is made.

(4) A licence shall subject to the provisions of these by-laws and any other applicable laws authorise the licensee to carry on the business —

- (a) at the premises; and
- (b) during the period stated in the licence.

(5) The Council may —

- (a) refuse to issue a licence to an applicant who has been convicted of an offence under these by-laws;
- (b) cancel, in writing, any licence if the holder thereof, is convicted of an offence, under these by-laws in respect of the licensed premises.

(6) A licence cancelled in terms of paragraph (b) of subsection (5) shall be surrendered to the council within forty-eight hours of written notice being given to the holder thereof.

(7) A licence shall not be transferred—

- (a) from the premises in respect of which it was issued to any other premises; or
- (b) from the person to whom it was issued to any other person.

(8) The application fee for a licence is specified in the second schedule.

(9) A licence shall be issued in terms of section 25.

(10) The current licence shall be fixed and maintained in a conspicuous place on all licensed premises.

(11) Any person who ceases to operate in a licenced premises, shall notify council within 30 days. Any person who fails to notify council shall be liable to a penalty specified in the third schedule.

## PART II

*General requirements for all food-handling premises*

6. (1) No person shall use any premises for the handling of any food in the course of carrying on any business specified in the Second Schedule unless he or she complies with the provisions of this Part.

(2) In all premises where any business referred to in subsection (4) is carried on, the following provisions shall be complied with —

- (a) the premises shall be connected to the water-supply of the council or a water-supply approved by the council;
- (b) lighting and ventilation shall be provided in accordance with the provisions of the building by-laws;
- (c) the floors of every room in which food is handled shall —
  - (i) be constructed of cement, concrete or other approved impervious material, brought to a smooth finish; and
  - (ii) when so required by the officer of health, be sufficiently graded and drained to a gully connected to the drainage system;
- (d) the walls of every room in which food is handled shall be constructed of brick, concrete or other approved material, and the internal surface of every such wall shall be finished to the satisfaction of the officer of health;
- (e) all junctions between wall and floors in rooms where food is handled shall be coved;
- (f) every room in which food is handled shall have a ceiling or other approved means of preventing the entry into the room of dust from above;
- (g) adequate storage facilities shall be provided by means of —
  - (i) glazed show-cases, cabinets or other approved facilities for the protection of open food from the risk of contamination by dirt, dust or flies, or in any other manner whatsoever; and
  - (ii) refrigerators, refrigerator-counter or refrigerated rooms for perishable food, which shall be capable of being maintained at a temperature not exceeding seven degrees Celsius; and
  - (iii) store-rooms or other approved vermin-and rodent-proof facilities for bulk food;
- (h) an approved number of wash-hand basins, with a piped supply of hot and cold water connected thereto, shall be provided in a position conveniently accessible for all persons engaged in the handling of food;
- (i) an approved number of wash-hand sinks; with a piped supply of hot and cold water connected thereto, shall be provided and such sinks shall be of stainless steel or other similar material, and shall be adequate for the washing of all equipment used in the handling or consumption of food;
- (j) all tables, equipment and furniture in or upon which food is handled shall be of stainless steel or other approved impervious material;
- (k) approved sanitary accommodation shall be provided for employees of each sex, and, when so required by officer of health, there shall be provided, for the exclusive use of food-handlers, sanitary accommodation which —
  - (i) forms an integral part of the building accommodating the business; and

- (ii) shall be entered from within the building;
- (l) approved facilities shall be provided for the storage of employees' clothing;
- (m) a sufficient yard, paved throughout, shall be available for the use of licenced premises, and direct access shall be provided from the premises of such yard;
- (n) a platform, constructed of concrete or other impervious material, for the placing of refuse-bins shall be provided in an approved position, and, when so required by the officer of health, such platform shall be roofed, graded and drained to a gully connected to the drainage system and provided with a piped water supply.

(3) In premises which were used for the handling of food in connection with any business specified in the Second Schedule on the fixed date, the officer of health may relax or waive the requirements of paragraph (b) of subsection (2) if he or she is satisfied that —

- (a) the premises cannot reasonably be made to comply with those requirements; and
- (b) no danger to public health is likely to arise if such requirements are waived.

(4) No food which has been produced or prepared outside the areas referred to in section 2 shall be introduced, distributed or sold within such areas unless the premises where such food was produced or prepared have been approved by the officer of health.

### PART III

#### *Requirements for cafés, restaurants, tea-rooms, hotels, boarding houses and lodging-rooms*

7. (1) In this Part —

- "boarding-house" and "hotel" means premises in which food is prepared or cooked and sold for consumption on the premises, and in which accommodation is provided for five or more persons who are not members of the family of the occupier of such premises;
- "café" or "restaurants" means premises in which food is prepared or cooked and sold for consumption on or off such premises, and includes a fish-fryer's shop, but does not include a bakery, a butchery, a fishmonger's shop or a food-factory;
- "lodging-rooms" means premises in which accommodation only is provided for hire or reward for five or more persons who are not members of the family of the occupier of such premises;
- "tea-rooms" means premises in which non-alcoholic beverages only, with or without bakery products, are provided for sale for consumption on such premises.

(2) No person shall carry on the business of a café, restaurant, tea-room, hotel, lodging rooms or boarding-house unless he or she complies with the provisions of Parts I and II.

(3) In all premises where the business referred to in sub-section (2) is carried on, the following additional provisions shall be complied with —

- (a) kitchen accommodation, which may include washing-up areas, shall be provided —
  - (i) with a floor area of not less than one-third of the floor area of the dinning room, and which contains approved facilities for the cleaning, cooking and handling of food; and
  - (ii) with adequate ventilation for the effective removal and innocuous disposal of hot air and fumes;

Provided that, in the case of tea-room where no kitchen accommodation is

provided, an area of not less than five square meters shall be provided for the preparation of beverages and foodstuffs;

(b) approved sanitary accommodation shall be provided for the use of patrons —

- (i) in cafes and restaurants where food is consumed on the premises; and
- (ii) in boarding-houses and hotels where persons other than residents are catered for;

Provided that, in premises which were used as a café, restaurant, hotel, lodging rooms or boarding-house before the fixed date, the officer of health may relax or waive the requirements of subparagraph (i) and (ii) of paragraph (a) and paragraph (b) of subsection (2) of this section if he or she is satisfied that —

- (a) the premises cannot reasonably be made to comply with those requirements; and
- (b) no danger to health is likely to arise if such requirements are waived.

(4) No person shall carry on the business of providing lodging-rooms unless he or she complies with the provisions of Part I.

(5) In all premises where the business referred to in sub-section (4) is carried on, the following provisions shall be complied with —

- (a) the premises shall be connected to the water-supply of the council or water-supply approved by the council;
- (b) the total area of all windows in each room in such premises shall be equal to at least one-tenth of the floor area of each room, and approved means of through-ventilation or cross-ventilation for each room shall be provided.

(6) No person shall carry on the business of a hotel or boarding-house or of providing lodging-rooms unless —

- (a) bathrooms and wash-hand basins are provided in an approved position within the premises —
  - (i) in the proportion of one bath and one basin for every six residents or part thereof; and
  - (ii) with a minimum of one bathroom for each sex, clearly marked as being for the use of either men or women; and
  - (iii) with a piped supply of hot and cold water connected to each bath and basin;
- (b) approved sanitary accommodation for residents is provided within the premises—
  - (i) in an approved position; and
  - (ii) with a minimum of one water –closet for each sex ,clearly marked as being for the use of either men or women; and
  - (iii) in rooms separate from the bathrooms ,excluding bathrooms *en suite*

Provided that, where accommodation includes bathrooms and water – closets *en suite*, such residents and facilities shall not be included when assessing the number of bathrooms and water –closets required for the remainder of the accommodation.

(7) Every person carrying on the business of a hotel or boarding-house or of providing lodging-rooms shall—

- (a) provide for each person occupying a room at least five square metres of floor space ;and
- (b) provide adequate artificial lighting in any bathroom ,entrance ,passage and sanitary accommodation; and
- (c) supply, for the use of residents, bedding, blankets, bed linen and towels which are clean and in good repair.

(8)The provisions of these by-laws shall not apply to hotels which are registered in terms of the relevant Act.

(9) All hotels registered under the relevant authority shall submit their proof of registration to council for the purposes of registration with Council.

#### PART IV

##### *Requirements of butcheries and fishmongers' shop*

8. (1) In this part—

“butcher” means any person who sells butcher’s meat for human consumption;

“butcher’s meat” means the flesh or offal’s of any bovine, ovine, caprine, porcine, equine or game animal, but does not include products manufactured from such flesh or offal’s, or bacon, ham or biltong , or canned or cooked meat;

“butcher’s shop” means premises used for carrying on the business of butcher and includes any forecourt or yard used in connection with such business;

“fish” means the flesh or offal of any fish intended for human consumption and include fresh or frozen fish ,but does not include which has been canned ,cured ,smoked or dried ,or fish made up into sealed packets in an approved manner for sale from-deep freeze units;

“fishmonger” means any person who sells fish, other than fried fish, for human consumption;

“fishmonger’s shop” means any premises used for carrying on the business of a fishmonger, and includes any forecourt or yard used in connection with such business

(2) No person shall carry on the business of a butcher or fishmonger unless he or she complies with the provisions of Parts I and II

(3) In all premises where the business referred to in subsection (2) is carried on, the following additional provisions shall be complied with—

- (a) a thermostatically controlled refrigerated room shall provide with a capacity of not less than six cubic metres and fitted with hanging-rails and shelving or racks of non-corrodible material:

Provided that, in fishmonger’s shops, adequate cold-storage facilities, to the satisfaction of the officer of health, may be provided instead of a refrigerated room;

- (b) Serving counters shall be provided ,of approved impervious material, supported on a solid ,impervious pedestal or so constructed as to afford a clear view from the front of the back of such counter;
- (c) A sufficient number of containers of metal or other approved material shall be provided for the reception of all meat or fish waste.

(4) No person who carries on the business of a butcher shall—

- (a) carry out fat-rendering or cooking in his or her butcher's shop in such a manner as to cause a nuisance;
- (b) use or permit the use of sawdust on the floor in his or her butcher's shop;
- (c) keep any live animal or poultry or carry on the slaughtering or dressing of any animals or poultry, in his or her butcher's shop.

(5) No persons shall convey any butcher's meat except in a suitable vehicle which is—

- (a) constructed in accordance with the requirements of the officer of health; and
- (b) use solely for the conveyance of butcher's meat or meat products; and
- (c) kept thoroughly clean at all times; and
- (d) maintained so as to prevent such butcher's meat or meat products from coming into contact with flies, dust, dirt or any unclean matter or thing; and
- (e) provided with a separate clean box or clean compartment for containing offal , and so constructed as to prevent any contact between such offal and such butcher's meat

Provided that the officer of health may relax or waive the requirements of paragraphs (b) and (e) in respect of vehicles used for delivery of butcher's meat from butcher's shops if such meat is contained in an approved wrapping of such quality as will preclude the risk of contamination of such butcher's meat.

(6) In this section—

“offal” shall not include clean tripe, or heads and feet which have been skinned and cleaned, or liver, kidneys, hearts, tongues and brains.

## PART V

### *Requirements for bakeries and food-factories*

9. (1) In this Part —

“aerated water” means every kind of non-alcoholic, effervescent liquid prepared for human consumption and sold in bottles, syphons, casks or other vessels;

“aerated water factory” means any premises in which the manufacture or preparation of aerated water, soft drinks or cordials is carried on;

“baker” means a person whose business it is to carry on baking or the manufacture of bakery products for sale for human consumption;

“cordial” includes every kind of non-alcoholic liquid, whether frozen or not, which is —

- (a) intended for human consumption; and
- (b) ordinarily diluted before being consumed;

“food-factory” means any premises in which food is manufactured or prepared or packed or repacked for sale from premises other than those in which such food is manufactured or prepared or packed or repacked, and shall include an aerated-water factory but not a slaughterhouse or a dairy;

“soft drink” includes every kind of non-alcoholic liquid other than aerated water, whether frozen or not, which is —

- (a) intended for human consumption; and
- (b) not ordinarily diluted before being consumed.

(2) No person shall carry on the business of a bakery or food-factory unless he or she complies with the provisions of Parts I and II.

(3) In all premises which a business referred to in subsection (2) is carried on, the following additional requirements shall be complied with —

- (a) approved dough-making machines shall be provided and used for the mixing of dough or butter;
- (b) the opening of any boiler or oven-furnace shall be sited outside any room in which food is handled, and at least three metres from any part of any door or window of such room;
- (c) the premises shall not form part of, or communicate directly with, any other premises in which processes other than those connected with the handling of food are carried on;
- (d) approved facilities shall be provided for the washing and sterilizing of all bottles, syphons, vessels and other containers used in the handling of food and drink:

Provided that, in premises which were used as a bakery or a food-factory before the fixed date, the officer of health may relax or waive the requirements of paragraph (b) if he or she is satisfied that —

- (i) the premises cannot reasonably be made to comply with these requirements; and
- (ii) no danger to health is likely to arise if such requirements are waived.

## PART VI

### *Requirements for food-purveyors and caterers*

10. (1) In this Part —

“caterer” means a person whose business it is to supply food on or at premises other than licensed premises;

“food-purveyor” means any person whose business is to sell food for human consumption, and does not include a meat-purveyor and a fruit-and-vegetable dealer, but does not include a hawker, a street vendor or a street food-vendor;

“food-purveyor’s shop” means any premises used for the purpose of the business of a food-purveyor;

“meat-purveyor” means any person whose business it is to sell prepacked butcher’s meat for human consumption;

“prepacked butcher’s meat” means butcher’s meat which has been prepared, wrapped and chilled in approved premises.

(2) No person shall carry on the business of food-purveyor or a caterer unless he or she complies with the provisions of Parts I and II.

Provided that —

- (i) the premises where no preparation or cooking of food or handling of open food is carried on, the officer of health may relax or waive the requirements of paragraphs (i) and (k) of subsection (2) of section 6; and
- (ii) any person who is the holder of a licence in respect of any premises in which food is handled shall not be required to obtain a food-purveyor's licence in respect of the same premises.

## PART VII

### *Requirements of food-vending machines*

11. (1) In this Part —

“food-vending machine” means an automatic machine from which food is dispensed upon the deposit in such machine of the appropriate coin specified on or for such machine.

(2) No person shall carry on the business of dispensing food from a food-vending machine unless he or she complies with the provisions of Part I.

(3) No person shall install a food-vending machine, or permit a food-vending machine to be installed, or to remain installed, on any premises unless —

- (a) the premises comply with the provisions of Part II; and
- (b) the machine is in a position on the premises which enables it to be replenished or recharged with food from within the premises; and
- (c) if perishable food is to be dispensed, such machine is —
  - (i) fitted with a thermometer which indicates the temperature at which perishable food in the machine is maintained; and
  - (ii) provided with an automatic trip-switch which operates to prevent the dispensing of any perishable food from the machine if the temperature within the machine exceeds seven degrees Celsius.

(4) No person shall dispense food or permit food to be dispensed from a food-vending machine unless such food is prepared in approved premises and is contained in hygienically sealed packets:

Provided that the officer of health may permit food to be dispensed from a food-vending machine in an unwrapped state if he or she is of the opinion that the consumption of such food by humans will not constitute a danger or be injurious to health.

(5) Every licensee of food-vending machine shall —

- (a) maintain such machine in a thoroughly clean condition; and
- (b) strip and thoroughly clean and sterilize all containers used for dispensing liquid foods from the food-vending machine at each refilling, or once a week, whichever is the lesser period; and
- (c) take precautions to ensure that all perishable food in the food-vending machine is —
  - (i) kept at a temperature not exceeding seven degrees Celsius; and
  - (ii) removed from such machine if the temperature within the machine exceeds seven degrees Celsius.

(6) If, upon examination of a food-vending machine or any food therein, the officer of health or a health inspector is of the opinion that such machine or such food is, or is likely to be, a danger to health, he or she may prohibit the use of such machine until he or she is satisfied that such danger has ceased to exist.

(7) Nothing contained in this Part shall be deemed to prohibit the dispensing of hot food from a vending-machine if —



- (a) such food is maintained at a temperature not less than sixty-three degree Celsius; and
- (b) the provisions of this section are complied with *mutatis mutandis*.

## PART VIII

### *Requirements for barbers, beauticians and hairdressers*

12. (1) In this Part —

“barber or hairdresser” means any person who carries on the business of shaving, cutting or dressing the hair of human beings;

“barber’s or hairdresser’s shop” means any premises in which the business of barber, hairdresser or beautician is carried on;

“beautician” means any person whose job is to give people beauty treatment.

(2) No person shall carry on or conduct the business of a barber, hairdresser or beautician unless he or she complies with the provisions of Part I.

(3) In all premises where the business referred to in subsection (2) is carried on, the following provisions shall be complied with —

- (a) All parts of the premises shall be lighted and ventilated in accordance with the provisions of the building by-laws;
- (b) An adequate number of wash-basins or other approved fitments with an adequate supply of piped hot and cold water connected thereto shall be provided;
- (c) the splash-back area to every basin of fitment shall be covered with glazed tiles or other approved material to a height of not less than five hundred millimetres above and for the full width of the wash-basin or fitment;
- (d) the surfaces of all shelves or furniture on which instruments used by any barber, beautician or hairdresser shall be of glass or other approved material;
- (e) the floors shall have an even surface capable of being easily cleaned;
- (f) the walls shall be so constructed as to be easily cleaned;
- (g) approved sanitary facilities shall be available for customers and employees of each sex;
- (h) no part of the premises shall be used as a dwelling or place where food is handled:

Provided that a part of the premises may be approved for the preparation of refreshments incidental to the business, upon such conditions as may be specified, in writing, by the officer of health.

(4) Every barber, beautician and hairdresser, and every person in his or she employ, shall —

- (a) at all times maintain his or her premises, equipment and instruments in a state of thorough cleanliness and in good repair;
- (b) wear clean, approved clothing;
- (c) use a clean towel or covering for each customer;
- (d) use soap in liquid, powdered or tube form only;
- (e) use styptic agents in liquid or powder form only;
- (f) ensure that all hair cuttings are placed in an approved, covered receptacle provided for the purpose;
- (g) after each time of use on any one customer, clean and disinfect all scissors, clippers, combs, brushes and other instruments or equipment used in any process of, or incidental to, his or her work;
- (h) use only hair-brushes or neck-brushes which shall be clean, and washed and disinfected at least once every day.

(5) No barber, beautician or hairdresser shall permit any person who appears to him or her to be verminous, or suffering from any disease of the skin or hair, or from any infectious, contagious or communicable disease, to remain in his or her shop.

(6) Every barber, beautician or hairdresser shall, if he or any person in his or her employ is apparently suffering from any disease of the skin or hair, or from any infections, contagious or communicable disease, immediately —

- (a) ensure that such person ceases working in such premises; and
- (b) notify the officer of health of such disease.

(7) No barber's, beautician's or hairdresser's shop shall be used as, or communicate directly with, a sleeping apartment or place used for the preparation or storage of food.

(8) No person shall deposit, throw or place, or cause to be deposited, thrown or placed, upon any street, sidewalk or public place any human hair.

(9) No person shall carry on or perform any hairdressing or haircutting in any street or any place except in a designated shop.

(10) No barber's, beautician's or hairdresser's shop shall be used for any purpose other than the carrying on of the business of a barber, beautician or hairdresser without the approval of the officer of health.

## PART IX

### *Requirements for laundries, launderettes and laundry depots*

13. (1) In this Part —

“dry-cleaning” means cleaning with spirit or any means other than with water;

“laundry” means any premises or place in which washing or dry-cleaning is carried on for payment, but excludes a launderette;

“launderette” means premises in which —

- (a) domestic-type washing-machines, with or without domestic-type ironing-appliances, are provided by the occupier for the use of his or her customers, whether or not such washing-machines or ironing-appliances are operated solely by the customer; and
- (b) fewer than five persons are employed on the premises;

“laundry depot” means any premises utilized by the licensee of any laundry or launderette for the reception or storing of wearing-apparel, household and domestic linen or other textiles or fabrics intended for washing;

“washing” means to wash, clean by any means, mangle or iron articles of wearing-apparel, household or domestic linen or other textiles or fabrics, and includes any process incidental thereto.

(2) No person shall carry on the business of a laundry or launderette unless he or she complies with the provisions of Part I.

(3) In all premises where the business referred to in subsection (2) is carried on, the following provisions shall be complied with —

- (a) the premises shall be connected to the water-supply approved by the council;
- (b) all parts of the premises shall be lighted and ventilated in accordance with the provisions of the model building by-laws;

- (c) effective means shall be provided for the removal from the premises of all vapours, gases and dust, and for their innocuous disposal into the open air;
- (d) the walls shall be so constructed of brick, concrete or other approved material, and their internal surfaces shall be plastered and brought to a smooth finish and covered with a light-coloured, washable paint or other approved impervious material;
- (e) the floors shall be constructed of smooth cement, concrete or other similar approved substantial and impervious material, and when so required by the officer of health, shall be sufficiently graded and drained to a gully connected to the sewerage system;
- (f) all junctions between walls and floors shall be coved;
- (g) approved sanitary accommodation and ablution facilities shall be provided for employees of each sex;
- (h) change-room facilities for employees shall be provided, to the satisfaction of the officer of health;
- (i) a store-room or other approved facilities shall be provided for the storage of soap, dry-cleaning fluids and other articles incidental to the business;
- (j) no part of the premises shall be used as, or communicate directly with, a dwelling or place where food is prepared, handled or stored;
- (k) all tables, shelving and other furniture used in the laundry or launderette shall be of approved impervious material.

(4) No person shall use any premises as a laundry depot unless he or she complies with the provisions of Part I.

(5) In all premises where the business referred to in subsection (4) is carried on, the following provisions shall be complied with —

- (a) the internal surfaces of the walls shall be so formed as to be capable of being easily cleaned;
- (b) the laundry depot shall not form part of, or communicate directly with, any dwelling or premises, or portion of any dwelling or premises, on which is carried on any trade, business or occupation involving the manufacture, preparation, handling, sale or storage of articles of food or drink or the business of a hairdresser;
- (c) containers of metal or other approved material shall be provided for the storage of soiled or dirty articles prior to removal to the laundry or launderette;
- (d) a wash-hand basin, with a piped supply of hot and cold water connected thereto, shall be available on the premises for the use of any person engaged in the handling of soiled or dirty articles.

(6) Every licensee or person in charge of a laundry, launderette or laundry depot shall—

- (a) keep the premises at all times in a clean and sanitary condition, and in good repair;
- (b) maintain at all times in a clean condition all equipment, utensils and vehicles used in connection with the business;
- (c) cause every person, while employed in the laundry or launderette, to wear clean overclothing;
- (d) provide and maintain a sufficient supply of soap, nail-brushes and clean towels or other approved drying facilities for the use of persons employed on the premises;
- (e) keep untreated articles at all times isolated from all treated articles, and all articles shall, in all other respects, be so handled, treated and transported without being exposed to contamination or infection;
- (f) take all reasonable measures to maintain his or her premises free from flies, rodents, cockroaches or other vermin;
- (g) keep in the premises only such articles as have been, or are required to be, washed or dry-cleaned;
- (h) maintain his or her name and address legibly written in a conspicuous position on every vehicle used for the conveyance of articles which have been washed or are collected for the purpose of washing.

(7) Nothing in these by-laws shall be deemed to apply to any washing carried out in a private dwelling-house.

(8) No person who is known or suspected to be suffering from any infectious or contagious disease, or who is known or suspected to have been in contact with any person suffering from any infectious or contagious disease, shall —

- (a) remain or be employed in any laundry, launderette or laundry depot; or
- (b) perform any duty or do any act connected with a laundry, launderette or laundry depot:

Provided that the officer of health may, where he or she is satisfied that no risk of the spread of disease is involved, exempt any person from the requirements of this subsection.

## PART X

### *Requirements for stables and for keeping equine animals*

14. (1) In this Part —

"dwelling" means any house, hut, room, shed or other structure or place the whole or part of which is used as a human abode;

"keep" includes to keep, stable, walk exercise, rest, feed or permit to remain;

"premises" includes any piece of land registered as a stand, lot or plot, or in any other manner, in a deeds registry;

"stable" means any building, shed or structure in which equine animals are kept;

"trade premises" includes any premises to which members of the public resort for the purchase of goods or services, or goods and services, but does not include any land used for an agricultural show or an approved enclosed market.

(2) No person shall cause or permit any stable to be used or keep any equine animal on any premises unless he or she complies with the provisions of Part I.

(3) Every stable referred to in subsection (2) shall comply with the following requirements —

- (a) the walls and floors shall be constructed of brick, concrete or other approved material; and
- (b) the roof shall be so constructed as to be thoroughly waterproof; and
- (c) natural lighting and ventilation shall be provided in accordance with the provisions of the model building by-laws; and
- (d) a floor space of not less than five comma five square metres shall be provided for every equine animal:

Provided that the provisions of this subsection shall not apply to stables which were in existence before the fixed date until a period of six months has elapsed from the date of which a person who uses a stable or keeps an equine animal on his or her premises receives notice, in writing, from the officer of health requiring him or her to comply with the requirements of this subsection by a specified date.

(4) No person shall keep any equine animal on any premises, other than licensed premises, unless the written consent of the officer of health has been obtained.

(5) The officer of health may withdraw any consent given in terms of subsection (4) if, in his or her opinion, the keeping of equine animals on the premises is causing a nuisance.

(6) No person shall keep any equine animal —

- (a) on any premises less than nought comma eight hectare in extent; and

- (b) at a density greater than one equine animal for each complete nought comma four hectare of land; and
- (c) on any premises which are not adequately fenced so as to prevent the animals straying therefrom; and
- (d) in such a manner as to cause a nuisance:

Provided that, on any premises in excess of four hectares, the number of equine animals which may be kept shall be at the discretion of the council.

(7) The officer of health may relax or waive the requirements of paragraphs (a) and (d) of subsection (6) in respect of any premises which were used for the keeping of equine animals before the fixed date if he or she is satisfied that no nuisance is likely to arise if such requirements are waived.

(8) No person shall, after the fixed date, erect any stable unless it is situated at least —

- (a) thirty metres from the nearest dwelling on any adjacent premises; and
- (b) fifteen metres from —
  - (i) any water-supply other than a stand-pipe; and
  - (ii) the boundary of the premises; and
  - (iii) any trade premises.

(9) Every person who keeps any equine animals on any premises shall —

- (a) maintain the stable in a clean condition and in good repair; and
- (b) at least once in every twenty-four hours, cause all manure to be —
  - (i) removed therefrom; and
  - (ii) disposed of, to the satisfaction of the officer of health or a health inspector; and
- (c) provide a sufficient and wholesome supply of water for drinking and cleaning purposes.

(10) Owners or lessees of stables shall take all necessary precautions to prevent breeding of flies, and shall, when required so to do, use such traps and insecticides for the destruction of flies as may be considered necessary by the officer of health.

#### *Bulk water*

15. (1) In this part—

“bulk water” means water intended for potable and non-potable uses delivered to consumers or water purveyors by means other than pipeline or bottled water.

(2) No person shall be allowed to deliver bulk water without obtaining a licence from council.

#### *Grain Buying*

16. (1) In this part—

“grain buying” means local trade in cereals and other food grains such as wheat, barley, maize, rice, oil seeds and beans.

(2) Any person involved in the business of grain buying shall be required to obtain a permit from council.

#### *Liquefied Petroleum Gas trading*

17. (1) In this part—

“liquefied petroleum gas trading” means the trading in gas for domestic use.

(2) No person shall be allowed to carry out gas trading in council area without a valid licence from council.

#### *Grinding mill*

18. (1) In this part—

“grinding mill” means a machine used for the wet or dry fine crushing of any non-metallic mineral including hammer, roller, road, pedal, ball and fluid energy.

(2) No person shall be allowed to carry out milling business without obtaining a valid permit from council.

#### *Sand Mining*

19. (1) In this part —

“sand mining” means extraction of sand mainly through an open pit;

(2) No person shall be allowed to engage in sand extraction and selling the same within the council area.

(3) The activities of sand mining shall be the prerogative of the council.

(4) Individuals or companies who are interested in sand mining may engage council through a memorandum of understanding and the council shall issue out a permit.

#### *Sand Abstraction*

20. (1) In this part —

“sand abstraction” means the process of drawing water from sand rivers.

(2) Any person engaging in sand abstraction business is required to obtain permission from council.

#### *Boat Cruising*

21. (1) In this part —

“boat cruising” means any activities in a water vessel within a river or dam for leisure or vacationing purposes.

(2) Any person engaging in boat cruising activities is required to obtain a permit from council.

#### *Fish Pond*

22. (1) In this part —

“fish pond” means a retention basin used in aquaculture for fish farming

(2) Any person engaging in fish farming is required to obtain a permit from council.

#### *Service providers*

23. The following service providers shall be registered with the council subject to the payment of an annual fee specified in the second schedule; consultancy firms, law firms, auctioneers, medical institutions, herbalists, gyms, financial institutions, educational institutions, non-governmental organizations, public entities, parastatals, telecommunications, labour unions and cooperatives.

#### *Display of by-laws and registration certificate or licence*

24. (1) A copy of these by-laws, may be obtained on application to the Council for a prescribed fee.

(2) A current registration certificate or licence shall be fixed and maintained in some conspicuous place on all premises registered under these by-laws.

(3) Every holder of a registration certificate or licence shall forthwith produce his or her registration

certificate or licence on demand being made by an authorised official.

### Prohibitions

25. (1) If, in the opinion of the Environmental Health Officer or Environmental Health Technician or a health inspector, food which is sold or prepared at any food-premises registered in terms of these by-laws is adulterated, unwholesome or diseased, the council may, by order, prohibit—

- (a) the sale of any food prepared on such premises; or
  - (b) the sale of any food on or from such premises.
- (2) If any food-premises registered in terms of these by-laws become unfit for the sale, storage or preparation of food, whether by reason of failure to comply with the provisions of these by-laws or any other cause, the council may, by order, prohibit—
- (a) the sale of any food prepared on such premises; or
  - (b) the sale of any food on or from such premises.
- (3) If any premises registered in terms of these by-laws other than food-premises, become unfit for the carrying on of the trade or business for which such premises are registered, the council may, by order, prohibit the carrying on of such trade or business within such premises.
- (4) In making any order in terms of subsection (1), (2) or (3), the council shall inform the holder of the registration certificate or licence issued in respect of the premises concerned of—
- (a) the reason for the issue of the order, and
  - (b) the measures, if any, which the council considers that he or she should take to secure the rescission of the order.
- (5) No person shall—
- (a) sell any food on or from any premises; or
  - (b) carry on any trade or business within any premises;

In respect of which the council has issued an order in terms of subsection (1), (2) or (3) unless—

- (i) he or she has taken any measures specified by the council in terms of paragraph (b) of subsection (4); or
- (ii) the council or a health inspector is satisfied that the premises are fit for such purpose.

### *Inspections*

26. The officer of health or a health inspector may at all reasonable times enter and inspect any premises to which these by-laws apply, for the purpose of ascertaining whether the by-laws are being complied with.

### Offences and penalties

27. (1) Any person who—

- (a) contravenes or fails to comply with any provision of these by-laws; or
- (b) contravenes or fails to comply with any requirement set out in a notice issued and served to him or her in terms of these by-laws; or
- (c) contravenes or fails to comply with any condition imposed in terms of these by-laws; or
- (d) knowingly makes a false statement in respect of any application in terms of these by-laws; or
- (e) obstructs, hinders or interferes with the Environmental Health Officer or Environmental Health Technician, or authorised official or other official of the Council acting under powers delegated to him or her, in the exercise of any power or the performance of any duty under these by-laws; or
- (f) fails or refuses to furnish to an Environmental Health Officer or Environmental Health Technician or authorised official or other official of the Council acting under power delegated to him or her, with any documentation or information required for the purposes of these by-laws or furnishes a false or misleading document or false or misleading information; or
- (g) fails or refuses to comply with any instruction given in terms of or for the purposes of these by-laws; or
- (h) pretends to be an Environmental Health Officer or authorized official or other official of the Council acting under power delegated to him or her; or
- (i) forges any licence or registration certificate; or
- (j) with intent to deceive, alters or erases any part of a licence or any entry lawfully made thereon; or
- (k) intentionally produces or uses any forged licence which has been unlawfully altered or from which erasures have been unlawfully made; or
- (l) makes any unlawful entry on a licence; or
- (m) who, except as may be authorised in terms of these by-laws, hires, lends, codes, transfers, or in any way whatsoever hands over a licence to any other person; or
- (n) with intent to deceive, makes use for any purpose whatsoever of any licence or registration issued in terms of these by-laws, or for any purpose of these by-laws which is not his or her own;

shall be liable to a fine specified in the third schedule.

(2) A person who causes or incites another person to commit an offence referred to in subsection (1), or who being in a position of authority over another person permits or allows him or her to commit an offence, shall himself or herself be liable to a fine specified in the Third Schedule and council shall cancel a licence if the holder is penalised of any contravention of the provisions of these by-laws.

(3) Any licence cancelled in terms of subsection (2) shall not be renewed until a period of one year has lapsed from the date of cancellation.

(4) Where the licence is cancelled in terms of subsection (4) the holder shall return the licence to the Environmental Health Officer within forty-eight hours of being given notice of such cancellation.



*FIRST SCHEDULE (Section 4)*  
SPECIFIED PREMISES

1. Café.
2. Fish-fryer.
3. Restaurant.
4. Tea-room.
5. Hotel.
6. Boarding-house.
7. Lodging-rooms.
8. Butcher.
9. Fishmonger.
10. Bakery
11. Food-factory.
12. Aerated-water factory.
13. Food-purveyor.
14. Caterer.
15. Meat-purveyor.
16. Fruit-and-vegetable dealer.
17. Food-vending machine,
18. Barber.
19. Hairdresser.
20. Laundry.
21. Launderette.
22. Laundry depot.
23. Stable.
24. Bulk water.
25. Grain buying.
26. Cattle buying.
27. Gas trading.
28. Grinding mill.
29. Sand mining.
30. Sand abstraction.
31. Boat cruising.
32. Fish pond.
33. And other that may be designated by resolution of council.

Second Schedule (Fees)

Description	Section	Amount (USD)	Duration
Licence application fee	4	132.41	per application
Shop Licence fees:			
<b>Shop Size:</b>			
(i) 1 - 10 m <sup>2</sup>	4	307.28	Annual
(ii) 11-30 m <sup>2</sup>	4	386.21	Annual
(iii) 31-50m <sup>2</sup>	4	526.77	Annual

(iv) 51-80m <sup>2</sup>	4	702.36	Annual
(v) 81-120m <sup>2</sup>	4	877.95	Annual
(vi) 121-500m <sup>2</sup>	4	1140.20	Annual
(vii) 501-1000m <sup>2</sup>	4	1316.93	Annual
(viii) 1001 - upwards m <sup>2</sup>	4	1757.0	Annual
<b>Garages: Car Repairs</b>			
(i) 1 - 25m <sup>2</sup>	4	120.00	Annual
(ii) 26-100m <sup>2</sup>	4	150.00	Annual
(iii) 101-200m <sup>2</sup>	4	200.00	Annual
(iv) 201-400m <sup>2</sup>	4	250.00	Annual
(v) 401-500m <sup>2</sup>	4	300.00	Annual
(vi) 501-700m <sup>2</sup>	4	450.00	Annual
(vii) 701-1000m <sup>2</sup>	4	600.00	Annual
(viii) 1001 - upwards m <sup>2</sup>	4	750.00	Annual
<b>Registration Certificates:</b>			
(i) Produce or Firewood Stalls	4	70.00	Annual
(ii) Barber Shops	4	50.00	Annual
(iii) Hairdressing Salons – below 20m <sup>2</sup>	4	307.28	Annual
Above 20m <sup>2</sup>	4	438.98	Annual
(iv) Photographer	4	40.00	Annual
(v) Photographic Studios	4	170.00	Annual
(vi) Dry Cleaners & Laundries Incl their Agencies	4	331.04	Annual
(vii) Media Agencies or Commodity Brokers	4	340.00	Annual

(viii) Traditional Healers and herbal shops	4	331.02	Annual
Inspection Fee-Commercial transport and fuel depots or Manufacturing	4	20.00	
<b>(vi) Depots</b>			
(a) Commercial transport and fuel Depots	4	2633.85	Annual
(b) Commercial depots not classified in (a)	4	1986.21	Annual
(c) Other depots and small Commercial Offices	4	1755.90	Annual
d) Typing services and photocopying Small Large	4	175.59 220.69	Annual
<b>(vii) Manufacturing</b>			
<b>(a) Light industrial</b>			
(i) Panel Beating / Welding	4	882.76	Annual
(iii) Tailors, Knitting, carpentry, stone curving 1-4 machines 5-10 machines	4	175.59 438.98	Annual
<b>(b) Heavy Industrial Includes:</b>			
Foundries class (a)	4	307.28	Annual
All engineering and manufacturing class(b)	4	2633.85	Annual
(c) Liquor manufacturing (Breweries, Wineries etc)	4	3155.11	Annual
Bottle store or liquor retail or wholesale	4	395.08	Annual
<b>(viii) Repair Workshops and Garages</b>			
a) (i) Light Industry standard car repairs / panel beating shops/electronic repair	4	438.98	Annual
(ii) Watch Repairs including jewellers	4	55.17	Annual

(iii) Shoe repairs and cycle repair and other accessory repair workshops	4	99.38	Annual
not covered by (i) & (ii)		50.00	Annual
<b>(b) Heavy Industry or Commercial</b>			
(i) Vehicle repair, Panel beating & Spray painting	4	438.98	Annual
(iii) Cinema Halls,	4	307.28	Annual
(iv) Gym		175.59	
(v) Video Shops		175.00	
(vi) recording bars		175.00	
(iii) (a) Big restaurants & Inns	4	500.00	Annual
(b) Coffee bars,cafes,restaurants, Milk bars etc	4	350.00	Annual
(iv) Microfinance, security firms, Insurance brokers, Money lending	4	1755.90	Annual
(iv) Banks, Parastatals	4	3511.80	Annual
(v) Insurance		882.76	
(vi) Hotels: per room	4	110.35	Annual
lodges	4	66.21	Annual
Boarding houses	4	66.21	Annual
(a) Legal practitioner firms, accountancy firms, consultancy firms, auctioneers, non-governmental organisations, labour unions, Surgeries and Offices run in the practice of a professionally recognised qualification for example Mars	4	350.00	Annual
Private hospitals	4	2000.00	Annual
Private Clinics		438.98	

(d) Works of creative art design	4		Annual
Class (a)	4	43.90	Annual
(xii) Factories	4	1000.00	Annual
(xiii) Bakeries	4	700.00	Annual
(a) In store	4	500.00	Annual
(b) Ordinary	4	600.00	Annual
(xiv) Millers Class B	4	500.00	Annual
(xv) Metered Taxis	4	80.00	Annual
Driving schools (Class 1 and 2)	4	551.73	Annual
Driving school ( Class 4)	4	175.59	Annual
(xvi) Commuter Omnibus	4	200.00	Annual
Offices	4		Annual
Small		307.86	
Large		702.36	
(xvii) Construction company	4	125.02	Annual
Building Contractor ( including specialist services)	4	62.51	Annual
(xviii) Vending Tricycle	4	70.00	Annual
(xix) Preschool /Nursery/ Creche	4		Annual
High Density		220.69	
Low Density		307.28	
(xxi) Cellphone Base station	4	400	Annual
(xxii) Show grounds Temporary	4	40.00	Annual
(xxiii) Cloak rooms	4	70.00	Annual
(xxiv) Grinding mills: Class A	4	62.59	Annual
(xxv) Phone shops or Internet Café	4	198.62	Annual
(xxvi) Garage Licence	4	300.00	Annual

(xxvii) Airtime Vendor	4	20.00	Annual
(xxviii) Car Wash Individuals Commercial/Industrial	4	132.41 263.38	Annual
(xxviii) Money transfer agencies Small Large	4	877.49 1755.90	Annual
Fish Pond:	4	5.00	per square metre
Bulk water	4	200.00	Annual
Advertising agencies (mobile etc)	4	50.00	
<b>Fuels and Gases Fees:</b>			
Fuel Depot	4	2500.42	Annual
Fuel Service Stations	4	1250.21	Annual
LPG Gas Retail ( Upto 900 kgs)	4	500.08	Annual
LPG Gas Bulk (901kgs to 5000 kgs)	4	1000.17	Annual
LPG Wholesale (Over 5001 to 43 000 kgs to )	4	1875.32	Annual
Sand ,gravel ,pit sand ,quarry transport services and any other transport services	4	150.00	Annual
Boat cruise	4	500.00	Annual
Amusement parks	4	175.59	Annual
Fresh produce	4	50.00	Annual

### Third Schedule (Penalties)

Description	Section	Amount (USD)
Operating without a licence or registration from council	4	50.00
Use of unauthorised or unapproved premises	7	50.00
Keeping live animals or slaughtering animals in butchery shops	7	100.00
Operating in a dirty environment	7	40.00
Failure to display a license	24	20.00
Trading in unauthorised class of goods	7	60.00
Selling food prepared from unauthorised premises	9, 10 and 11	100.00
Failure to Comply with requirements for cafés, restaurants, tea-rooms, hotels, boarding houses	7	30.00
Failure to comply with Requirements of butchers and fishmongers	8	30.00
Failure to Comply with requirements for bakeries and food-factories	9 and 11	30.00
Failure to Comply with requirements for laundries, launderettes and laundry depots	13	30.00
Failure to Comply with requirements for stables and for keeping equine animals	14	30.00

## 19. City of Mutare(Taxi Cab) By-laws – 2025

### Arrangement of sections

#### Section

1. Title
2. Area of application
3. Interpretation of terms
4. Plying for hire
5. Application and Renewal of Taxi Operators Permit
6. Cancellation of permit
7. Use of Designated parking places
8. Cleanliness and condition of taxi and appliances
9. Conduct of drivers
10. Terms of permit
11. Permit to be produced on demand
12. Drivers to wear badges
13. Surrender of Permit and badge
14. Duplicate Permit and badge
15. Offences and Penalties

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [Chapter 29:15] approved the following by-laws:

#### *Title*

1. These by-laws will be cited as the City of Mutare(Taxi-Cab) By-laws, 2025.

#### *Application*

2. These by-laws shall apply to the area under the jurisdiction of City of Mutare.

#### *Interpretation*

3. In these by-laws—

“council” means City of Mutare;

“taxi cab” means a public service vehicle having seating accommodation for not more than four passengers which ferries people for a fare.

#### *Taxi cabs plying for hire*

4. (1) No person shall:—

(a) operate a taxi cab within Council area without an operators permit and such operators permit shall be issued upon payment of the prescribed fee and satisfaction of conditions set by Council.

(b) cause or permit a taxi cab to stop for the purpose of picking up or setting down passengers, at any place other than a designated place; or



- (c) cause or permit passengers or goods to be picked up by, or set down from a taxi cab within seven meters of an intersection or corner.
- (2) No taxi cab shall use a route within the Council area unless that route has been designated as a route for such purposes.
- (3) No driver of a taxi shall prevent or seek to prevent any person from engaging any other taxi of their choice.

#### *Application and Renewal of Taxi Operators Permit*

- 5. (1) An application for a Taxi Cab Operators Permit shall be made to Council in the prescribed form upon payment of the prescribed application fee.
- (2) An application for renewal of a Taxi Cab Operators Permit shall be made to Council in the prescribed form upon payment of the prescribed application fee.

#### *Cancellation of permit*

- 6. (1) Council shall cancel a permit if the holder thereof at any time after the issue of the permit has been convicted of any traffic offence in terms of the City of Mutare(Traffic) By-Laws.
- (2) Any permit cancelled in terms of this section shall be returned to the Council by the holder thereof within seven working days of such cancellation.

#### *Use of Designated parking places*

- 7. (1) No Taxi cab shall park at undesignated parking bays.
- (2) In taking his or her stand upon a parking place which has been designated for the use of taxi-cab, the driver of a taxi-cab shall:—
  - (a) take his or her stand in the order of his or her arrival; and
  - (b) stop his or her taxi behind the last taxi, if any, already on such parking place.

#### *Cleanliness and condition of taxi and appliances*

- 8. A duly authorised official of the council shall order the driver of any taxi which is not in a clean and sanitary condition, or in every respect in a state of good repair, to cease from plying for hire until such defects have been remedied, to the satisfaction of Council.

#### *Conduct of drivers*

- 9. Every driver of a taxi shall be cleanly, decently clothed and shall conduct himself or herself in a proper, civil and decorous manner.

#### *Terms of Permit*

- 10. A Permit or renewal thereof shall terminate on the 31<sup>st</sup> of December of the year for which it is granted.

#### *Permit to be produced on demand*

- 11. (1) Every person licensed under these by-laws shall, while in control or charge of a taxi shall display the permit in a conspicuous position.
- (2) A duly authorised official of the Council may at all reasonable times demand from any person in control or charge of a taxi the production of his or her Permit, and such person shall comply with such demand forthwith.

*Drivers to wear badges*

12. (1) Every person licensed in terms of these by-laws shall, while in control or charge of a taxi, wear, in some conspicuous position on his or her person, the taxi drivers badge issued to him or her by the Council.

(2) The badge shall remain council property.

*Surrender of Permit and badge*

13. Upon any licensed person ceasing to carry on the occupation of a taxi driver, or in the event of his or her Permit being suspended or cancelled, he or she shall, within fourteen days of ceasing to carry on the occupation, or within fourteen days of the suspension or cancellation of his or her Permit, surrender his or her Permit and badge, and shall deliver them to the Council.

*Duplicate Permit or badge*

14. On satisfying the Council that a badge has been lost or destroyed and on payment of the appropriate fees, Council shall issue a duplicate Permit or taxi drivers badge bearing the number of the Permit.

*Offences and penalties*

15. Any person who contravenes these by-laws shall be guilty of an offence and liable to:—

- (a) a fine specified in the Second Schedule; or
- (b) impoundment of the vehicle used in committing the offence; or
- (c) cancellation of their operating permit.

FIRST SCHEDULE

FEES

Section	DESCRIPTION	FEE (USD)
5	Application fee to operate a taxi	43.76
5	Permit fee	78.75 per quarter
5	Renewal fee of taxi operating licence	43.76
12	Taxi driver's badge fee	20.00
14	Replacement of a lost or destroyed badge or licence	20.00

Second Schedule (*Penalties*)

SECTION	Description of offence	Penalty (USD)
7	Plying for hire with such taxi from any place other than a parking place which has been designated for the use of taxis	20.00
7	Preventing or seeking to prevent any person from engaging any other taxi.	50.00
11	Failure to display conspicuously within or upon his or her taxi a tariff of fares.	20.00
8	Operating a filthy taxi	100.00
4	Operating a taxi without a rank disc	75.00

4	Cause or permit a taxi or cab to stop for the purpose of picking up or setting down passengers other than a designated place	42.00
4	Use of undesignated route	40.00
4	Allowing any person who is not licenced under these by-laws to drive or to be in control of such taxi.	20.00
4	Late renewal of taxi licence	20.00
11	Failure to produce a license upon request by an authorized person or officer whilst in control or charge of a taxi	20.00
12	Failure of taxi driver to wear a driver's badge whilst in control or charge of the taxi	20.00

Statutory Instrument of 2025

[CAP.29:15

## 20. City of Mutare(Traffic, Clamping and Tow Away) By-laws 2025

### ARRANGEMENT OF SECTIONS

#### Section

1. Title.
2. Application
2. Interpretation.
3. Parking.
4. Motor-vehicle not to project beyond the limits of parking-place.
5. Parking passenger motor-vehicle picking up and setting down of passengers.
6. Parking on sidewalk or foot-path.
7. Visibility obstruction.
8. Parking fee and parking disc.
9. Taxi-cabs plying for hire.
10. Motor Omnibuses
11. Rank discs.
12. Animal drawn vehicles.
13. Heavy vehicles within CBD or residential area
14. Clamping and tow away.
15. Unclaimed vehicles.
16. Designation.
17. Offences and penalties

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], made the following by-laws—

*Title*

1. These by-laws may be cited as the City of Mutare (Traffic, Clamping and Tow-away) By-laws, 2025.

*Application*

2. These by-laws shall apply to the City of Mutare area.

*Interpretation*

3. In these by-laws—

“authorised person” means —

- (c) Council staff members under the relevant department deployed at each designated area to enforce these by-laws; and
- (d) in the event of any resistance to the persons mentioned in paragraph (a) a member of the Zimbabwe Republic Police;

“clamp” means to immobilise a motor-vehicle by means of a wheel clamp;

“Council” means the City of Mutare;

“designated area” means—

- (a) a parking place; or
- (b) any suitable site established as a bus terminus by the Council.

“driver” means the operator of a motor vehicle;

“heavy vehicle” means a motor vehicle exceeding 4 600 kg net mass;

“motor-vehicle” means any vehicle propelled by mechanical or electrical power and intended or adapted for use or capable of being used, on roads, but does not include the following—

- (a) a vehicle propelled by mechanical power and specially designed and constructed (and not merely adapted) for the use of persons suffering from some physical defect or disability, and solely by such person; and
- (b) an auto-cycle;

“parking fee” means a fee paid to Council—

- (a) each time a passenger motor-vehicle stops to pick up and drop off passengers at a designated area;
- (b) each time a motor vehicle uses a designated parking place;

“parking-place” means a place designated by prescribed parking lines so placed on the road surface as to indicate the limits thereof;

“passenger motor-vehicle” means any motor-vehicle that has been registered to carry people for a fee and includes but is not limited to—

- (a) a conventional bus; and
- (b) a minibus;

“rank disc” means a disc issued by the Council in terms of section 12 authorising its holder to use the ranks or terminus designated by the Council;

“section of the road” means the portion of the road lying between two other roads which join it at an angle;

“secure compound” means any area designated under section 17;

“taxicab” means a motor-vehicle for hire by a single passenger or small group of passengers;

“towing away” means the removal by an authorised person of motor vehicle that is parked or stationery in violation of these by-laws;

“towing away and storage charges” means charges prescribed by council;

“traffic ticket” means a notice specifying that an offence against these by-laws has been committed and that is given to the occupant of the motor vehicle or securely affixed to a motor vehicle in a conspicuous position;

“wheel clamp” means a device used to immobilize a motor vehicle that is designed to surround a vehicle wheel in such a manner as to prevent the removal of the wheel and the clamp.

“vehicle” means any vehicle not self-propelled by mechanical, electrical or other power, and includes an auto-cycle, a pedal-cycle, a tricycle, a handcart or any other contrivance which is propelled by or drawn by human power or by any animal, whether such animal is ridden, led or driven.

#### *Parking*

4. (1) Where parking-places have been demarcated in any section of the road, no person shall park a motor-vehicle or a vehicle in any part of that section otherwise than in a parking place.

(2) Except in a case of emergency or in compliance with the direction of a police officer, no person shall park a motor-vehicle or a vehicle—

- (a) so as to obstruct the entrance to, or exit from a service lane; or
- (b) upon a road so as to obstruct the entrance to, or exit from a garage or driveway.

(3) No person shall, cause or permit to be parked any vehicle, in any road, service lane or parking-place designated for passenger motor-vehicles or taxicab, as the case may be.

#### *Motor-vehicle not to project beyond the limits of parking-place*

5. (1) No person shall park a motor-vehicle in a parking-place in such a manner that any part of the motor vehicle or any part of the load thereon extends beyond the limits of the parking-place.

(2) For the purposes of this section “motor-vehicle” includes any trailer or caravan drawn by a motor-vehicle.

#### *Parking passenger motor-vehicle picking up and setting down of passengers*

6. No driver of a passenger motor-vehicle plying for hire shall stop to pick up or set down passengers except at a designated area.

#### *Parking on sidewalk or foot-path*

7. Except for the purpose of crossing a sidewalk or foot-path forming part of a road and set aside for the use of pedestrians, no person shall drive or park a motor-vehicle upon such sidewalk or foot-path.

*Visibility obstruction*

8.(1) No owner or occupier of any land adjacent to any road shall erect a wall or fence, or place or plant, any tree, shrub or hedge in such a manner as to obstruct the visibility of traffic using such road.

(2) Where in the opinion of an authorised person, an obstruction to the visibility of traffic has been caused, the authorised person shall, by written notice served on the owner or occupier of the land concerned, require him or her to take measures to remove such obstruction, within seven days from the date on which the owner or occupier received the notice.

(3) If, after receiving a notice made in terms of subsection (2), the owner or occupier refuses or fails to remove the obstruction, Council shall enter upon the land and remove such obstruction at the owner's expense.

*Parking fee and parking disc*

9. (1) Every owner or driver of a motor-vehicle shall pay a parking fee specified in the First Schedule.

(2) Upon payment of the parking fee, the owner or driver of a motor-vehicle shall be issued a parking disc which he or she shall display on the passenger motor-vehicle.

*Taxi cabs plying for hire*

10. No person shall operate an unregistered vehicle as a taxi cab within council area.

*Commuter Omnibuses*

11. (1) No person shall—

(a) cause or permit a commuter omnibus to stop for the purpose of picking up or setting down passengers, at any place other than a bus stop or a terminus; or

(b) cause or permit passengers or goods to be picked up by, or set down from a vehicle within seven meters of an intersection.

(2) No omnibus may use a route within the Council area unless that route has been designated as a route for such purposes.

(3) Any person who wishes to have a route designated for the purpose of use by commuter omnibuses shall apply to the council for this purpose.

(4) All commuter omnibuses, passing through council area on long routes are required to stop at designated Council bus terminuses.

*Terminus Discs*

12. (1) All passenger motor-vehicles operating in council area shall, pay fees specified in the First Schedule.

(2) Terminus discs issued in terms of subsection (1) shall authorise the holder to use the omnibus terminus.

(3) Each disc referred to in subsection (1) shall be valid for four months.

*Animal drawn vehicles*

13. No person shall cause or permit—

- (a) an animal drawn vehicle to be driven within the urban centres except with written permission from council;
- (b) an animal released from an animal drawn vehicle to wander except in the approved animal parking zone.

*Heavy vehicles within township or residential area*

14. (1) Heavy vehicles and busses shall use only designated routes for transporting, picking up and delivering goods.

(2) No driver of a vehicle shall park a heavy vehicle in the township or residential areas without council permission given in terms of prescribed law.

(3) Any person found in contravention of subsection (2) shall be liable to a fine specified in the Second Schedule.

*Wheel clamping and towing away*

15. (1) An authorised person may, if he or she has reason to believe that a violation of the traffic by-laws has been committed—

(a) immobilise or cause such motor vehicle to be immobilised by way of a wheel clamp after a period of at least one (1) hour has lapsed; and if the vehicle has not been claimed after 2 hours have lapsed and the relevant charges incidental thereto are not paid, the authorised officer shall clamp the vehicle;

(b) if the motor vehicle has not been claimed and the relevant charges incidental thereto not paid, subsequently remove and tow away the motor vehicle to a secure compound after a period of at least four hours has lapsed:

Provided that motor vehicle shall be clamped simultaneously with the issuance of a traffic ticket for the violation of the by-laws. The traffic ticket shall be placed in a secure conspicuous position on the motor vehicle.

(c) if a motor vehicle has been clamped towards the end of working hours and has not been claimed, the authorised officer shall tow away the motor vehicle at the end of the working day to a secure compound.

(2) An authorised person—

(i) may remove or cause to be removed, any motor vehicle immobilised in terms of section 4 of these by-laws to a secure compound; or

(ii) shall remove or cause to be removed with immediate effect, any motor vehicle that is obstructing the flow of traffic, if the owner of the vehicle is not available.

(3) A motor vehicle removed to a secure compound shall be released upon payment by the owner of such motor vehicle of —

- (a) the fine prescribed by Council; and
- (b) wheel clamping, tow away and storage charges specified in the Second Schedule.

*Unclaimed vehicles*

16. (1) Council shall publish a notice in the newspaper circulating within Council, a list of vehicles immobilised and advise the owners to claim the vehicles within a period of thirty days.

(2) In addition to the provisions of subsection (1), the Council shall send a notice to every owner of the motor vehicle that remains unclaimed after the publication of the notice advising the owner to claim the vehicle within a further period of thirty days.

(3) Council shall sell by public auction any vehicle that remains unclaimed 90 days after the dispatch of the notice referred to in subsection (2).

(4) Council shall deduct the expenses incurred from the proceeds of the sale of a motor vehicle and any balance shall be paid to the owner thirty days from the date on which the owner submits a written request to the Council for such payment.

(5) Council shall operate a special account into which money realised from the sale of unclaimed vehicles shall be deposited.

(6) Any money not claimed within one year after the sale of the motor vehicle shall be —

- (a) used by council in making improvements or new developments for vehicular traffic that is parking area or commuter waiting area in the area the crime has been committed; or
- (b) used for acquisition of traffic enforcement devices that are meant to deter the traffic population from committing offences stated in these by-laws; or
- (c) used for awareness campaign programmes related to traffic enforcements.

#### *Designation*

17. Council shall publish in any newspaper circulating within the council-controlled area or electronically —

- (a) any place designated as a secure compound; and
- (b) particulars of every authorised person including—
  - (i) type of uniform used during the working hours by the authorised person;
  - (ii) type of badge if available;
  - (iii) the nature of the identity cards to be possessed by any authorised person;
  - (iv) any such particulars the Council may deem necessary.

#### *Offences*

18. (1) No person shall—

- (a) attempt to obstruct, an authorized person in the exercise of his or her duties under these laws; or
- (b) attempt to remove, remove or cause to be removed a wheel clamp; or
- (c) attempt to remove or cause to be removed a motor vehicle from the secure compound.

(2) Any person found in contravention of these by-laws shall be liable to a fine specified in the Second Schedule.



FIRST SCHEDULE (*Section 3*)

Description	Section	Amount (USD)
Prepaid parking fees	9	1.10 per hour
Monthly disc or monthly per bay	9	85.00
Parking fees for designated parking lots	9	5.00
Application to use animal drawn vehicles in council area	13	30.00
Clamping fees: Light vehicles Heavy vehicles	14	33.10 100.00
Tow away fees: Light Vehicles	14	33.30
Application to park heavy vehicle in Central business District area and residential area	14	120.00
Overnight storage fees: Light vehicles	15	20.00
Tow away fees: Heavy Vehicles	15	200.00
Commuter Omnibus Operators permit application fee	11	62.51
Animal drawn vehicles special permit fee	13	42.00
Terminus Disks ( Per quarter) Upto 18 passengers Upto 33 passengers Above 33 passengers	12	78.75 150.03 187.53
Terminus Disk per day	11	15.00
:Taxi and Class 4 Driving School	12	30.00 per annum
:Class 2 Driving School	12	45.00 per annum
:Class 1 Driving School	12	100.00 per annum
:Heavy Trucks	12	50.00
Bus Terminus Gate Toll (Per entry)-Buses Chipinge/ Chimanimani Harare/Chiredzi/Masvingo Bulawayo/ Gokwe Kwekwe Plumtree Crossborder	12	6.26 12.50 18.76 15.01 25.00 40.47
Bus Terminus Gate Toll (Per entry)- Combi	12	4.00

Second Schedule: Penalties  
(*Section 18*)

Description	Section	Amount (USD)
Causing or permitting a motor vehicle to be parked in designated parking bay without a valid parking disc	5	20.00
Failure to display prepaid parking disk	9	33.10
Park a motor vehicle other than in a parking lane	4	36.75
Park a vehicle or motor vehicle other than extreme left of the road (where parking is not defined) so as to cause obstruction to other traffic.	4	42.00
Park a motor vehicle in such a manner that the vehicle or goods thereon extend beyond parking lines thereby obstructing traffic	5	42.00
Park a motor vehicle upon any road or parking place for the purpose of sale, repair, garage.	4	42.00
Park a motor vehicle in parking place designated for use by motor cycles, taxis or omnibus.	4	42.00
Park a motor cycle, omnibus, taxi, other than in prescribed parking place	4	42.00
Park a pedal cycle other than in prescribed parking area.	4	42.00
Park a motor vehicle in front or across any exit from an entrance to service lane in such a way as to encroach upon the exit from or entrance to such lane except under direction of police officer or during a mechanical breakdown.	4	42.00
Park any vehicle or motor vehicle where a prohibiting instruction of 'NO PARKING SIGN' is displayed.	4	50.00
Unlawful parking in a loading and unloading zone	4	20.00
Taxi-cab parking at any place not designated for a taxi cabs.	10	20.00
Parking any motor vehicle within seven comma five metres (7,5 m) of an intersection unless in case of motor vehicle, it is in parking bay or compelled to do so by police, traffic light or traffic sign.	4	20.00
Motor vehicle or any part of the load thereon extends beyond the limits of the parking-place	5	40.00
Unlawful attempt to obstruct or cause to obstruct an authorised person to exercise duties in terms of these by-laws.	8	100.00
Stop to pick up or set down passengers except at a designated area.	6	120.00
Board or disembark a passenger motor vehicle at an undesignated area	6	5.00
Load or offload goods at an undesignated area.	11	20.00

Operating an unregistered taxi	10	33.10
Operating a Commuter Omnibus without a permit.	11	20.00
Use of undesignated route and stopping at a place other than a designated council terminus	11	40.00
Using animal drawn vehicles within council area without a permit	13	42.00
Heavy vehicles in residential areas and the Central Business District	14	120.00
Failure to use designated routes for transporting, picking up and delivering of goods	14	120.00

Statutory Instrument of 2025

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## 21. City of Mutare (Urban-Agriculture) By-Laws, 2025

### ARRANGEMENT OF SECTIONS

1. Title
2. Application
3. Interpretation
4. Application of these by-laws in relation to other by-laws
5. Allocation of land for urban agriculture
6. Environmental Protection and Management
7. Offences and penalties

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*] approved the following bylaws—

#### *Title*

1. These by-laws may be cited as the City of Mutare (Urban Agriculture) By-laws, 2025 .

#### *Application*

2. These by-laws shall apply to the area under the jurisdiction of the City of Mutare.

### *Interpretation*

#### 3. In these by-laws:—

“council” means City of Mutare;

“deserving residents” include but are not limited to people living with HIV and AIDS, orphaned and vulnerable children, the elderly, the indigent and the destitute people within and ordinarily resident within the City of Mutare;

“irrigation” refers to the watering of crops on land that is more than 200 square metres in extent;

“livestock” means domestic animals such as cattle, sheep, goats, pigs or horses raised for home use or for profit;

“poultry” means domesticated fowls such as chickens, turkeys, ducks, guinea fowl, pheasant, ostriches, pigeons or geese kept primarily for meat and eggs;

“resident” means a person who is ordinarily resident in the area of the Council's jurisdiction;

“urban area” means any area designated by council as such;

“urban agriculture” means farming within or just outside the boundaries of the urban area;

“urban farmer” means any person who practices farming within or immediately beyond the boundaries of an urban area.

#### *Allocation of land for urban agriculture*

4. (1) Any person who is a resident of the council area may carry out urban agricultural activities within the urban area subject to appropriate authorisation from the council.

(2) Any person who wants land for agriculture should apply to council.

(3) Only council shall issue permits to allow land for agriculture within the urban area.

(4) The permit will be valid for a period not exceeding twelve months and allocated land shall not be permanent and council at any time can repossess the land for its intended purpose as per council land use plan.

(5) Council shall determine the types of crops to be grown at any permitted piece of land.

(6) The council shall consider gender, disability and the vulnerability of any groups in the allocation and administration of urban agricultural activities.

(7) Any person who violates subsection (3) and (4) shall be liable to a fine specified in the second schedule.

### *Environmental Protection and Management*

5. (1) No person shall cause environmental damage, pollution or degradation in the process of carrying out urban farming within the urban area.

(2) No person shall erect a structure on the permitted piece of land, without permission from Council.

(3) All crop residues to be removed after harvesting.

(4) No person shall burn any agricultural residue without permission from Council, Environmental Management Agency and Forestry Commission.

(5) Any person who is engaged in cultivation of crops within the urban area shall take measures to ensure that:

(a) the use of chemicals and fertilisers does not cause pollution of underground water sources or surface water sources including dams, rivers, wells, aquifers or any other water source or damage to soils, grass, trees, plants or any other vegetative cover;

(b) the cultivation on or close to ecologically sensitive areas including the banks of any naturally defined stream or river, wetland, aquifer or any natural watercourse must be at least 30m away.

(6) Any person who contravenes subsections (1), (2), (3), (4) and (5) shall be liable to a fine specified in the second schedule.

(7) In addition to any penalty that may be imposed in subsection (5), any person who causes pollution or environmental degradation shall meet the costs of remedying such pollution or environmental degradation and any resultant adverse health effects, as well as the cost of preventing, controlling or minimising further pollution, environmental damage or adverse health effects.

#### *Offences and penalties*

6. Any person who contravenes any provision of these bylaws shall be liable to fine specified in the Second Schedule.

#### *First Schedule (Fees)*

Section	Description	Fees (US\$)
4	Application fee for permit to carry out urban agriculture	5.00
	Permit fee	12.50
5	Application for permit to erect structures	5.00
	Permit fee	20.00

## Second Schedule (*Penalties*)

Section	Description	Penalty (US\$)
4	Using land for agriculture without a permit	20.00
4	Growing crops that are not permitted by Council	20.00
5	Causing environmental damage, pollution or degradation	50.00
5	Erecting a structure on the piece of land without a permit from Council	50.00
5	Failure to remove crop residue after harvesting	5.00
5	Burning any agricultural residue without a permit	50.00

Statutory Instrument of 2025

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## 22. City of Mutare (Water, Sewerage and Drainage) By – Laws, 2025

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### PART I PRELIMINARY

1. Title
2. Application.
3. Interpretation of terms

### PART II SUPPLY OF WATER

4. Application for water supply services
5. Provision of connection pipe
6. Payment for water supply services
7. Termination, restoration, discontinuation of water supply services
8. Payment in respect of prepayment meters
9. Disconnection of supply on termination of agreement
10. Quality of water
11. Pressure of water
12. Special conditions relating to supply of water by portable meter

13. Supplies for building purposes

### PART III METERING

14. Provision of meter
15. Meters generally
16. Quantity of water registered and payment thereof
17. Entry in books of council binding
18. Dissatisfaction with reading
19. Failure of meter to register.

### PART IV WATER SUPPLY FOR FIRE-FIGHTING SERVICES

20. General conditions relating to fire-fighting services.
21. Metering of fire connection.
22. Sprinkler installation.
23. Annual charge for sprinkler and drencher installation
24. Annual charge for private hydrant installations.

### PART V RECLAIMED WATER

25. Conditions of supply of reclaimed water.
26. Distribution pipe work
27. Warning notices
28. Standard of purity
29. Restricted use

### PART VI INTERFERENCE WITH WATER SYSTEM AND POLLUTION OF SUPPLY

30. Interference with water system.
31. Pollution of supply.

### PART VII BOREHOLES

32. Applications with respect to boreholes.
33. Conditions relating to siting of boreholes.
34. Drilling times.
35. Pumping equipment.

- 36. Use of borehole water.
- 37. Connection between boreholes and other supplies.

## PART VIII SEWERAGE AND DRAINAGE

- 38. Application for connections and discharge of trade effluent.
- 39. Connections generally.
- 40. Openings to be sealed if required.
- 41. Entry of matter to sewers and drains.
- 42. Protection of public sewers.
- 43. Discharge of trade effluent.
- 44. Protection of public drains.
- 45. Obstruction of public sewers and public drains.
- 46. Clearance of obstructions in private sewers and private drains.
- 47. Removal of trade effluent or trade refuse.

## PART IX GENERAL

- 48. Approval of applications.
- 49. Charges in general.
- 50. Penalties and offences.

First Schedule: Fees

Second Schedule: Penalties

IT is hereby notified that the Minister responsible for Local Government has, in terms of Section 229 of the Urban Councils Act [Chapter 29:15] approved the following by-laws:

### *Title*

- 1. These by-laws shall be cited as City of Mutare (Water, Sewerage and Drainage) By- Laws, 2025.

### *Application*

- 2. These by-laws shall apply to all areas under the jurisdiction of City of Mutare.

### *Interpretation*

- 3. In these by-laws—



- “account” means any account rendered for council services provided;
- “actual consumption” means the measured consumption of any consumer;
- “applicable charge” means the rate, charge, tariff, flat rate determined by the Council;
- “approved” means approved by the council or by any employee of the council to whom its powers of approval have been delegated;
- “borehole” means any well, drill-hole or shaft, or any other hole sunk into the ground for the purpose of locating, abstracting or using subterranean water, and includes a spring;
- “connection pipe” means a pipe the ownership of which is vested in Council and installed by council for the purpose of conveying water leading from a main to the premises of any consumer as far as the street boundary of such premises which is situated nearest to such main, or, in the case where the meter is installed inside the premises of any consumer, as far as the inlet of the meter;
- “consumer” means the occupier of any premises which the council has agreed to supply with water, or the owner of such premises, or any other person who has entered into a contract with the council for the supply of water or who is lawfully obtaining water from the council;
- “council” means Mutare Rural District Council;
- “domestic purposes” includes every kind of household purpose, but does not include the use of water for any engine or machine, or for any mining or quarrying operations or for the flushing of any sewer or drain or for any purpose connected with any trade, manufacturing or business, or for the cleansing of any road, or for garden purposes, or for watering of any tennis –court or bowling-green, or any other ground used for sporting purposes;
- “main” means any pipe, aqueduct or other work under the exclusive control of the council, and used by it for the purpose of conveying water to consumers, but does not include a connection pipe;
- “maintenance” includes repair and renewal;
- “officer of health” means any officer of health appointed or assigned by council;
- “council service” means, for the purposes of these by-laws, a service provided by Mutare Rural District Council, and includes a refuse removal service, a water supply service or a sanitation service;
- “occupier” includes any person in actual occupation of premises, without regard to the title under which he or she occupies and, in the case of premises subdivided and let to lodgers or various tenants, includes the person receiving the rent payable by the lodgers or tenants, whether on his or her own account or as agent for any person entitled thereto or interested therein;
- “owner” means—
- (a) the person in whom from time to time is vested the legal title to premises; or any person receiving the rent or profit of any premises from any tenant or occupier thereof, or who would receive such rent or profit if such premises were let, whether on his or her own account or as agent for any person entitled thereto or interested therein; or
  - (b) where the person in whom the legal title to the premises is vested is insolvent or deceased, or is under any form of legal disability whatsoever, the person in whom the administration and control is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;

“portable meter unit” means a portable water meter together with stand pipe hydrant-coupling and necessary unions for connection to such meter;

“premises” means land or any improvements or part thereof on any land;

“prescribed”, in relation to any tariff, deposit or charge in respect of a service provided-

(a) to or in connection with residential accommodation in an area referred to in paragraph (b) 2, means fixed by-laws made by the council for such area; or

(b) in any other case means fixed by resolution of the council in terms of the Urban Councils Act;

“service”, for the purpose of Parts I, II and III, means all pipes, fittings and apparatus used or intended to be used for or in connection with the supply of water by the council and situated on the premises occupied or owned by the consumer, but does not include the communication-pipe or the meter or any portion thereof;

“sewage” means waste, soil water or other liquid waste, including trade effluent, but excluding storm water-surface, sub-soil water or spring water;

“sewer” means a pipe used for conveying sewage, and includes all other things necessary in connection therewith;

“sewer connection” means that portion of a pipe which is provided to connect a private sewer or combined private sewer with a public sewer and the ownership of which is vested in the council;

“stand” means a piece of land the boundaries of which are indicated on a registered diagram or plan, and which has been numbered or indicated as a plot, lot or stand, farm or portion of a farm, reserve or open space, in the office of the registrar of deeds, or the mining commissioner, including a subdivision thereof, which has been duly registered or which has been sanctioned by the council or the Government, and a consolidation of two or more pieces of land intended to be used as a plot, lot or stand, farm or portion of a farm, reserve or open space;

“trade effluent “ means any liquid , with or without particles of matter suspended therein, which is wholly or partly produced by, or results from, or has been or was intended to be used in any trading, business, commercial, manufacturing or industrial process, and includes domestic sewage where mixed with trade effluent.

## PART II

### SUPPLY OF WATER

#### *Application for water supply services*

4. (1) No person is entitled to access water supply services from the council unless—

- (a) an application has been made to the council upon payment of a prescribed fee.
- (b) the application has been approved by the council.

(2) Water supply services rendered to a consumer by the council are subject to these by-laws and the conditions in the relevant agreement.

#### *Provision of the connection pipe*

5. (1) Upon an agreement having been entered into between the council and consumer in regard to the supply of water to premises, and after payment of the prescribed charges and deposits, the council shall provide and

install a connection pipe to such premises on a line to be determined by the council, and the council shall, at its own cost and expense, thereafter maintain such connection-pipe.

(2) The council may, on giving no less than 14 days' notice to the owner, alter the position of the connection pipe and carry out such alterations to the consumer's service pipe as may be necessary to connect to the new connection pipe.

(3) For the purpose of supplying water thereto, a separate connection-pipe shall be provided in respect of each and every premise in single ownership or any portion thereof in separate occupation:

Provided that one connection pipe shall be permitted by the council for the supply of water to a group or block of dwellings, flats, offices, or other buildings in single ownership where the owner or occupier thereof undertakes to pay for the water supplied to each of the buildings or units comprising such group or block.

(4) Where, in terms of subsection (3), more than one building, dwelling, flat or suite of offices is supplied from one connection pipe, the owner of the premises concerned shall fix a stop-tap on each branch pipe leading there from to each such building, dwelling, flat, shop or suite of offices for the purpose of turning off the supply to each of such premises without interrupting supply to others.

#### *Payment for water supply services*

6. In respect of water services provided for any premises, the owner, occupier and consumer are, in accordance with the council's by-laws and policies relating to credit control and debt collection, jointly and severally liable and responsible for payment of all applicable charges for water supply and for all water supply services consumed in respect of the premises.

#### *Termination, restoration, discontinuation of water supply services*

7. (1) Without derogation from its rights to obtain payment for water supplied to the consumer, the council may, after not less than one months' notice, cut off or restrict the supply to any consumer where such consumer has—

- (a) failed to pay on due date any sum due to council under these by-laws in respect of such supply;  
or
- (b) committed a breach of any of the provisions of these by-laws relating to the waste or misuse of water or contamination of the council's supply.

(2) Where the water supply has been cut off in terms of subsection (1), a consumer shall pay to the council the prescribed charge for cutting off water, unless he or she establishes that the council was not entitled to cut off such supply.

(3) In the event of the council at any time resuming the supply of water to a consumer whose supply has been cut off or restricted in terms of subsection (1), the consumer shall pay to the council the prescribed charge of reconnection, unless he or she establishes that the council was not entitled to cut off or restrict such supply.

#### *Payment in respect of prepayment meters*

8.(1) When a consumer is supplied with water through a prepayment meter, in addition to the provisions in section 6 no refund of the amount tendered for the purchase of water credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced.

(2) When a consumer vacates any premises where a prepayment meter is installed, no refund of the credit remaining in the meter shall be made to the consumer.

(3) The council shall not be liable for the reinstatement of credit in a prepayment meter lost due to tempering with, or the incorrect use or the abuse of, a prepayment meter or token.

(4) Leakages after the prepaid meter are costs to the consumer and they should meet the required repairs.

*Disconnection of supply on termination of the agreement*

9. (1) A consumer may terminate an agreement for the provision of water supply services by giving the council not less than ten working days' notice in writing of his or her intention to terminate the agreement.

(2) Council may, by notice in writing of not less than ten days, advise a consumer of the termination of his or her agreement for the provision of water supply services if—

- (a) the consumer has not used the water supply services during the preceding six months and has not made arrangements to the satisfaction of the Council for the continuation of the agreement; or
- (b) the consumer has failed to comply with the provisions of these by-laws and, on receiving notice in terms of section 6(1) has failed to remedy the non-compliance; or
- (c) failed to pay any tariffs or charges due and payable by him or her after the procedure set out in the council's by-laws relating to credit control and debt collection has been followed.

(3) Where any agreement for supply between the council and the consumer has been terminated in terms of subsection (1), the council may disconnect such supply:

Provided that no such disconnection shall be carried out where a new consumer accepts liability for payment for water consumed from the date of the previous ordinary reading of the meter or for a special reading of the meter at the prescribed rates.

*Quality of water*

10. The council undertakes only to supply potable water suitable for domestic purposes.

*The pressure of water supply*

11. (1) Subject to the provisions of this Part, no undertaking or guarantee shall be presumed on the part of the council to maintain any specified pressure of water at any time at any point in the council's water system.

(2) The council undertakes only to supply water under pressure at the meter, and, where application is made for a supply of water and that supply is required to serve any premises or portion of premises situated above a level which can be served by the normal pressure in the council's water main, or where the pressure is insufficient to maintain an adequate supply to all fittings, it shall be incumbent upon the applicant to provide adequate and satisfactory means of supplementing the rate of supply by means of a gravity-tank, reserve storage-tank or approved booster pump system.

*Special conditions relating to supply of water by portable meter*

12. (1) Without derogation from any other provision of these by-laws the following subsections (2) to (9) shall apply to the supply of water by portable meter, and shall be deemed to have been included in every agreement for such supply.

(2) Where water is to be supplied by council from hydrants, the council shall supply a portable meter-unit.

(3) The consumer shall pay to the council in advance the prescribed deposit in respect of each portable meter unit supplied, which deposit shall be held by council as security for the due fulfilment of all provisions of any agreement relating to the supply of such unit and the payment by the consumer to the council for all water supplied to him and any other sums due by him to the council under such agreement;

(4) The consumer shall pay a charge for water so supplied and for the use of the portable meter-unit at the prescribed rate.

(5) All accounts for water so supplied shall be paid by the consumer to the council within fifteen days of the date of rendering by the council.

(6) Where water is taken by the consumer from hydrant without such water passing through the portable meter or where water is wasted before passing through such portable meter, the prescribed charge shall be paid by the consumer to the council for every day during which water is so taken or such waste continues.

(7) The consumer shall—

(a) upon taking delivery of the portable meter-unit sign a receipt acknowledging such unit to be in good order and condition;

(b) maintain and return such unit in the same good order and condition, fair wear and tear excepted.

(8) If the consumer fails to return the portable meter-unit he or she shall pay to the council the cost of a new unit or, if he or she returns such unit in a damaged condition, he or she shall pay to the council the cost of a new unit or the cost of repairs where such damaged unit can be satisfactorily repaired.

(9) The consumer shall take delivery of, and shall return, the portable meter-unit at such place as the council may from time to time direct.

#### *Supplies for building purposes*

13. (1) Where, upon the application of any owner, builder or other person, a temporary supply of water for building purposes is laid on to any premises, the cost of providing and fixing the communication-pipe and the meter shall be borne by such owner, builder or other person in accordance with the rates prescribed.

(2) Such owner, builder or other person referred to in subsection (1) shall pay for water supplied according to the prescribed tariff.

(3) If suitable for the purpose, the same communication-pipe as is supplied under this section may be used for the permanent supply to the premises, and any connection in respect of such permanent supply made with the service shall be in accordance with the provisions of this part.

### **PART III**

### **METERING**

#### *Provision of meter*

14. (1) The council shall, at a prescribed fee, supply and install a meter from the supply mains to any premises to which it has agreed to supply water.

(2) Where required by the council, the consumer shall provide a suitable and approved place on his or her stand in which the council can install the meter.

(3) When a meter is installed on a stand, the consumer or owner of the property shall take all steps to ensure that any authorised official of the council shall at all reasonable times have access to such meter for the purpose of reading, overhauling, removing or carrying out any such work on the meter as may be considered necessary.

#### *Meters Generally*

15. (1) Any meter provided and installed by the council together with the fittings connected therewith, shall be, and shall remain, the absolute property of the Council.

(2) The council shall, at its own cost and expense, maintain and repair any meter provided by it, to the extent of ordinary wear and tear.

(3) The consumer shall be responsible to the council for taking all reasonable precautions for the safe keeping and protection of any meter installed upon his or her premises, and shall be liable to council for any damage which may be done to or sustained by such meter as a result of any failure to take such reasonable precautions.

(4) The council may at any time disconnect and remove any meter and install and substitute any other meter:

Provided that such installation or substitution shall be done on the same day as the disconnection or removal.

#### *Quantity of water registered and payment thereof*

16. (1) Save as is provided in section 17, the quantity of water which is registered by the meter as having been supplied to any consumer shall be deemed to be the quantity actually so supplied.

(2) The quantity of water so registered shall be paid for by the consumer in accordance with the prescribed charge or tariff.

(3) If it is found that an account submitted to a consumer contained a factual error or omission in regard to —

- (a) any meter reading; or
- (b) conversion of any results into other terms; or
- (c) a calculation; or
- (d) the application of the appropriate scale of charges; or
- (e) minimum charge; or
- (f) fixed charge in terms of any prescribed tariff; or
- (g) the basic terms or conditions on which metering, tariff and accounting of water supplied to a consumer has changed as a result of a change in his or her service or premises or usage or supply of water;

the council shall submit an amending account to the consumer, covering any period within the four months prior to the date on which any such error, omission or change was discovered, so that such amending account correctly adjusts the amount of money due to the council for the said period.

#### *Entry in books of council binding*

17. Where a consumer disputes a meter reading in the absence of evidence showing either that the entry in the books of the council has been incorrectly made or that the meter was at the time of such reading registering incorrectly, the consumer shall be bound by the entry in the books of the council showing the meter reading.

#### *Dissatisfaction with the reading*

18. (1) If any consumer is at any time dissatisfied with any particular reading of a meter supplied by the council, and is desirous of having such meter tested, he or she shall give written notice to the council within thirty days after receipt of notice from the council of such reading, and shall, at the same time, pay to the council the prescribed deposit, and thereupon the meter shall be tested by the council.

(2) If such meter is found to be registering correctly, the council shall retain the deposit.

(3) If such meter is found to be registering incorrectly, the council shall refund the deposit to the consumer, and shall reaffix a meter in good working order without charge to the consumer, and the charge for water consumed

during the four months preceding the reading in dispute shall be adjusted in accordance with the degree of error found:

Provided that where such meter has been installed for a period of less than eight months, such adjustments shall be made in respect of fifty *per centum* of such lesser period.

(4) For the purposes of this section—

- (a) the meter shall be considered to be registering correctly if no error in excess of the permitted tolerance of three *per centum* is recorded at the rate of the normal flow;
- (b) “normal flow” means two thirds of the maximum flow capacity of the meter.

#### *Failure of meter to register*

19. (1) Where any meter is found to have ceased to register, the council shall repair or replace such meter as soon as possible.

(2) Unless the council is satisfied that a lesser or greater quantity of water has been consumed, the quantity of water to be paid for by the consumer from the date of the reading of the meter prior to its failure to register until the time of its repair or replacement shall be estimated by council on the basis of—

- (a) the average monthly consumption of water upon the premises served by the meter during the two months prior to the last registration; or
- (b) if an estimate in terms of paragraph (a) is not possible or practicable, the consumption in the corresponding period of the previous year upon such premises; or
- (c) if an estimate in terms of paragraph (a) or (b) is not possible or practicable, the average monthly consumption shall be taken from the annual budget of the council.

### PART IV

#### WATER SUPPLY FOR FIRE-FIGHTING SERVICES

##### *General conditions relating to fire-fighting services*

20. (1) Notwithstanding anything contained in this Part, the provisions of Part II and III shall apply *mutatis mutandis*, to the supply of fire-extinguishing services, and shall be deemed to have been included in every agreement of such supply.

(2) Water-supply installations which are intended for preventive or automatic use in the event of fire shall be used only for fire-extinguishing purposes.

(3) Connections to mains for fire-extinguishing purposes shall be at the discretion of the council, which shall be entitled to disconnect any fire-fighting services at any time.

##### *Metering of fire connection*

21. (1) The connection of a meter to supply mains provided for fire-fighting purposes shall be at the discretion of the council.

(2) Where a connection has been made in terms of subsection (1), the consumer shall pay, on demand, any charges prescribed therefore.

##### *Sprinkler installation*

22. A sprinkler installation may be installed in direct communication with the mains. But the council shall be deemed not to guarantee any specified pressure of water at any time.

*Annual charge for sprinkler and trencher installation*

23. (1) The annual charge prescribed in respect of the maintenance of the connection to the main of sprinkler and trencher installations and the inspection of such installations shall be paid in advance.

(2) The charge referred to in subsection (1) shall cover the emptying and refilling of any tanks where necessary:

Provided that the supply of water used in so doing shall be paid for according to the prescribed tariff, the amount being calculated according to the capacity of the tank or any part thereof, and shall be subject to the minimum charge prescribed.

*Annual charge for private hydrant installations*

24. The annual charge prescribed in respect of the maintenance of the connections to the main for private hydrant installations, other than sprinkler or drencher installations, and for the inspection of such private hydrant installations, shall be paid in advance.

PART V

RECLAIMED WATER

*Conditions of supply of reclaimed water*

25. (1) The council may supply reclaimed water to such consumers as it shall determine by resolution and in such quantities and under such conditions as it may specify in each case.

(2) The provisions of Parts I and II shall apply to the supply of reclaimed water, but the water so supplied shall be non-potable water which is not suitable for domestic purposes.

*Distribution pipe work*

26. (1) Water supplied to a consumer from a reclaimed-water main shall be distributed in a reticulation system which shall be entirely separate from any system for the distribution of potable water.

(2) No person shall connect any source of reclaimed water to any pipe, storage-tank, cistern or other appliance which is connected with the council's potable domestic water-supply.

(3) All pipe-connections from a reclaimed-water distribution network to any irrigation system shall be below ground-level, and operating valves and valve-box covers shall be painted bright yellow in colour.

(4) Any above-ground pipe-work used for the distribution of reclaimed water shall be painted bright yellow in colour on and exposed surfaces through out its length.

*Warning notices*

27. (1) On all premises supplied with reclaimed water, warning notices in red lettering at least forty millimetres in height on a clearly visible background shall be provided at all entrances to such premises, on all storage-tanks and cisterns, and at such other points as the council may require.

(2) The wording of notices required in terms of subsection (1) shall provide a warning to indicate that reclaimed water is in required by the council.

(3) The consumer shall maintain such notices in a legible and serviceable condition, to the satisfaction of the council.



#### *Standard of purity*

28. The standard of purity of any reclaimed water supplied by the council shall be as specified in the Schedule to the Environmental Management (Solid and Effluent) Regulations, 2007, published in Statutory Instrument 6 of 2007.

#### *Restricted use*

29. No person shall use any reclaimed water for irrigation of any land on which salad crops, vegetables crops or berry fruits, which are to be eaten raw, are grown.

### PART VI

#### INTERFERENCE WITH WATER SYSTEM AND POLLUTION OF SUPPLY

##### *Interference with water system*

30. (1) No person, other than the duly authorized representative of the council, shall interfere with, or break open, any public fountain, stop-cock, hydrant, valve, meter, communication-pipe, meter-cabinet, pipe-work or other apparatus belonging to the council.

(2) No person shall do any wilful act whereby water belonging to the council and flowing in the council's pipes is wasted.

##### *Pollution of supply*

31. No person shall—

- (a) bath in any stream, reservoir, aqueduct or the other place which contains water belonging wholly or partly to the council, and which is used for, or in connection with, the supply of water to the inhabitants of the area of supply, or wash or throw, or cause or permit to enter therein, an animal, except with the written permission of the council in the vicinity of such stream, reservoir, aqueduct or other place stating that bathing or the entry of animals is permitted in such stream, reservoir, aqueduct or other place; or
- (b) throw any rubbish, dirt, filth or deleterious matter into such stream, reservoir, aqueduct or other place, or wash or cleanse therein any cloth, wool, clothes or leather, or the skin of any animal, or other matter; or
- (c) cause or permit the water of any sink, sewer, drain, steam-engine or boiler, or other unclean water or liquid for control of which he or she is responsible, to run or be brought into any such stream, reservoir, aqueduct or other place, or any main, or perform any other act whereby the water of the council intended for supply to the inhabitants of the area of supply may be polluted.

### PART VII

#### BOREHOLES

##### *Applications with respect to boreholes*

32. (1) No person shall, without the prior written permission of the council, and except under such conditions as the council may specify, sink or dig a borehole on any stand.

(2) Where a person wishes to obtain the permission of the council in terms of subsection (1), he or she shall—

- (a) make a written application together with a prescribed fee, to the council at least fourteen days prior to undertaking any work, and

- (b) submit with the application an accurately drawn plan, to a scale of at least one to five hundred, indicating there on the site of the borehole and the position of any aqua-privy, pit-latrine, septic tank or French drain in the vicinity; and
- (c) provide details of the borehole in respect of its diameter, the purpose for which the water is required and any further specifications, particulars or other information as the council may reasonably require.

(3) Any person drawing water from any borehole shall register such borehole with the council when called upon to do so.

#### *Conditions relating to siting of boreholes*

33. (1) No borehole shall be sited on any stand within a registered servitude or wayleave.

(2) Any person who intends to site a borehole or deep well shall apply to Council for permission.

(3) No person may—

- (a) dig or sink a borehole which will be situated less than- thirty meters from any aqua-privy, pit-latrine, cesspit, septic tank or French drain:

Provided that, if the water from a borehole is to be used solely for gardening purpose, such borehole may be sunk at a distance of not less than ten meters from an aqua-privy, pit-latrine, cesspit, septic tank or French drain.

- (b) site an aqua-privy, pit-latrine, cesspit, septic tank or French drain less than thirty meters from a borehole the water from which is used for drinking purposes or for watering animals.

#### *Drilling times*

34. (1) The work of drilling or sinking a borehole shall be executed only between 8am to 5pm during the day.

(2) The council may, in its discretion, further restrict the hours during which drilling or sinking may be executed in any place or area.

#### *Pumping equipment*

35. (1) No pump house or other structure housing a pump or other mechanized or electrical equipment associated with a borehole shall extend more than seven hundred and fifty millimetres above ground level unless in a structure and on a site approved by council.

(2) Every borehole which is dug or sunk after the date of commencement of these by-laws shall be lined for a distance of at least nine meters below the surface of the ground with any impervious lining which shall project at least two hundred and fifty millimetres above the surface of the ground.

#### *Use of borehole water*

36. The owner or occupier of any stand to which a supply of council water is not available and in respect of which water from a borehole is used for domestic purposes shall, at all times, comply with the requirements of the officer of health appointed or assigned by the council with regard to such water.

#### *Connection between boreholes and other supplies*

37. (1) No person shall cause or permit any water derived from a borehole, or other source, or reclaimed water-supplies, to enter any pipe connected with the council's domestic water-supply.

(2) The council's domestic water-supply system shall not be connected to any pipe or system of pipes which themselves are fed with water from a borehole or other source.

PART VIII  
SEWERAGE AND DRAINAGE

*Application for connection and discharge of trade effluent*

38. (1) Where a person wishes to connect any private sewer or private drain to a public sewer or public drain, application for sewer or drainage connection shall be made to the council for the purposes which shall be submitted with applications for approval of plans to undertake sewerage and drainage work as required in terms of the council's building by-laws.

(2) Where a person wishes to discharge trade effluent into any public sewer or public drain or to alter in any respect any discharge previously approved. Application shall be made to the council at a fee specified in the first schedule, for the purpose.

(3) Unless application has been made in terms of subsection (1) or (2) and approved by the council no person shall—

- (a) connect any private sewer or private drain to a public sewer or public drain, or
- (b) discharge any trade effluent into any public sewer or public drain.

*Connections generally*

39. (1) The council shall in every case in which a private sewer is to be connected to a public sewer specify the position on the public sewer to which the private sewer may be connected, and at what depth below the surface of the ground the connection shall meet the private sewer.

(2) The council shall, in every case in which a private drain is to be connected to a public drain, specify the position on the public drain to which the private drain may be connected.

(3) No person shall subdivide any stand unless provision has been made, to the satisfaction of the council, for the drainage and sewerage of each and every portion of such stand.

*Openings to be sealed if required*

40. (1) The council may require the owner of any premises, within such reasonable time as it may specify, to close and seal up the opening of any sewerage or drainage work upon the premises which is, or shows signs of becoming, dangerous or unhealthy, and, if the owner fails to comply with such requirement, the council may close and seal up such opening, at the owner's expense.

(2) Where an opening has been closed and sealed in terms of subsection (1) the owner of the premises concerned shall ensure that it is kept properly closed and sealed until such time as the council, by written notice, permits the seal to be removed.

(3) No person shall—

- (a) break or remove, or cause or permit to be broken or removed, a seal on: or
- (b) open, or cause or permit to be opened:

any sewerage or drainage work which has been closed and sealed in terms of subsection (1).

(4) The occupier of any premises upon which the opening of any sewerage or drainage work has been closed and sealed in terms of subsection (1) shall notify the council as soon as he or she becomes aware that the seal has been broken or removed or such work has been opened in contravention of the provisions of this section.

### *Entry of matter to sewers and drains*

41. No person shall cause or permit any liquid or solid matter to enter any sewerage or drainage work the opening of which has been sealed up and closed until the removal of such seal has been authorised by written notice addressed by the council to the owner of the premises upon which such sewerage or drainage is situated if the discharge of such matter into such sewerage or drainage work is prohibited by these by-laws.

### *Protection of public sewers*

42. (1) No person shall discharge or put, or cause or permit to be discharged or to be put, into any public sewer any sewage or other substance which—

- (a) is in the form of gas or steam, or has a temperature higher than forty-five degrees Celsius; or
- (b) contains any calcium carbide or any other substance of whatsoever nature which is likely to produce or give off explosive, inflammable, poisonous or offensive gases, fumes or vapours; or
- (c) contains a substance which has an open flash-point of less than ninety-five degrees Celsius; or
- (d) shows any visible signs of tar or associated products or distillates, bitumen or asphalts.

(2) No persons shall, except with the written permission of the council, and subject to such conditions as it may impose discharge or put, or cause or permit to be discharged or to be put, into any public sewer—

- (a) anything containing any substance in such quantities that, whether alone or in combination with other matter, it is likely to—
  - (i) cause a nuisance to the public or injury or danger to the health of persons entering the public sewers or others; or
  - (ii) impede the flow in the public sewers; or
  - (iii) cause injury or damage to the public sewers or to any structures or any plant or land or crops used for the treatment or disposal of sewage; or
  - (iv) affect injuriously the reuse of treated sewage or any of the processes whereby sewage is treated; or
- (b) any liquid or solid substance which is of such strength or is amenable to treatment only to such degree that, after treatment at the sewage treatment works, the effluent produced there from will not conform to the standards of quality prescribed by section 3 of the Environmental Management (Effluent and Solid Waste Disposal) Regulations 2007, published in Statutory Instrument 6 of 2007; or
- (c) any liquid which has a pH value less than six comma five (6.5) or greater than twelve (12).

### *Discharge of trade effluent*

43. (1) The council may, in its absolute discretion, permit the entry of trade effluent to the public sewerage system where in the opinion of the council sufficient capacity is available to convey the trade effluent in addition to the ordinary flow of domestic sewage:

Provided that the discharge of trade effluent accepted into the public sewers shall be subject to such charge for conveyance in the public sewers and for treatment and disposal at the council's purification works in accordance with their natural strength and volume as may be prescribed by the council.

(2) The council may by notice served on the owner or occupier of any premises from which a trade effluent is discharged require him or her without derogation from any other provision of these by-laws, to do all or undertake any of the following—

- (a) regulate the temperature of the trade effluent at the time when it is discharged into the public sewer;
- (b) subject the effluent before it is discharged into the public sewer to such pre-treatment or modification of the effluent cycle of the industrial or trade process as the council deems necessary;
- (c) restrict the discharge of the effluent to certain specified hours and the rate of discharge to a specified maximum and to install at his or her own expense such tanks, valves, appliances and other equipment as may be necessary for compliance with the said restrictions;
- (d) construct at his or her expense an inspection chamber of such dimensions as it may require on any pipe or channel which conveys trade effluent to a private sewer or public sewer;
- e) provide or construct at his or her expense such tanks, valves, appliances or other protective works which will prevent the accidental discharge into the public sewer of any material or liquid delivered or being delivered to or from or stored on, the premises the discharge of which would be a contravention of these by-laws.

*Protection of public drains*

44. (1) No person shall discharge or deposit or cause or permit to be discharged or to be deposited into any public drain either directly or through any private drain, any solid matter, suspended matter, mud, chemical, oil, grease, trade effluent or other refuse which may—

- (a) cause a nuisance; or
- (b) obstruct the flow in the public drain; or
- (c) be injurious to the structure of the public drain or the operation thereof.

(2) No person shall discharge or cause or permit to fall, flow or enter or be carried or washed into any public drain whether directly or through any private drain, any liquid other than rain water, subsoil water or spring water except with the prior written permission of the council and subject to such conditions as it may impose.

*Obstruction of public sewers and public drains*

45. (1) No person shall interfere with, break into, damage, remove any part of or obstruct any public sewer or public drain or any access thereto.

(2) The owner or occupier of any premises on which is situated any public sewer or public drain shall ensure that access to such public sewer or public drain is always readily available and that no obstruction occurs to or over any manhole or inspection chamber, or to any chamber, ventilation-pipe or other appliance associated with any such public sewer or public drain.

*Clearance of obstructions in private sewers and private drains*

46. (1) Where at the request of the owner of any premises the council has cleared a private sewer or private drain situate on the premises of any obstruction, the owner shall be liable for the cost incurred by the council in clearing such obstruction or for the charge prescribed for such work, whichever is the greater.

(2) The owners of any premises served by a combined private sewer or a combined private drain shall be liable for the costs in such proportions as the council shall deem just for the cost of clearing any obstruction from such combined sewer or combined drain, for the charge prescribed for such work whichever is greater:

Provided that, if the obstruction is found in a section of the private sewer or private drain used by one occupier or owner, the cost of clearing such obstruction shall be borne by the owner of the property served by such section of such private sewer or private drain.

### *Removal of trade effluent or trade refuse*

47. (1) Where the discharge of trade effluent or trade refuse, either solid or liquid is prohibited in terms of sections 37, 41 or 43 of these by-laws, alternative disposal arrangements shall be provided by the owner or the occupier of the premises to the satisfaction of the council.

(2) The council may, subject to such conditions as it may impose, provide a service for the removal of any trade waste referred to in subsection (1).

(3) All trade waste removed by the council in terms of subsection (2) or deposited for removal in any receptacle provided for the purpose shall be the property of the council and no person other than a council employee shall remove or interfere with any such trade waste, except with the written permission of the council.

(4) The cost of removal of any trade waste by the council in terms of subsection (2) shall be recoverable from the owner or the occupier of the premises from which it is to be removed.

## **PART IX**

### **GENERAL**

#### *Approval of applications*

48. (1) Any application submitted in terms of these by-laws shall be subject to the payment by the applicant of any deposit or charge prescribed for any connection or service to be provided or work to be undertaken and to the agreement of the applicant—

- (a) to comply with any conditions or terms embodied in the application form, contract or agreement; and
- (b) in the case of an application for the discharge of trade effluent, to comply with any special conditions appertaining to the pre-treatment or regulation of the discharge.

#### *Charges in general*

49. (1) Where these by-laws provide for the payment of a prescribed deposit or charge as a condition precedent to—

- (a) the carrying out of any work ; or
- (b) the provision of any service; or
- (c) the taking of any action:

an application to the council has to be made for such work to be carried out, service provided or action taken.

(2) In respect of sewerage discharge services provided for any premises, the owner, occupier and consumer are jointly liable and responsible for payment of all applicable charges for sewerage discharge services offered by Council.

#### *Penalties and offenses*

50. (1) Any person who contravenes this by-law shall be guilty of an offense and shall be liable to a fine specified in the second schedule.

(2) Habitual offenders shall be subject to prosecution at the discretion of Council.

#### *First Schedule (Fees)*

Description	Section	Amount (USD)
Water connection application fees	4	5
Water Connection Deposit: Low Density	5	37.51
: High Density	5	37.51
: Commercial	5	187.53
:Industrial	5	150.03
Water connection fee- Residential	5	43.76
Water connection fee- Medium & Low Density Residential	5	43.76
Water connection fee- Commercial or Industrial or Institutional	5	62.51
Reconnection Fee- Commercial or CBD	7	62.51
Reconnection Fee- Low Density	7	25.00
Reconnection Fee- High Density	7	18.76
Printout – statement	18	2.00
Printout - transaction history	18	2.00
Water meter deposit where water is to be supplied by council from hydrants	12	30.00
Annual charge for private hydrant installations	24	50.00
Annual charge for sprinkler and trencher installations	24	100.00
Water meter fees: Domestic	14	40.00
Water meter fees: Bulky	14	150.00
Meter Replacement fitment fee	14	10.00
Meter Relocation	14	20.00
Meter Testing Fees	15	25.00

Sewer Connection application fee	38	5.00
Sewer Connection Fees: Domestic	38	42.00
Sewer Connection Fees: Commercial/Industrial/Institutional	38	60.00
Sewerage inspection fees: Industrial		15.01
Sewerage inspection fees: Construction Works		150.03
Sewerage inspection fees: Undeveloped Land		2.50
Sludge- Uncrushed (per ton)	39	20.00
Sludge- crushed (per ton)	39	30.00
PK Blockages	39	50.00
PK Blockages- Staff	39	20.00
Stone Blockage- Staff	39	200.00
Stone Blockage	39	100.00
Application for supply of reclaimed water	25	10.00
Reclaimed water connection fees	25	50.00
Removal of trade effluent fees:		
(i) Local per load	43	30.00
(ii) Outside commonage	43	US\$300 plus transport costs

Second Schedule (*Penalties*)

Description	Section	Amount (USD)
Illegal water connection.: Domestic	4	375.17
Illegal water connection.: Commercial	4	750.35
Illegal water connection.: Industrial	4	1250.21
Illegal water connection.: Institutional	4	1250.21
Illegal Drawing of water	4	300.00



Tampering with a water meter.	14	100.00
Reconnection of water supply without Council approval.	14	100.00
Use of a faulty meter.	15	40.00
Failure to display warning notice.	27	20.00
Use of reclaimed water on vegetables or fruits.	29	20.00
Interference with water system.	37	200.00
Pollution of water.	31	200.00
Sewer connection without Council approval: Domestic	38	375.17
Commercial		750.35
Industrial		1250.21
Institutional		1250.21
Discharging substances into the sewer system.	38	700.00
Obstruction of public drainage system.	45	500.00
Blockage of the sewer system: Domestic	45	50.00
Commercial		100.00
Industrial		150.00
Institutional		100.00
Obstructing an authorized official to exercise his or her duties.	50	50.00
Tempering with seals	40	50.00
Connecting boreholes and other supplies	37	500.00

**NB: All the fees and penalties can be paid in the local currency at the prevailing interbank rate.**