



NORTH WEST NOORDWES

PROVINCIAL GAZETTE PROVINSIALE KOERANT

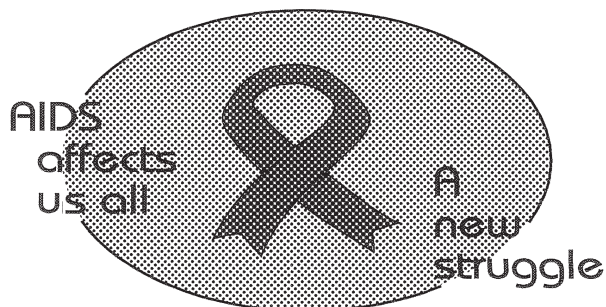
Vol: 265

MAHIKENG
20 September 2022
20 September 2022

No: 8416

PART 1 OF 2

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DEPARTMENT OF HEALTH

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NORTHWEST PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- **28 December 2021**, Tuesday for the issue of Tuesday **04 January 2022**
- **04 January**, Tuesday for the issue of Tuesday **11 January 2022**
- **11 January**, Tuesday for the issue of Tuesday **18 January 2022**
- **18 January**, Tuesday for the issue of Tuesday **25 January 2022**
- **25 January**, Tuesday for the issue of Tuesday **01 February 2022**
- **01 February**, Tuesday for the issue of Tuesday **08 February 2022**
- **08 February**, Tuesday for the issue of Tuesday **15 February 2022**
- **15 February**, Tuesday for the issue of Tuesday **22 February 2022**
- **22 February**, Tuesday for the issue of Tuesday **01 March 2022**
- **01 March**, Tuesday for the issue of Tuesday **08 March 2022**
- **08 March**, Tuesday for the issue of Tuesday **15 March 2022**
- **14 March**, Monday for the issue of Tuesday **22 March 2022**
- **22 March**, Tuesday for the issue of Tuesday **29 March 2022**
- **29 March**, Tuesday for the issue of Tuesday **05 April 2022**
- **05 April**, Tuesday for the issue of Tuesday **12 April 2022**
- **08 April**, Friday for the issue of Tuesday **19 April 2022**
- **19 April**, Tuesday for the issue of Tuesday **26 April 2022**
- **22 April**, Friday for the issue of Tuesday **03 May 2022**
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- **13 December**, Tuesday for the issue of Tuesday **20 December 2022**
- **19 December**, Monday for the issue of Tuesday **27 December 2022**

GENERAL NOTICES • ALGEMENE KENNISGEWINGS**GENERAL NOTICE 188 OF 2022****CITY OF MATLOSANA****NOTICE OF SIMULTANEOUS APPLICATION FOR THE REZONING AND THE REMOVAL OF CERTAIN TITLE CONDITIONS IN THE TITLE DEED, WHICH ARE RESTRICTIVE IN RESPECT OF ERF 901, STILFONTEIN EXTENSION 2 TOWNSHIP, IN TERMS OF SECTION 94(1) OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016. READ TOGETHER WITH SPLUMA, 2013 (ACT 16 OF 2013)****(AMENDMENT SCHEME 1450)**

I, Joze Maleta, being the authorized agent of the owner of Erf 901, situated at 101 Jan van Riebeeck Avenue, Stilfontein Extension 2 Township, North-West Province, hereby give notice in terms of Sections 41(1)(a)(b), and 41(2)(d)(e) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), read together with Sections 62(1), 63(2), 94(1)(a)(g), 95(1), 96, 97(1)(a) of the City of Matlosana Spatial Planning and Land Use Management By-law, 2016 (SPLUMA By-law), read together with Section 56(1) of the Transvaal Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), that I have applied to the City of Matlosana Local Municipality for the amendment of the Klerksdorp Land Use Management Scheme, 2005 (LUMS) for a change of land use rights (also rezoning) of the property as well as for the removal, amendment or suspension of certain title conditions as contained in the Title Deed pertaining to the property, which are restrictive. The intention is to rezone the property from "Residential 1" to "Business 2" and contains the following proposal: (A) The rezoning of the property to "Business 2" as defined in Amended Scheme 1450; (B) the removal of conditions A(k), A(m), and A(n) in Title Deed T42720/2022; (C) The following adjacent properties: Erven 900, 915, Rem. and Ptn.1 of Erf 1234 and Erf 3932, Stilfontein Extension 2 Township as well as others in the vicinity of the property could possibly be affected hereby; (D) the following development parameters will apply: maximum coverage of 70% and two story height restriction.

Any objection or comments including the grounds pertaining thereto and contact detail according to Section 99 of the SPLUMA By-law, shall be lodged within a period of 30 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen Newspaper in writing during normal office hours to the City of Matlosana Local Municipality: office of the Municipal Manager, Records, Basement, Municipal Building, c/o Bram Fischer Street and OR Tambo Street, Klerksdorp or to PO Box 99, Klerksdorp, 2570. Any person who cannot write may during office hours attend at the address mentioned above where the official of the town planning section (Mr. Danny Selemoseng: 018 487 8300) will assist that person to transcribe that person's objections or comments. Full particulars of the application, and plans (if any) may be inspected and viewed during normal office hours at the abovementioned offices, for a period of 30 days from the date of first publication dated 20 September 2022. Closing date for any objections: 19 October 2022.

Address of the applicant: P.O. Box 1372, Klerksdorp, 2570, Telephone number: 018 462 1991, info@jmland.co.za.

20-27

ALGEMENE KENNISGEWING 188 VAN 2022

STAD VAN MATLOSANA PLAASLIKE MUNISIPALITEIT
KENNISGEWING VIR DIE GELYKTYDIGE AANSOEK OM HERSONERING EN OPHEFFING VAN SEKERE
TITELVOORWAARDES IN DIE TITELAKTE WAT BEPERKEND IS TEN OPSIGTE VAN ERF 901, STILFONTEIN
UITBREIDING 2 DORPSGEBIED, INGEVOLGE ARTIKEL 94(1) VAN DIE STAD MATLOSANA RUIMTELIKE BEPLANNING
EN GRONDGEBRUIKBESTUURVERORDENING, 2016. SAAM GELEES MET SPLUMA, 2013 (WET 16 VAN 2013)
(WYSIGINGSKEMA 1450)

Ek, Joze Maleta, synde die gemagtigde agent van die eienaar van Erf 901, geleë Jan van Riebeeck Laan 101, Stilfontein Uitbreiding 2 Dorpsgebied, Noord-Wes Provinsie, gee hiermee ingevolge Artikels 41(1)(a)(b) en 41(2)(d)(e) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013), saamgelees met Artikels 62(1), 63(2), 94(1)(a)(g), 95(1), 96, 97(1)(a) van die Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplannings en Grondgebruikbestuurverordening, 2016 (SPLUMA By-wet), saamgelees met Artikel 56(1) van die Transvaal Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986), dat ek by die Stad Matlosana Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Klerksdorp Grondgebruikbestuurskema, 2005 (LUMS) vir die verandering van die grondgebruiksregte (herosnering) van die eiendom asook vir die opheffing van sekere titelvoorwaardes soos vervat in die Titelakte van die eiendom wat beperkend is. Die voorneme is om die eiendom te hersoneer vanaf "Residensieel 1" na "Besigheid 2" en behels die volgende: (A) dat die eiendom hersoneer word na "Besigheid 2" soos omskryf in Wysigingskema 1450; (B) Die opheffing van titelvoorwaardes A(k), A(m), en A(n) in Titelakte T42720/2022; (C) Die volgende aangrensende eiendomme: Erwe 900, 915, Re en Ged.1 van Erf 1234 en Erf 3932, Stilfontein Uitbreiding 2 Dorpsgebied asook eiendomme in die onmiddellike omgewing van die eiendom kan moontlik hierdeur geraak word; (D) Die volgende ontwikkelingsparameters sal geld: maksimum dekking van 70% en twee vloer hoogte beperking.

Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede volgens Artikel 99 van die SPLUMA By-Wet, moet skriftelik ingedien word binne 'n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen Nuisblad na die Matlosana Plaaslike Munisipaliteit: Kantoor van die Munisipale Bestuurder, h/v Bram Fischerstraat en OR Tambostraat, Burgersentrum, Rekords afdeling, Keldervloer, Klerksdorp, 2570 of Posbus 99, Klerksdorp, 2570. Enige persoon wat nie kan skryf nie, kan tydens kantoorure bogenoemde adres besoek waartydens die gevolmagtigde beampte van die stadsbeplanningsafdeling (Mnr. Danny Selemoseng: 018 487 8300) daardie persoon behulpzaam sal wees ten einde hul besware of kommentare te transkribeer. Besonderhede van die aansoek en planne (indien enige) is beskikbaar vir inspeksie en insae gedurende gewone kantoorure by die bovermelde kantore, vir n tydperk van 30 dae van die datum van eerste publikasie, 20 September 2022. Sluitingsdatum vir enige besware: 19 Oktober 2022.

Adres van die applikant: Posbus 1372, Klerksdorp, 2570, Telefoon nommer: (018) 462 1991, info@jmland.co.za.

20-27

GENERAL NOTICE 189 OF 2022**MADIBENG LOCAL MUNICIPALITY
NOTICE OF APPLICATIONS IN TERMS OF THE "DRAFT" MADIBENG SPATIAL PLANNING
AND LAND-USE MANAGEMENT BYLAW, 2016 (AS PUBLISHED IN THE
NORTH-WEST PROVINCIAL GAZETTE ON 21 MARCH 2017)**

I, Amund Paul Beneke ((Platinum Town and Regional Planners CC (2008/161136/23)), being the authorised agent of the Owners of Portion 2 of Holding 21 Melodie Agricultural Holdings, the Remaining Extent of Portion 39 and Portion 42 (a portion of Portion 39) of the farm Harmonie 486-JQ, located in the north-western corner of Wagner Road and the R511, Melodie, hereby gives notice that the following Applications have been submitted to the Madibeng Local Municipality:

- A Subdivision Application in terms of Section 59, a Consolidation Application in terms of Section 65 and a Rezoning Application in terms of Section 56; all in terms of the "draft" Madibeng Spatial Planning and Land-use Management Bylaw, 2016 (as published on 21 March 2017); and
- An Application in terms of the Agricultural Holdings (Gauteng) Registration Act, 1919 (Act 22 of 1919).

Particulars of the self-explanatory Applications will lie for inspection during normal office hours at the Madibeng Local Municipality, Registration, 2nd Floor, 53 Van Velden Street, Brits for a period of 32 days from 20 September 2022. An electronic copy of the Applications can also be requested from amund@vodamail.co.za / 072 184 9621. Objections to or representations in respect of the Applications must be lodged with or made in writing to the Municipal Manager at the above address, or at PO Box 106, Brits, 0250 within a period of 32 days from 20 September 2022. Alternatively it can be sent via email to percymudau@madibeng.gov.za and andronicaaphane@madibeng.gov.za and amund@vodamail.co.za within the period of 32 days from 20 September 2022. These objections or representations must clearly state why the writer is an affected party. The contact details (e.g. email address and telephone number) of the writer must also be clearly indicated.

Closing date for any objections and/or comments: 24 October 2022

Address of applicant: Platinum Town and Regional Planners; Postnet Suite #51, Private Bag X15, Somerset West, 7129; amund@vodamail.co.za
Telephone No: 072 184 9621 or 083 226 1316

Dates on which notice will be published: 20 and 27 September 2022 in the North-west Provincial Gazette / 22 and 29 September 2022 in the *Koornant*.

20-27

ALGEMENE KENNISGEWING 189 VAN 2022**MADIBENG PLAASLIKE MUNISIPALITEIT
KENNISGEWING VAN AANSOEKE IN TERME VAN DIE "KOSEP" MADIBENG RUIMTELIKE BEPLANNING
EN GRONDGEBRUIKSBESTUURSWET, 2016 (SOOS GEPUBLISEER IN DIE
NOORDWES PROVINSIALE KOERANT OP 21 MAART 2017)**

Ek, Amund Paul Beneke ((Platinum Town and Regional Planners CC (2008/161136/23)), synde die gemagtigde agent van die Eienaars van Gedeelte 2 van Hoewe 21 Melodie Landbouhoewes, die Resterende Gedeelte van Gedeelte 39 en Gedeelte 42 (a gedeelte van Gedeelte 39) van die plaas Harmonie 486-JQ, geleë in die noordwestelike hoek van Wagnerweg en die R511, Melodie, gee hiermee kennis dat die volgende Aansoeke by die Madibeng Plaaslike Munisipaliteit ingedien is:

- 'n Onderverdelingsaansoek ingevolge Artikel 59, 'n Konsolidasie-aansoek ingevolge Artikel 65 en 'n Hersoneringsaansoek ingevolge Artikel 56; alles in terme van die "konsep" Madibeng Ruimtelike Beplanning en Grondgebruiksbestuurswet, 2016 (soos gepubliseer op 21 Maart 2017); en
- 'n Aansoek ingevolge die Landbouhoewes (Gauteng) Registrasiewet, 1919 (Wet 22 van 1919).

Besonderhede van die selfverduidelikende Aansoeke lê ter insae gedurende gewone kantoorure by die Madibeng Plaaslike Munisipaliteit, Registrasie, 2de Vloer, Van Veldenstraat 53, Brits vir 'n tydperk van 32 dae vanaf 20 September 2022. 'n Elektroniese afskrif van die Aansoeke kan ook aangevra word by amund@vodamail.co.za / 072 184 9621. Besware teen of verhoë ten opsigte van die Aansoeke moet skriftelik by die Munisipale Bestuurder by bogenoemde adres, of by Posbus 106, Brits, 0250 ingedien of gerig word binne 'n tydperk van 32 dae vanaf 20 September 2022. Alternatiewelik kan dit per e-pos gestuur word na percymudau@madibeng.gov.za en andronicaaphane@madibeng.gov.za en amund@vodamail.co.za binne die tydperk van 32 dae vanaf 20 September 2022. Hierdie besware of verhoë moet duidelik aandui waarom die skrywer 'n geaffekteerde party is. Die kontakbesonderhede (bv. e-posadres en telefoonnommer) van die skrywer moet ook duidelik aangedui word.

Sluitingsdatum vir enige besware en/of kommentaar: 24 Oktober 2022

Adres van aansoeker: Platinum Town and Regional Planners; Postnet Suite #51, Privaatsak X15, Somerset-Wes, 7129; amund@vodamail.co.za
Telefoonnommer: 072 184 9621 of 083 226 1316

Datums waarop kennisgewing gepubliseer sal word: 20 en 27 September 2022 in die Noordwes Provinsiale Koerant / 22 en 29 September 2022 in die Kormorant.

20-27

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS
PROVINCIAL NOTICE 367 OF 2022

MADIBENG LOCAL MUNICIPALITY

NOTICE OF APPLICATION FOR THE CHANGE OF LAND USE RIGHTS (REZONING)

PORTION OF THE FARM SYFERFONTEIN 430 JQ (TEMPORAL STAND NO. D856 KGALABALATSANE)

We, Nkanivo Development Consultants (Pty) Ltd, Registration Number 2017/301769/07, being the authorised agent of the lessee of a portion of the Farm Syferfontein 430 JQ (Temporal Stand No. D856 Kgalabalatsane) hereby give notice in terms of Section 86 of the Madibeng Spatial Planning and Land Use Management By-Law, 2016 that an application for a change of land use rights (rezoning) from "Agriculture" to "Special Use" for the purpose of a funeral parlour has been submitted to the Madibeng Local Municipality.

Full particulars and plans of the application are open to inspection during normal office hours at the office of the Municipal Manager, 2nd Floor, Civic Centre, 53 Van Velden Street, Brits for a period of 30 days from the 20th of September 2022.

Objections to or representations together with contact details in respect of the application must be lodged in writing with the Municipal Manager: Madibeng Local Municipality at the above-mentioned office or posted to P.O Box 106, Brits, 0250, or verbally if the objector is unable to write such objection, can be assisted by Ms. Moshibudi Bapela (Tel: 012 318 9405 or email: moshibudibapela@madibeng.gov.za) within a period of 30 days from the 20th of September 2022 to the 19th of October 2022.

Closing date for any objections and/or comments: 19 October 2022

Address of authorised agent: Nkanivo Development Consultants; Physical Address: Unit 79, Block 5, Lombardy Business Park, 66 Graham Road, Pretoria, 0084; E-mail address: info@nkanivo.co.za; Telephone No.: 012 807 7445

Dates which notices will be published: 20 September 2022

Location of the Property: The property is located along Main Street route in Kgalabalatsane adjacent to Kgalabalatsane Cemetery

20-27

PROVINSIALE KENNISGEWING 367 VAN 2022**MADIBENG PLAASLIKE MUNISIPALITEIT****KENNISGEWING VAN AANSOEK OM DIE VERANDERING VAN GRONDGEBRUIKSREGTE
(HERSONERING)****GEDEELTE VAN DIE PLAAS SYFERFONTEIN 430 JQ (TEMPORELE STAAN NR. D856
K GALABALATSANE)**

Ons, Nkanivo Development Consultants (Pty) Ltd, Registrasienommer 2017/301769/07, synde die gemagtigde agent van die huurder van 'n gedeelte van die Plaas Syferfontein 430 JQ (Temporal Stand No. D856 Kgalabalatsane) gee hiermee kennis ingevolge Artikel 86 van die Madibeng Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2016 dat 'n aansoek om 'n verandering van grondgebruiksregte (hersonering) van "Landbou" na "Spesiale Gebruik" vir die doel van 'n begrafnisondernemer by die MadibengmPlaaslike Munisipaliteit.

Volledige besonderhede en planne van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, 2de Vloer, Burgersentrum, Van Veldenstraat 53, Brits vir 'n tydperk van 30 dae vanaf 20 September 2022.

Besware teen of vertoe tesame met kontakbesonderhede ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder: Madibeng Plaaslike Munisipaliteit by bogenoemde kantoor ingedien word of gepos word na Posbus 106, Brits, 0250, of mondelings indien die beswaarmaker nie in staat is nie. om sodanige beswaar te skryf, kan bygestaan word deur me. Moshibudi Bapela (Tel: 012 318 9405 of e-pos: moshibudibapela@madibeng.gov.za) binne 'n tydperk van 30 dae vanaf die 20^{ste} September 2022 tot die 19^{de} Oktober 2022.

Sluitingsdatum vir enige besware en/of kommentaar: 19 Oktober 2022

Adres van gemagtigde agent: Nkanivo Development Consultants; Fisiese adres: Eenheid 79, Blok 5, Lombardy Business Park, Grahamweg 66, Pretoria, 0084; E-posadres: info@nkanivo.co.za; Telefoonnommer: 012 807 7445

Datums waarop kennisgewings gepubliseer sal word: 20 September 2022 en 27 September 2022

Ligging van die eiendom: Die eiendom is langs die hoofstraatroete in Kgalabalatsane geleë langs die Kgalabalatsane-begraafplaas

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PROVINCIAL NOTICE 368 OF 2022

NOTICE TO ADJACENT OWNERS AND AFFECTED PARTIES RELATING TO A LAND DEVELOPMENT APPLICATION TO THE MATLOSANA LOCAL MUNICIPALITY, FOR THE SIMULTANEOUS CHANGE OF LAND USE RIGHTS (ALSO REZONING) AND THE REMOVAL, AMENDMENT OR SUSPENSION OF RESTRICTIVE TITLE CONDITIONS IN THE TITLE DEED, IN RESPECT OF ERF 180, ADAMAYVIEW TOWNSHIP, REGISTRATION DIVISION I.P., PROVINCE NORTH-WEST, SITUATED AT 45 FLORA AVENUE (AMENDMENT SCHEME 1185, WITH ANNEXURE 1167). I, Alexander Edward van Breda, ID 620501 5073 08 2, being the authorized agent of the Owner of Erf 180, Adamayview Township, Registration Division I.P., Province North-West ("the Property"), hereby give notice in terms of Sections 41(1)(a),(b) and 41(2)(d),(e) of the Spatial Planning and Land Use Management Act ("SPLUMA"), 2013, Act 16 of 2013, and in terms of Sections 62(1), 63(2), 94(1)(a), 95(1), 96 and 97(1)(a) of the City of Matlosana Spatial Planning and Land Use Management By-law, 2016 ("SPLUMA By-law"), read with Sections 56(1)(b)(i) and (ii) of the Transvaal Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), that I have applied to the Matlosana Local Municipality for the amendment of the Klerksdorp Land Use Management Scheme, 2005 ("LUMS"), for a change of land use rights (also rezoning) of the Property and for the removal, amendment or suspension of restrictive title conditions contained in the Title Deed. The intention is to rezone the Property from "Residential 1" to "Special" as defined in Annexure 1167 to the Scheme and contains the following proposal ("the Application"): (A)Rezoning of the Property to "Special" for the purposes of a dwelling house and professional offices; (B)The removal, amendment or suspension of conditions B.(a); B.(c)(i-iii) and B.(d) on pages 3 and 4 in Titel Deed T92481/2021; (C)The following adjacent properties: Erven 167, 170, 171, 179, 181, 197 to 199, Adamayview Township, as well as others in the vicinity of the Property could possibly be affected hereby; (D)The following development parameters will apply: maximum coverage of 60% and two story height restriction. Any objection or comments including the grounds pertaining thereto and contact detail, shall be lodged within a period of 30 days from the date of first publication of the notices in the Provincial Gazette, Beeld and Citizen Newspapers in writing during normal office hours to the City of Matlosana local Municipality: office of the Municipal Manager, Records section, Basement, Municipal Building, c/o Bram Fischer Street and OR Tambo Street, Klerksdorp or to PO Box 99, Klerksdorp, 2570. Any person who cannot write may during office hours attend at the address mentioned above where the designated official of the town planning section (Mr. Danny Selemoseng: 018 487 8365) will assist that person to transcribe that person's objections or comments. Full particulars of the Application and plans (if any) may be inspected and viewed during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the notices in the Provincial Gazette, Beeld and Citizen Newspapers. Closing date for any objections: 20 October 2022. Address of Applicant: Alex van Breda, P.O. Box 3183, Freemanville, Klerksdorp, 2573, Telephone: 072 249 5400, vanbreda@iantic.net. Dates on which notice will be published: 20 and 27 September 2022.

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PROVINSIALE KENNISGEWING 368 VAN 2022

KENNISGEWING AAN AANLIGGENDE EIENAARS EN GEAFFEKTEERDE PARTYE RAKENDE 'N GRONDONTWIKKELINGSAANSOEK NA DIE MATLOSANA PLAASLIKE MUNISIPALITEIT, VIR DIE GELYKTYDIGE VERANDERING VAN DIE GRONDGEBRUIKSREGTE (OOK HERSONERING) EN OPHEFFING, WYSIGING OF OPSKORTING VAN BEPERKENDE TITELVOORWAARDES IN DIE TITELAKTE, TEN OPSIGTE VAN ERF 180, ADAMAYVIEW DORP, REGISTRASIE AFDELING I.P., PROVINSIE NOORD-WES, GELEE TE FLORALAAN 45 (WYSIGINGSKEMA 1185, MET BYLAAG 1167). Ek, Alexander Edward van Breda, ID 620501 5073 08 2, synde die gemagtigde agent van die Eienaar van Erf 180, Adamayview Dorp, Registrasie Afdeling I.P., Provinsie Noord-Wes ("die Eiendom"), gee hiermee ingevolge Artikels 41(a),(b) en 41(2)(d),(e) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur ("SPLUMA"), 2013, Wet 16 van 2013, en ingevolge Artikels 62(1), 63(2), 94(1)(a), 95(1), 96 en 97(1)(a) van die Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplannings en Grondgebruikbestuurverordening, 2016 ("SPLUMA By-wet"), saamgelees met Artikels 56(1)(b)(i) en (ii) van die Transvaal Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986), kennis dat ek by die Matlosana Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruiksregte (ook hersonering) van die Eiendom asook vir die opheffing, wysiging of opskorting van beperkende titelvoorwaardes vervat in die titelakte van die Eiendom. Die voorneme van die Aansoek is die hersonering van die Eiendom vanaf "Residensieel 1" na "Spesiaal" soos omskryf in Bylaag 1167 tot die Skema en behels die volgende: (A)Hersonering van die Eiendom na "Spesiaal" vir doeleindes van 'n woonhuis en professionele kantore; (B)Die opheffing, wysiging of opskorting van titelvoorwaarde B.(a); B.(c)(i-iii) en B.(d) op bladsye 3 en 4 in Titelakte T92481/2021; (C)Die volgende aangrensende eiendomme: Erwe 167, 170, 171, 179, 181, 197 tot 199, Adamayview Dorp, asook eiendomme in die onmiddellike omgewing van die eiendom kan moontlik hierdeur geraak word; (D)Die volgende ontwikkelingsparameters sal geld: maksimum dekking van 60% en twee vloer hoogtebeperking. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonder hede, moet skriftelik ingedien word binne n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewings in die Provinsiale Gazette, Beeld en Citizen Nuisblaai na die Matlosana Plaaslike Munisipaliteit: Kantoor van die Munisipale Bestuurder, h/v Bram Fischerstraat en OR Tambostraat, Burgersentrum, Rekordsafdeling, Keldervloer, Klerksdorp, 2570 of Posbus 99, Klerksdorp, 2570. Enige persoon wat nie kan skryf nie, kan tydens kantoorure bogenoemde adres besoek waartydens die gevolmagtigde beampte van die stadsbeplanningsafdeling (Mnr. Danny Selemoseng: 018 487 8365) daardie persoon behulpsaam sal wees ten einde hul besware of kommentare te transkribeer. Besonderhede van die Aansoek en planne (indien enige) is beskikbaar vir inspeksie en insae gedurende gewone kantoorure by die bovermelde kantore, vir n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewings in die Provinsiale Gazette, Beeld en Citizen Nuisblaai. Sluitingsdatum vir enige besware: 20 Oktober 2022. Adres van Applikant: Alex van Breda, Posbus 3183, Freemanville, Klerksdorp, 2573, Telefoon:072 249 5400, vanbreda@iantic.net. Publikasie datums van kennisgewings: 20 en 27 September 2022.

20-27

PROVINCIAL NOTICE 369 OF 2022**RUSTENBURG LOCAL MUNICIPALITY, NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP; WATERVAL EAST EXTENSION 79**

Ek, Jan-Nolte Ekkerd of NE Town Planning CC, being the authorized agent of Papavengelo Trading 235 (Pty) Ltd being the owner of The Remainder of Portion 1 of Holding 31 of the Waterval Small Holdings (Agricultural Holdings), Registration Division J.Q, North West Province, hereby give notice in terms of section 17(7) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018, that an application to establish the township referred to in the Annexure hereto, has been submitted to the Rustenburg Local Municipality.

Particulars of the application are open to inspection during normal office hours at the office of the Municipality at: Room 305, Missionary Mpheni House, cnr. of Beyers Naude and Nelson Mandela Drives, Rustenburg, for a period of 28 days from 20 September 2022.

Objections to or representations together with contact details in respect of the application must be lodged in writing and in duplicate with the Municipality at the above office or posted to him/her at PO Box 16, Rustenburg, 0300, within a period of 28 days from 20 September 2022

Closing date for any objections : 18 October 2022

Address of applicant : p/a Suite 203, De Dak, 155 Kock Street, Rustenburg 0299, or P.O. Box 21139 Protea Park, 0305; Telephone No: 014 592 2777

Dates on which notice will be published: 20 and 27 September 2022

ANNEXURE

Name of township: Waterval East Extension 79

Full name of applicant: NE Town Planning CC, on behalf of Papavengelo Trading 235 (Pty) Ltd

Number of erven, proposed zoning and development control measures:

1 Erf Zoned "Special" for self-storage, Max Storeys: 2, Max Coverage 80%, FAR: 0,8;

1 Erf zoned "Commercial"; Max. Height- 2 Storeys, Max. FAR: 0,4, Max. Coverage 80%,

1 Erf zoned "Future Public Roads" and "Existing Public Roads".

Description of land on which township is to be established: The Remainder of Portion 1 of Holding 31 Waterval Small Holdings, Agricultural Holdings, Registration Division J.Q., North West Province. Locality of proposed township: The proposed development is located 150m south of the R24 and P104 Roads intersection opposite the Engen 1 Stop Filling Station in the Waterval area.

20-27

PROVINSIALE KENNISGEWING 369 VAN 2022**RUSTENBURG PLAASLIKE MUNISIPALITEIT KENNISGEWING VIR STIGTING VAN 'N DORP;
WATERVAL EAST UITBREIDING 79**

Ek Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van Papavenelo Trading 235 (Edms) Bpk, synde die eienaar van die Restant van Gedeelte 1 van Hoewe 31 Waterval Kleinhoewes (Landbou Hoewes), Registrasie Afdeling J.Q., Noordwes Provinsie, gee hiermee ingevolge Artikel 17(7) van die Rustenburg Plaaslike Munisipaliteit se Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat 'n aansoek om dorpsstigting soos vervat in die Bylae hieronder, ingedien is by die Rustenburg Plaaslike Munisipaliteit.

Besonderhede van die aansoek is oop vir inspeksie gedurende gewone kantoorure by die kantoor van die Munisipaliteit by: Kamer 305, Missionary Mpheni House, h/v Beyers Naude and Nelson Mandela Rylane, Rustenburg, vir 'n tydperk van 28 dae vanaf 20 September 2022.

Besware of kommentaar tesame met kontakbesonderhede in verband met die aansoek moet skriftelik en in tweevoud ingedien en gerig word na die Munisipaliteit by die bovermelde kantoor of gepos word na Posbus 16, Rustenburg, 0300, binne 'n tydperk van 28 dae vanaf 20 September 2022. Sluitingsdatum vir besware: 18 Oktober 2022. Adres van applikant: p/a Kamer 203, De Dak, 155 Kockstraat, Rustenburg, 0299, of Posbus 21139, Protea Park, 0305; Telefoonnommer: 014 592 2777. Datums waarop kennisgewing gepubliseer sal word: 20 en 27 September 2022.

BYLAE:

Naam van dorp: Waterval East Uitbreiding 79

Volle naam van applikant: NE Town Planning BK, namens Papavengelo Trading 235 (Edms) Bpk
Hoeveelheid erwe, voorgestelde sonering en ontwikkelings parameters:

1 Erf gesoneer "Spesiaal" vir self- stoor fasiliteite, Maks. Hoogte 2 verdiepings, Maks. VOV: 0.8, Maks. Dekking 80%

1 Erf Gesoneer "Kommersieel", Maks Hoogte: 2 verdiepings: Maks. VOV: 0.4, Maks. dekking: 80%.

1 Erf Gesoneer "Toekomstige Openbare Paaie", asook "Bestaande Openbare Paaie".

Beskrywing van grond waarop dorp gestig gaan word: Restant van Gedeelte 1 van Hoewe 31, Waterval Kleinhoewes Landbou Hoewes, Registrasie Afdeling J.Q., Noordwes Provinsie.

Ligging van voorgestelde dorp: Die voorgestelde dorp is geleë ten suide van Rustenburg, ongeveer 150m suid van die R24 en P104 kruising, oorkant die Engen 1 Stop vulstasie, Waterval area.

20-27

PROVINCIAL NOTICE 370 OF 2022

NOTICE IN TERMS OF SECTIONS 17(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 3135

I Jan-Nolte Ekkerd of The firm NE Town Planning CC, being the authorised agent of the owner of Erven 2177, 2178, and 2179 Cashan Extension 16 Township, **Registration Division J.Q., North West Province** hereby give notice in terms of Section 17(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 that I have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the properties described above situated at Mayet Drive (Cnr. Mayet and Cuckoo Drive) Cashan Extension 16, Rustenburg from its current zonings to the proposed new zoning as mentioned below. This application contains the following proposals: A) that the properties will rezoned, developed and used for a place of "Public Worship" and 31 Dwelling Units. B) The adjacent properties as well as others in the area, could possibly be affected by the rezoning. C) The rezoning application proposes the following:

Property Description	Current Zoning	Proposed Zoning
Erf 2177 Cashan Extension 16	"Residential 2"	"Special" for Public Worship and 31 Dwelling Units
Erf 2178 Cashan Extension 16	"Special" for a Guesthouse	
Erf 2170 Cashan Extension 16	"Special" for a Crèche	

The application also entails that the properties will be consolidated, and new buildings may be built and used for the purposes mentioned above. Annexure 3135 contains the following development parameters: Max Height: 3 Storeys, Max Coverage: 65%, and Max F.A.R: 0,75. Any objection or comments, with the grounds therefore and contact details shall be lodged within a period of 28 days from the first date on which the notice appeared, with or made in writing to Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300**. Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld, and Citizen and/or Site Notice. Closing date for any objections: **18 October 2022**. Address of applicant: NE Town Planning CC, **155 Kock Street, Suite 203, De Dak, Rustenburg 0299 or P.O. Box 21139, Protea Park, 0305**; Telephone No: 014 592 2777. Dates on which notice will be published: **20 and 27 September 2022**.

20-27

PROVINSIALE KENNISGEWING 370 VAN 2022

KENNISGEWING INGEVOLGE ARTIKELS 17(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 3135

Ek Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van Erwe 2177, 2178 en 2179 Cashan Uitbreiding 16 Dorpsgebied, **Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendomme hierbo beskryf geleë te Mayet Rylaan (h/v Mayet and Cuckoo Rylaan) Cashan Uitbreiding 16 Rustenburg vanaf die bestaande regte na voorgestelde nuwe regte soos hieronder uiteengesit. Hierdie aansoek behels A) dat die eiendomme gehersoneer, ontwikkel en gebruik sal word vir 'n plek van "Openbare Aanbidding" en 31 Wooneenhede. B) Al die aangrensende eiendomme asook ander in die omgewing kan moontlik deur die hersonering geraak word. C) Die hersonering behels die volgende:

Eiendoms Beskrywing	Bestaande Sonering	Voorgestelde Soning
Erf 2177 Cashan Uitbreiding 16	"Residensieel 2"	"Spesiaal" vir plek vir Openbare Aanbidding asook 31 Wooneenhede
Erf 2178 Cashan Uitbreiding 16	"Spesiaal" vir 'n Gastehuis	
Erf 2170 Cashan Uitbreiding 16	"Spesiaal" vir 'n Kleuterskool	

Die aansoek behels ook dat die eiendomme gekonsolideer sal word en nuwe geboue gebou mag word en gebruik sal word vir doeleindes soos hierbo genoem. Bylae 3135 bevat die volgende ontwikkelingsparameters, Maks Hoogte: 3 Verdiepings, Maks Dekking: 65% en Maks VOV: 0,75. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 28 dae vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300**. Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 28 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: **18 Oktober 2022**. Adres van applikant: **155 Kockstraat, Kamer 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777**. Datums waarop kennisgewings gepubliseer word: **20 en 27 September 2022**.

20-27

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 256 OF 2022****NOTICE FOR APPLICATION FOR THE AMENDMENT OF THE TLOKWE TOWN PLANNING SCHEME 2015, ON ERF 1394 AND ERF 1396, POTCHEFSTROOM EXTENSION 3 AS WELL AS THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS [TITLE DEED NO. T49358/2022 AND T49357/2022] – AMENDMENT SCHEME 2420**

Notice is hereby given in terms of Section 92 of Chapter 6 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015, that the under-mentioned application has been received by the JB Marks Local Municipality and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, JB Marks Local Municipality, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatjie Avenue, Potchefstroom (email: mariusl@jbmarks.gov.za) or at the imminent address of the authorised agent below.

Any objections/representations must be lodged with or made in writing, or verbally if unable to write, to the Municipal Manager, at the abovementioned addresses or posted to P.O. Box 113, Potchefstroom, 2520 on or before the closing date for the submission of objections/representations, quoting the above-mentioned heading, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 13 October 2022

NATURE OF APPLICATION

I, **L.J. Botha of H & W Town Planners CC [Reg Nr. 2006/148547/23]**, being the authorised agent of the owner, intends to apply to the JB Marks Local Municipality to amend the town planning scheme known as the Tlokwe Town Planning Scheme, 2015, by the rezoning of Erf 1394 and Erf 1396 [situated at 17 and 11 Reitz Street], Potchefstroom Extension 3, from **“Residential 3”** with Annexure number 712 and Annexure number 602 respectively, to **“Residential 3”** with Annexure 1862 to make provision for a maximum density of 76 dwelling units per hectare. Additionally, application is made for the Removal of Restrictive Title Conditions A(a) – A(m) on page 2 and 3 in Deed of Transfer T49358/2022 as well as A(a) – A(m) on page 2 and 3 in Deed of Transfer T49357/2022. It is the intention of the owner to ultimately consolidate the two aforementioned erven to establish 28 residential dwelling units for the purpose of accommodation for students, young professionals or first-time buyers.

Owner: Kube Konstruksie en Grondwerke CC (Reg. No.: 2007/035297/23)

Address of authorised agent: H & W TOWN PLANNERS CC (2006/148547/23), 246 MC ROODE DRIVE, POTCHEFSTROOM, 2531, P.O. BOX 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-mail: louis@hwtp.co.za (HB202211)

13-20

PLAASLIKE OWERHEID KENNISGEWING 256 VAN 2022**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE TLOKWE DORPSBEPLANNINGSKEMA 2015, OP ERF 1394 EN ERF 1396, POTCHEFSTROOM UITBREIDING 3 ASOOK DIE OPHEFFING VAN BEPERKENDE TITELVOORWAARDES [TRANSPORTAKTE NO. T49358/2022 EN T49357/2022] – WYSIGINGSKEMA 2420**

Kennis geskied hiermee in terme van Artikel 92 van Hoofstuk 6 van die Tlokwe Stadsraad Ruimtelike Beplanning en Grondgebruikbestuurskema Verordening 2015, dat ondergemelde aansoek deur die JB Marks Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, JB Marks Plaaslike Munisipaliteit, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom (epos: mariusl@jbmarks.gov.za) of by die hieropvolgende adres van die gemagtigde agent soos onderaan genoem.

Enige beswaar/vertoë moet skriftelik, of mondelings indien nie kan skryf nie, by of tot die Munisipale Bestuurder voor die sluitingsdatum vir die indiening van besware/vertoë by genoemde adresse of na Posbus 113, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die grond(e) van die beswaar/vertoë, die beswaarmaker se erf, telefoonnommers en adres.

SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 13 Oktober 2022

AARD VAN AANSOEK:

Ek, L.J. Botha van H & W Town Planners BK [Reg No. 2006/148547/23], synde die gemagtigde agent van die eienaar, is van voorneme om by die JB Marks Plaaslike Munisipaliteit aansoek te doen om die dorpsbeplanningskema bekend as die Tlokwe dorpsbeplanningskema, 2015, te wysig, deur die herosnering van Erf 1394 en Erf 1396 [geleë te Reitzstraat 17 en 11], Potchefstroom Uitbreiding 3, vanaf “**Residensieel 3**” met Bylaag nommer 712 en Bylaag nommer 602 onderskeidelik, na “**Residensieel 3**” met Bylaag nommer 1862 om voorsiening te maak vir 'n maksimum digtheid van 76 wooneenhede per hektaar. Addisioneel word daar ook aansoek gedoen vir die Opheffing van Beperkende Voorwaardes A(a) – A(m) op bladsy 2 en 3 in Transportakte T49358/2022 asook A(a) – A(m) op bladsy 2 en 3 in Transportakte T49357/2022. Dit is die voorneme van die eienaar om uiteindelik die twee bogenoemde erwe te konsolideer vir die voorsiening van 28 residensiële eenhede vir studente, jong professionele persone en eerste kopers.

Eienaar: Kube Konstruksie en Grondwerke CC (Reg. No.: 2007/035297/23)

Adres van gemagtigde agent: H & W TOWN PLANNERS CC (2006/148547/23), MC ROODE RYLAAN 246, POTCHEFSTROOM, 2531, POSBUS 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-pos: louis@hwtp.co.za (HB202211)

13-20

LOCAL AUTHORITY NOTICE 257 OF 2022**NOTICE FOR APPLICATION FOR AMENDMENT OF THE TLOKWE TOWN PLANNING SCHEME 2015, ON THE REMAINING EXTENT OF PORTION 1 OF ERF 1088, POTCHEFSTROOM, IN TERMS OF SECTION 62 OF CHAPTER 5 OF THE TLOKWE CITY COUNCIL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) – AMENDMENT SCHEME 2415**

Notice is hereby given in terms of Section 92 of Chapter 6 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015, that the under-mentioned application has been received by the JB Marks Local Municipality and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, JB Marks Local Municipality, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatjie Avenue, Potchefstroom (email: mariusl@jbmarks.gov.za) or at the imminent address of the authorised agent below.

Any objections/representations must be lodged with or made in writing, or verbally if unable to write, to the Municipal Manager, at the abovementioned addresses or posted to P.O. Box 113, Potchefstroom, 2520 on or before the closing date for the submission of objections/representations, quoting the above-mentioned heading, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 13 October 2022

NATURE OF APPLICATION

I, **L.J. Botha of H & W Town Planners CC [Reg Nr. 2006/148547/23]**, being the authorised agent of the owner, intends to apply to the JB Marks Local Municipality to amend the town planning scheme known as the Tlokwe Town Planning Scheme, 2015, by the rezoning of the Remaining Extent of Portion 1 of Erf 1088, Potchefstroom (situated at 77 Dwars Street) from "**Residential 1**" to "**Residential 3**". It is the intention of the owner to provide medium-high density dwelling units.

Owner: Jacques Warren William Julius (ID: 720604 5194 08 7) and Liezel Ellen Julius (ID: 780729 0166 08 2)

Address of authorised agent: H & W TOWN PLANNERS CC (2006/148547/23), 246 MC ROODE DRIVE, POTCHEFSTROOM, 2531, P.O. BOX 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-mail: louis@hwtp.co.za (HB202207)

13-20

PLAASLIKE OWERHEID KENNISGEWING 257 VAN 2022**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE TLOKWE DORPSBEPLANNINGSKEMA 2015, OP DIE RESTERENDE GEDEELTE VAN GEDEELTE 1 VAN ERF 1088, POTCHEFSTROOM IN TERME VAN ARTIKEL 62 VAN HOOFSTUK 5 VAN DIE TLOKWE STADSRAAD RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013) – WYSIGINGSKEMA 2415**

Kennis geskied hiermee in terme van Artikel 92 van Hoofstuk 6 van die Tlokwe Stadsraad Ruimtelike Beplanning en Grondgebruikbestuurskema Verordening 2015, dat ondergemelde aansoek deur die JB Marks Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, JB Marks Plaaslike Munisipaliteit, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom (epos: mariusl@jbmarks.gov.za) of by die hieropvolgende adres van die gemagtigde agent soos onderaan genoem.

Enige beswaar/vertoë moet skriftelik, of mondelings indien nie kan skryf nie, by of tot die Munisipale Bestuurder voor die sluitingsdatum vir die indiening van besware/vertoë by genoemde adresse of na Posbus 113, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die grond(e) van die beswaar/vertoë, die beswaarmaker se erf, telefoonnummers en adres.

SLUITINGSdatum VIR DIE INDIENING VAN BESWARE/VERTOË: 13 Oktober 2022**AARD VAN AANSOEK:**

Ek, L.J. Botha van H & W Town Planners BK [Reg No. 2006/148547/23], synde die gemagtigde agent van die eienaar, is van voorneme om by die JB Marks Plaaslike Munisipaliteit aansoek te doen om die dorpsbeplanningskema bekend as die Tlokwe Dorpsbeplanningskema, 2015, te wysig, deur die hersonering van die Resterende Gedeelte van Gedeelte 1 van Erf 1088, Potchefstroom [geleë te Dwarstraat 77] vanaf “**Residensieel 1**” na “**Residensieel 3**”. Dit is die voorneme van die eienaar om medium-hoër digtheid wooneenhede op te rig.

Eienaar: Jacques Warren William Julius (ID: 720604 5194 08 7) and Liezel Ellen Julius (ID: 780729 0166 08 2)
Adres van gemagtigde agent: H & W TOWN PLANNERS CC (2006/148547/23), MC ROODE RYLAAN 246, POTCHEFSTROOM, 2531, POSBUS 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-pos: louis@hwtp.co.za (HB202207)

13-20

LOCAL AUTHORITY NOTICE 259 OF 2022**NOTICE FOR APPLICATION FOR AMENDMENT OF THE TLOKWE TOWN PLANNING SCHEME 2015, ON THE REMAINING EXTENT OF ERF 886, POTCHEFSTROOM, IN TERMS OF SECTION 62 OF CHAPTER 5 OF THE TLOKWE CITY COUNCIL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) – AMENDMENT SCHEME 2426**

Notice is hereby given in terms of Section 92 of Chapter 6 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015, that the under-mentioned application has been received by the JB Marks Local Municipality and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, JB Marks Local Municipality, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatjie Avenue, Potchefstroom (email: mariusl@jbmarks.gov.za) or at the imminent address of the authorised agent below.

Any objections/representations must be lodged with or made in writing, or verbally if unable to write, to the Municipal Manager, at the abovementioned addresses or posted to P.O. Box 113, Potchefstroom, 2520 on or before the closing date for the submission of objections/representations, quoting the above-mentioned heading, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 20 October 2022

NATURE OF APPLICATION

I, **L.J. Botha of H & W Town Planners CC [Reg Nr. 2006/148547/23]**, being the authorised agent of the owner, intends to apply to the JB Marks Local Municipality to amend the town planning scheme known as the Tlokwe Town Planning Scheme, 2015, by the rezoning of the Remaining Extent of Erf 886, Potchefstroom (situated at 15 Molen Street) from "**Residential 1**" to "**Residential 4**" with Annexure 1868 to make provision for a Hotel, Place of Public Worship, Place of Instruction, Social Hall, Restaurant and a maximum height of three (3) storeys. It is the intention of the owner to provide high-density dwelling units (Student Focused Living Facilities) and/or temporary accommodation.

Owner: Isak Jacobus Taljaard (ID No.: 660815 5029 08 9)

Address of authorised agent: H & W TOWN PLANNERS CC (2006/148547/23), 246 MC ROODE DRIVE, POTCHEFSTROOM, 2531, P.O. BOX 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-mail: louis@hwtp.co.za (HB202219)

Acting Municipal Manager: S. Tyatya

20-27

PLAASLIKE OWERHEID KENNISGEWING 259 VAN 2022

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE TLOKWE DORPSBEPLANNINGSKEMA 2015, OP DIE RESTERENDE GEDEELTE VAN ERF 886, POTCHEFSTROOM IN TERME VAN ARTIKEL 62 VAN HOOFSTUK 5 VAN DIE TLOKWE STADSRAAD RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013) – WYSIGINGSKEMA 2426

Kennis geskied hiermee in terme van Artikel 92 van Hoofstuk 6 van die Tlokwe Stadsraad Ruimtelike Beplanning en Grondgebruikbestuurskema Verordening 2015, dat ondergemelde aansoek deur die JB Marks Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, JB Marks Plaaslike Munisipaliteit, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom (epos: mariusl@jbmarks.gov.za) of by die hieropvolgende adres van die gemagtigde agent soos onderaan genoem.

Enige beswaar/vertoë moet skriftelik, of mondelings indien nie kan skryf nie, by of tot die Munisipale Bestuurder voor die sluitingsdatum vir die indiening van besware/vertoë by genoemde adresse of na Posbus 113, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die grond(e) van die beswaar/vertoë, die beswaarmaker se erf, telefoonnommers en adres.

SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 20 Oktober 2022

AARD VAN AANSOEK:

Ek, L.J. Botha van H & W Town Planners BK [Reg No. 2006/148547/23], synde die gemagtigde agent van die eienaar, is van voorneme om by die JB Marks Plaaslike Munisipaliteit aansoek te doen om die dorpsbeplanningskema bekend as die Tlokwe Dorpsbeplanningskema, 2015, te wysig, deur die hersonering van die Resterende Gedeelte van Erf 886, Potchefstroom [geleë te Molentraat 15] vanaf "**Residensieel 1**" na "**Residensieel 4**" met Bylae 1868 om voorsiening te maak vir 'n Hotel, Plek vir Openbare Godsdienst, Onderrigplek, Geselligheidsaal, Restaurant en 'n maksimum hoogte van drie (3) verdiepings. Dit is die voorneme van die eienaar om hoë-digtheid wooneenhede (studente gefokusde woonfasiliteite) en/of tydelike akkommodasie te voorsien.

Eienaar: Isak Jacobus Taljaard (ID No.: 660815 5029 08 9)

Adres van gemagtigde agent: H & W TOWN PLANNERS CC (2006/148547/23), MC ROODE RYLAAN 246, POTCHEFSTROOM, 2531, POSBUS 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-pos: louis@hwtp.co.za (HB202219)

Waarnemende Munisipale Bestuurder: S. Tyatya

20-27

LOCAL AUTHORITY NOTICE 260 OF 2022**NOTICE FOR APPLICATION FOR AMENDMENT OF THE TLOKWE TOWN PLANNING SCHEME 2015, ON PORTION 1 OF ERF 850, POTCHEFSTROOM, IN TERMS OF SECTION 62 OF CHAPTER 5 OF THE TLOKWE CITY COUNCIL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) – AMENDMENT SCHEME 2427**

Notice is hereby given in terms of Section 92 of Chapter 6 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015, that the under-mentioned application has been received by the JB Marks Local Municipality and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, JB Marks Local Municipality, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatjie Avenue, Potchefstroom (email: mariusl@jbmarks.gov.za) or at the imminent address of the authorised agent below.

Any objections/representations must be lodged with or made in writing, or verbally if unable to write, to the Municipal Manager, at the abovementioned addresses or posted to P.O. Box 113, Potchefstroom, 2520 on or before the closing date for the submission of objections/representations, quoting the above-mentioned heading, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 20 October 2022

NATURE OF APPLICATION

I, **L.J. Botha of H & W Town Planners CC [Reg Nr. 2006/148547/23]**, being the authorised agent of the owner, intends to apply to the JB Marks Local Municipality to amend the town planning scheme known as the Tlokwe Town Planning Scheme, 2015, by the rezoning of Portion 1 of Erf 850, Potchefstroom (situated at 77 Molen Street) from "**Residential 1**" to "**Business 2**". It is the intention of the owner to provide high-density dwelling units (Student Focused Living Facilities) and temporary accommodation, with the possibility of additional land uses permitted under a "Business 2" zoning.

Owner: Cornelius Johannes Muller (ID No.: 651116 5070 08 7)

Address of authorised agent: H & W TOWN PLANNERS CC (2006/148547/23), 246 MC ROODE DRIVE, POTCHEFSTROOM, 2531, P.O. BOX 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-mail: louis@hwtp.co.za (HB202221)

Acting Municipal Manager: S. Tyatya

20-27

PLAASLIKE OWERHEID KENNISGEWING 260 VAN 2022

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE TLOKWE DORPSBEPLANNINGSKEMA 2015, OP GEDEELTE 1 VAN ERF 850, POTCHEFSTROOM IN TERME VAN ARTIKEL 62 VAN HOOFSTUK 5 VAN DIE TLOKWE STADSRAAD RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013) – WYSIGINGSKEMA 2427

Kennis geskied hiermee in terme van Artikel 92 van Hoofstuk 6 van die Tlokwe Stadsraad Ruimtelike Beplanning en Grondgebruikbestuurskema Verordening 2015, dat ondergemelde aansoek deur die JB Marks Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, JB Marks Plaaslike Munisipaliteit, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom (epos: mariusl@jbmarks.gov.za) of by die hieropvolgende adres van die gemagtigde agent soos onderaan genoem.

Enige beswaar/vertoë moet skriftelik, of mondelings indien nie kan skryf nie, by of tot die Munisipale Bestuurder voor die sluitingsdatum vir die indiening van besware/vertoë by genoemde adresse of na Posbus 113, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die grond(e) van die beswaar/vertoë, die beswaarmaker se erf, telefoonnommers en adres.

SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 20 Oktober 2022

AARD VAN AANSOEK:

Ek, L.J. Botha van H & W Town Planners BK [Reg No. 2006/148547/23], synde die gemagtigde agent van die eienaar, is van voorneme om by die JB Marks Plaaslike Munisipaliteit aansoek te doen om die dorpsbeplanningskema bekend as die Tlokwe Dorpsbeplanningskema, 2015, te wysig, deur die hersonering van Gedeelte 1 van Erf 850, Potchefstroom [geleë te Molentraat 77] vanaf "**Residensieel 1**" na "**Besigheid 2**". Dit is die voorneme van die eienaar om hoë-digtheid wooneenhede (studente gefokusde woonfasiliteite) en tydelike akkommodasie, met die moontlikheid vir addisionele grondgebruike toegelaat onder 'n "Besigheid 2" sonering.

Eienaar: Cornelius Johannes Muller (ID No.: 651116 5070 08 7)

Adres van gemagtigde agent: H & W TOWN PLANNERS CC (2006/148547/23), MC ROODE RYLAAN 246, POTCHEFSTROOM, 2531, POSBUS 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-pos: louis@hwtp.co.za (HB202221)

Waarnemende Munisipale Bestuurder: S. Tyatya

20-27

LOCAL AUTHORITY NOTICE 261 OF 2022

BOJANALA PLATINUM DISTRICT MUNICIPALITY

DRAFT

2022



MUNICIPAL HEALTH SERVICES

PUBLIC HEALTH BY-LAW

The Municipal Manager of the BOJANALA PLATINUM DISTRICT MUNICIPALITY hereby, in terms of section 13(a) of the Local Government Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the BOJANALA PLATINUM DISTRICT Municipal Health Service By-laws for the BOJANALA PLATINUM DISTRICT MUNICIPALITY, as approved and adopted by Council on 05 June 2022 under Resolution No R653/17/18

The objective of the bylaws is to enable the Municipality to promote and protect the health and well-being of all people within the district municipality by providing an effective legal and administrative framework, in conjunction with any other applicable laws, within which the district can develop and manage its Municipal Health Service obligations as contemplated in Section 32 of the National Health Act as amended, Act 61 of 2003.

BE ENACTED by the Council of the BOJANALA PLATINUM DISTRICT MUNICIPALITY, as follows:

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(1) In these By-laws, unless the context otherwise indicates-

“Abduction| Kidnapping” means the taking of a person by force without his or her consent and in case of a minor without the consent or permission of his or her parent or guardian, and “abduct” and “kidnap” have a corresponding meaning.

“Accommodation establishment” means a hotel, guest house, lodge or boarding house, bed and breakfast and any other establishment where accommodation is provided to people on a temporary basis or on a semi-permanent basis;;

“Adequate” when used to describe a standard or manner in which anything required by these By-laws must be done, in the opinion of an Environmental Health Practitioner, is sufficient to safeguard public health, and to achieve the purpose and apply the principles of these By-laws.

“Adequately ventilated and illuminated ” means ventilated and illuminated by means of windows with an uninterrupted transparent area equal to at least 10% of the floor area and with an area which can be opened equal to at least 5% of the floor area, and so placed that cross ventilation is facilitated;

“Adverse effect” means any actual or potential impact on the environment that impairs, or would impair the environment or any aspect of it to an extent that is more than trivial or insignificant, or that is harmful to human health or well-being.

“Agricultural holding” means the same as defined in the applicable Town Planning Scheme of the relevant local municipality;

“Agricultural land” means area devoted to agriculture either arable, under permanent crops or permanent pastures.

“Animal” means any equine, bovine, sheep, goat, pig, poultry, camel, dog, cat, or other domestic animal or

any wild animal or reptile which is in captivity or under the control of a person;

“**Approved**” approved means by the municipality with regard to the reasonable environmental health requirements of the particular case

“**Approved building plan**” refers to a building plan approved by the local authority or approved by the review board on appeal to the review board in terms of the National Building Standards Act, 1977 (Act No. 103 of 1977);

“**Approved container**” means approved containers;

“**Approved milking shed**” means a milking shed in respect of which a Certificate of Acceptability has been issued and is enforced;

“**Authorised official**” means any official of the District Municipality who has been authorised by the District to administer, implement and enforce the provisions of these By-laws

“**Authorised person**” means any person authorized by the District Municipality to implement any provision of this bylaws including but not limited to-

- (a) Peace officers as contemplated in section 334 of the Criminal Procedures Act, 1977 (Act no. 51 of 1977)
- (b) District or Public safety officers as contemplated in the South African Police Services Act 1995 (Act no. 68 of 1995) as amended
- (c) Such employees, agents, delegated nominees, representatives and service providers of the District as are specifically authorized by the District in this regard: Provided that for the purposes of search and seizure, where such person is not a peace officer, such person must be accompanied by a peace officer.

“**Aviary**” means an enclosure used for the keeping of birds, other than poultry but does not include a portable cage;

“**Baker**” shall mean any person who carries on the business of manufacturing any bakery products;

“**Bakery**” shall mean the premises or any part thereof on or in which the business of a baker is carried on;

“**Bakery product**” shall include bread, rolls, pies, biscuits, cakes, tarts, confectionery, sweet meats and similar products;

“**Battery system**” means the method of keeping poultry or rabbits in cages in either single rows or tier formation within a building or structure;

“**Best practicable**” means the most effective measures that can reasonably be taken to prevent, reduce or minimize air pollution, having regard to all relevant factors including, among others, local conditions and circumstances, the likelihood of adverse effects, the current state of technical knowledge and financial implications relative to the degree of environmental protection expected to be achieved by application or adoption of the measures;

“**Butcher**” shall mean a person carrying on the business of selling meat in wholesale quantities, offering or exposing meat for sale by retail in a shop or fixed place, or by offering meat for sale or delivery from some other place

“**Butchery**” means any premises used for selling meats in wholesale quantities or by offering meat for sale or delivery;

“**Cadaver**” refers to a corpse or a dead body (mortal remains and human remains/human waste shall have a corresponding meaning);

“**Cattery**” means premises in or upon which boarding facilities for cats are provided or cats are bred for commercial purposes;

“**Certificate of competence**” means a document issued in terms of Regulation R363 on management of human remains, in addition to the certificate of compliance, a provisional certificate is issued in terms of the above mentioned regulation;

“**Certificate holder**” means the person in whose name a certificate of competence has been issued;

“**Child**” means any person under the age of 18 years and "children" has a corresponding meaning

“**Circumcision**” means the surgical removal of the foreskin or clitoris including any external genitalia by a traditional health practitioner, traditional surgeon, and medical practitioner as part of a cultural initiation process and “circumcise” has a corresponding meaning.

“**Constitution**” means the Constitution of the Republic of South Africa, 1996 (108 of 1996)

“**Communicable disease**” means a disease resulting from an infection due to pathogenic agents or toxins generated by the infection, following the direct or indirect transmission of the agents from the source to the host;

“**Council**” means the Council of Bojanala Platinum District Municipality or its duly authorized employee, council committee or agent

“**Corpse**” means a dead human body

“**Crematorium**” means a place used for the purpose of burning or cremating a corpse and includes every part of those premises;

“**Culture**” means a traditional way of doing things and shall include habits, norms, mores, ethics and values.

“**Dairy product**” means milk or a product obtained or manufactured exclusively or mainly from milk and to which no unpermitted substances or another foodstuff of which the solids are not meant to substitute any part of the milk solids, are added and it also includes a product of which a maximum of 50% of the fat content, protein content and carbohydrate content respectively, are obtained from a source other than milk;

“**Date of durability**” (“Best before” or “best before end”) means the which signifies the end of the period

under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made however beyond the date of the food may still be perfectly satisfactory,

“Disinfection” means the reduction, without adversely affecting the food by means of hygienically satisfactory chemical agents or physical methods, of the number of micro- organisms to a level that will not lead to harmful contamination of food; or the procedure whereby health measures are taken to control or kill infectious agents on human diseases present in baggage, cargo, containers, conveyances, goods and postal parcels;

“District Municipality” means –

- (a) The Bojanala Platinum District Municipality in terms Chapter 2 of the Local Government Municipal Structures Act No. 117 of 1998 exercising its legislative and executive authority through its District:
or
- (b) its successor in title; or
- (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these By-laws has been delegated or sub- delegated, or an instruction given, as contemplated in section 59 of the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000) ; or
- (d) a service provider fulfilling a responsibility under these By-laws, assigned to it in terms of section 81 (2) of the Local Government: Municipal System Act, or any other law, as the case may be;
means a category C municipality envisaged in section 155(l) (c) of the Constitution; (legal opinion)

“Disturbing noise” means a specific noise level that exceed either the outdoor equivalent continuous day/night rating level, the outdoor equivalent continuous day rating level and/or the outdoor equivalent continuous night rating level for the particular neighborhood indicated as the outdoor ambient noise in various districts in SANS10103.

“Domestic consumption” in relation to water, means the use of potable water for human consumption preparing food or drink for domestic purpose.

“Dormitory” means a sleeping room in which sleeping accommodation is provided for four or more persons.

“Dry-cleaning or laundry business” means any business in which clothes or other fabrics are cleaned with water or other solvents, or clothes or fabrics are ironed,

“Dry-cleaning or laundry receiving depot” means premises used for the receipt, storage and dispatch of clothes or other fabrics in connection with a dry cleaning or laundry business.

“Dust” means any solid matter in a fine or disintegrated stage from which is capable of being dispersed or suspended in the atmosphere;

“Effluent” means any waste water which may be generated as a result of undertaking any scheduled use or any activity which is likely to cause a public health nuisance.

“Embalmer” means a person who embalms corpses;

“**Embalming**” means the treatment of human remains in order to prevent decay;

“**Enclosure**” in relation to an animal, means any kraal, pen, paddock, cage or other fenced or enclosed area erected to confine an animal from escaping or roaming freely on the remainder of the premises;

“**Environment**” means the surroundings within which humans exist and that are made up of–

- (a) the land, water and atmosphere of the earth,
- (b) microorganisms, plant and animal life,
- (c) any part or combination of (a) and (b) and the interrelationships among and between them; and
- (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“**Environmental health**” means those aspects of human health, including quality of life, that are determined by physical, chemical, biological, social and psychosocial factors in the environment. It also refers to the theory and practice of assessing, correcting, controlling and preventing those factors in the environment that can potentially adversely affect the health of present and future generations.

“**Environment Health Practitioner**” means the person appointed by the Mayor under Section 80 (1) (c) of the National Health Act, 2003 (Act No. 61 of 2003); health officer has a corresponding meaning.

“**Environmental authorization**” means an authorization as defined in the National Environmental Management Act 1998, (Act 107 of 1998 as amended)

“**Environmental Management Inspector**” means an Environmental Management Inspector appointed in terms of 31 C of the National Environmental Management Act 1998 (Act 107 of 1998 as amended)

“**Executive Mayor**” means the Executive Mayor of Bojanala Platinum District Municipality as appointed by section 55 of Local Government Municipal Structures Act No. 117 of 1998

“**Food**” means a foodstuff intended for human consumption, as defined in section 1 of the Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972 as amended), excluding food referred to in regulation 14 of regulations governing general hygiene requirements for food premises, the transport of food and related matters.

“**Food handler**” means a person who in the course of his or her normal routine work on food premises, directly handles or comes into contact with packaged or unpackaged food, food equipment and utensils, or food contact surfaces and is therefore expected to comply with food hygiene requirements;;

“**Food premises**” means a building, structure, stall, or other similar structure, and includes a caravan, vehicle, stand or place used for or in connection with the handling of food;

“**Foodstuff**” means any article or substance, including natural mineral water or bottled water, but excluding medicine, ordinarily eaten or drunk by humans or purporting to be suitable, or manufactured or sold, for human consumption and includes any part or ingredient of any article or substance or any substances used, intended or destined to be used as a part of any article or substance;

“**Food vending machine**” means any mechanical device, whether attended or not, by means of which

foodstuffs are sold;

“Funeral undertaker’s premises” shall mean premises that are used or intended to be used for the preparation and storage of corpses and may undertake funeral and burial services;

“Generator” means a person whose actions or activities result in health care risk waste and includes households, home-based care-givers and organizations, health care practitioners and health care facilities, veterinary practitioner, animal clinics and animal hospitals, mortuaries, funeral parlors, undertakers and embalmers, emergency medical services, traditional healers, tattoo artists and body piercers.

“Good manufacturing practice” means a method of manufacture or handling or a procedure employed, taking into account the principles of hygiene, so that food cannot be contaminated or spoiled during the manufacturing process;

“Head of municipal health services” means the person appointed by the District as such.

“Health care general waste” means that portion of health care waste which is not hazardous.

“Health care risk waste” means to healthcare risk waste as defined in the SANS 10248, Management of Health Care Waste;

“Health care waste” means waste generated at a health establishment and includes both health care general waste and health care risk waste.

“Health certificate” means a Health Certificate issued in terms of these By-laws

“Health certificate holder” means a natural person or a partnership, or an association of person, to whom a Health Certificate has been issued in terms of these By-laws.

“Hearse” means the vehicle for the conveyance of the body of a person who has died.

Import permit means the permit issued by the Director-General or delegated Provincial Head of the Department authorizing the importation of mortal remains into South Africa;

“Infectious disease” means disease caused by pathogenic microorganisms e.g. bacteria, viruses, parasites or fungi that can be spread directly or indirectly from one individual to another.

“Initiate” means a person who has been admitted in the circumcision or initiation school for the purpose of being circumcised and or initiated.

“Initiation Schools” means a cultural institution or place where circumcision is carried out and registered in terms of this document and circumcision school shall have the corresponding meaning.

“Inspector” means a person authorized as such, under section 10 of the Foodstuffs Cosmetics and Disinfectants Act 1972, (Act 54 of 1972 as amended)

“Kennels” means premises in or upon which –

- (a) boarding facilities for dogs are provided;
- (b) dogs are bred for commercial purposes;
- (c) dogs are kept for the purposes of being trained or hire out with or without handlers; or
- (d) dogs are kept for commercial security purpose;

“Keeper” means in relation to any animal, the owner of the animal or any other person

responsible for feeding and caring for the animal;

“Label” means any tag, brand, mark, pictorial, graphic, or other descriptive matter, which is written, printed, stenciled, marked, embossed, impressed upon, or permanently attached to a container of a foodstuff, and includes labelling for the purpose of promoting its sale or disposal, labelling has a corresponding meaning.

“Livestock” means horse, cattle, sheep, goats, pigs, mules, donkeys and poultry.

“Local municipality” means a Category B municipality envisaged in Section 155(1)(b) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

“Manufacture” includes production, or preparation, processing, preservation or other manufacturing process;

“MEC” means a Member of the Executive Council of the North West Province who is responsible for the health in the province

“Milk” means the mammary secretion of dairy stock, obtained from one or more milking for consumption as liquid milk or for further processing;

“Milk dealer” means any person, other than a dairyman, who receives, collects, treats, prepares for sale, or sells milk at or from a milk depot, and who is registered as such;

“Milking parlour” means that area of the milking shed in which dairy stock are milked;

“Milk tanker” means a vehicle for the transportation of milk in bulk;

“Milk vessel” means and includes every receptacle, can, vessel, utensil, bottle, appliance, or any other thing, which is used by a dairyman, milk dealer or milk purveyor, for the production, collection, keeping, storage, preparation, treatment, measurement, conveyance, delivery or distribution of milk;

“Mortal/ human remains” means the remains of a dead person in any form (corpse has a corresponding meaning);

“Mortuary” means a room or building in which dead bodies are kept for hygienic storage, examination, until burial or cremation.

“Municipality” means a relevant municipality as established section 155 of The Constitution, Act, 1996 (Act No. 108 of 1996) as amended;

“Municipal health services” means services as defined in section 1 of the National- Health Act 2003(Act 61 of 2003 as amended.)

“**Municipal manager**” means a person appointed as such by the council of the district municipality in terms of section 82 of the Local Government: Municipal Structure Act, 1998 (Act No. 117 of 1998 as amended);

“**National Building Regulations and Building Standards Act**” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977 as amended);

“**Nuisance**” means an unreasonable interference or likely interference caused by air pollution with regard to the health, well-being of any person living organism; the environment or the use and enjoyment by an owner or occupier of his or her property or environment;

“**Nuisance noise**” means any sound which disturbs or impairs or may disturb or impair the convenience or peace of any reasonable person.

“**Occupier**”, in relation to any premises, means any person occupying the premises; leasing the premises; who is not occupying the premises but is entitled to do so; or who manages the premises or a business on the premises on behalf of a person

“**Offensive odour**” means any smell which is considered to be malodorous or a nuisance to a reasonable person.

“**Offensive trader**” means any person who owns, conducts or carries on an offensive trade.

“**Open burning**” means the combustion of material by burning without a chimney to vent the emitted products of combustion to the atmosphere, and “burning in the open” has a corresponding meaning;

“**Organ of state**” means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)

“**Owner**”, in relation to any premises, means the person in whose name the title to the premises is registered, and includes the holder of a stand if the person is dead, insolvent, mentally ill, a minor or under any legal disability, the executor, guardian or other person who is legally responsible for administering that person’s estate;

“**Peace Officer**” includes any magistrate, justice, police official, correctional official as defined in section 1 of the Correctional Services Act, 1959 (Act 8 of 1959), and, in relation to any area, offence, class of offence or power referred to in a notice issued under section 334 (1), any person who is a peace officer under that section;

“**Perishable food**” means any foodstuff which on account of its composition, ingredients, moisture content and/or pH value and of its lack of preservatives and suitable packaging is susceptible to an uninhibited increase in microbes therein or thereon, if the foodstuff is kept within the temperature spectrum of 5° C to 65° C, and includes the perishable foodstuffs listed in Government Notice No. R1183 of 1 June 1990 as amended;

“**Permit**” means a public health permit issued by the District Municipality in terms of the section 10;

“**Person**” means a natural person or a juristic person, and includes an organ of state;

“**Person in charge**” means a natural person who is responsible for any premises and/or the owner of such

premises, as the case may be;

“**Pest**” means any animal, reptile, insect or mammal, which may create a public health hazard or public health nuisance if it is present in significant numbers and including but not limited to rats, mice, flies, mosquitoes, bed bugs, fleas, lice, termites and cockroaches;

“**Pet**” means a domestic animal, reptile, insect, bird or poultry kept in a household for companionship or amusement;

“**Pet parlour**” means an establishment where pets are groomed;

“**Pet shop**” means the premises on which the business of keeping and selling of pets is carried out;

“**Portable cage**” means a cage that can be carried around by hand or a cage mounted on wheels used for the keeping of one or more birds.

“**Potable water**” means water that complies with the requirements set out in SANS 241: 2015 with regards to its chemical, microbiological and physical quality or any subsequent amendments.

“**Poultry**” means any chicken, duck, goose, guinea-fowl, ostrich, partridge, pheasant, pigeon, quail, turkey and chicks thereof;

“**Poultry house**” means a roofed-over building or structure in which poultry is kept, other than one in which a battery system is operated;

“**Poultry run**” means any unroofed wire mesh or other enclosure in which poultry is kept, whether or not it is attached to a poultry house;

“**Pre-packed food**” means food which, before it is presented for sale or for serving, has been packed;

“**Premises**” means

- (a) any land with or without any buildings or other structure on it;
- (b) any building or other structure and the land on which is situated;
- (c) any land which adjoins land referred to in paragraph (a) or (d) and any building or other structure on the adjoining land, if that land, building or structure is occupied or used in connection with any activity carried out on the premises referred to in paragraph (a) or (b) or
- (d) any land on which a caravan park or camping ground situated; or
- (e) any vessel, vehicles or movable structure which is used for a scheduled use;

“**Prescribed fee**” means a fee determined by the District Municipality by resolution in terms of section 75(1) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000 as amended);

“**Proclaimed township**” means an approved township as contemplated in the Town Planning scheme of the relevant local municipality or a Township approved relating to any prior law relating to townships;

“**Public gathering places**” refers to public places, such as shopping malls, airports, Cinemas, sport fields, stadia, public events, halls, including government owned or Occupied premises;

“**Public health**” means the art and science which aims at preventing disease, prolonging life and promoting health through the organized efforts of society and includes the mental and physical health and well-being of people in the district:

“**Public health hazard**” means any actual threat to public health, and without limitation,

“**Public road**” means a road which the public has the right to use

“**Rabbit hutch**” means any roofed-over building or structure in which rabbits are kept, other than one in which a battery system is operated;

“**Rabbit run**” means any unroofed wire mesh or other enclosure in which rabbits are kept, whether or not it is attached to a rabbit hutch;

“**Registered Body**” means the National Department or District authorized to issue a registration certificate

“**Registration certificate**” means a certificate issued by the authorized National Department or district

“**Relevant authority**” means a district municipality, a provincial or national department.

“**Ritual slaughter**” means keeping of and slaughtering of an animal for religious and ceremonial purpose.

“**Rodent-proof**” means ensuring that an area is free of all rodents, vermin, insects, disease carriers or other vectors;

“**Sell**” includes to offer, advertise, keep, display, transmit, convey or deliver for sale, or to exchange, or to dispose of to any person in any manner whether for a consideration or otherwise; and sold, selling and sale have corresponding meanings;

“**Sell by**” or “display until” means, the last date of offer for the sale to the consumer after which there remains a reasonable storage period at home.

“**Scheduled use**” means a use listed in Schedule 2.

(1) Unless the context otherwise indicates, any word or expression which is defined in any Chapter, has the same meaning wherever it is used in these By-laws.

(2) If any provision in these By-laws vests or imposes any power, function or duty of the District in or on an employee of the District and such power, function or duty has in terms of section 81 (2) of the Local Government: Municipal System Act, 2000, or any other law, been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorized by it.

“**Second-hand goods business**” means any business in which used goods and materials are sold, including, without limitation – clothing, furniture, scrapped motor vehicles, footwear, timber, building bricks or blocks, building material or fittings, machinery, drums, tins, bottles, packing cases, boxes, crates or other containers, metal, rags, plastic bags, paper or any other material, which has previously been used; and bones or tallow.

“**Spa-bath**” means a structure constructed of an approved material, provided with a controlled circulating water supply and used for bathing, excluding a spa bath situated at a private home which is not used for commercial purpose;

“**Spa-bath keeper**” means any person who owns or controls the operation of a spa- bath;

“**Smoke**” means the gases, particulate matter and product of combustion emitted into the atmosphere when material is burned or subjected to heat and includes the soot, grit and gritty particles emitted in smoke;

“**Stable**” means any building or structure used to accommodate livestock other than poultry;

“**Swimming pool**” means a structure with a controlled water supply used for swimming or bathing, including a children’s swimming and paddling pool, but excluding a swimming pool at a private home which is not used for commercial purposes;

“**Swimming pool keeper**” means any person who owns or controls the operation of a swimming pool.

“**Teacher**” means a person who teaches initiates.

“**Traditional authority**” means any authority which in terms of indigenous law or any other law administered the affairs of any tribe or group of indigenous people or any other person resident within an area under the control of a traditional leader.

“**Traditional Health Practice**” means the performance of a function, activity, process, or services based on a traditional philosophy that include the utilization of traditional medicines or traditional practice which has its object;

(a) The maintenance or restoration of physical or mental function; or

(b) The diagnosis, treatment or prevention of a physical or mental illness; or

(c) The rehabilitation of a person to enable that person to resume normal functioning within the family or community; or

(d) The physical or mental preparation of an individual for adulthood, pregnancy, childbirth, and death but excludes the professional activities of a person practising any professions contemplated in the Pharmacy Act, 1974 (Act no 53 of 1974), Health Profession Act 1974 (Act no 56 of 1974), the Nursing Act 1974 (Act no 50 of 1974), the Allied Health Profession Act 1982 (Act no 63 of 1982) or the Dental Technicians Act 1979 (Act no 19 of 1979)

“**Traditional Health Practitioner**” means a person registered under the Traditional Health Practitioners Act 2004 (Act no 35 of 2004) in one or more of the categories of traditional health practitioners and “Traditional Healer” has a corresponding meaning.

“**Traditional Leader**” means a person who in terms of indigenous law is in charge of or exercises control over a traditional authority,

“Traditional Medicine” means an object or substance used in traditional health practice for;

(a) the diagnosis, treatment or prevention of a physical or mental illness; or

(b) any creative or therapeutics purpose, including the maintenance; or any curative or therapeutic purpose, including the maintenance or restoration of physical or mental health or well-being in human beings, but does not include a dependence providing or dangerous substance or drug.

“Traditional nurse” means a caregiver of initiate who looks after them in terms of indigenous law.

“Traditional Surgeon” means a traditional health practitioner or traditional healer who performs circumcision as part of a cultural initiation process and includes any person who has been trained to perform such circumcision and meets with the requirements’ for performing circumcisions.

“Unsound food” means unwholesome sick, polluted, infected, contaminated, decaying or spoiled, or unfit for human consumption for and any reason whatsoever;

“Used by” (Best Consumed before. Recommended last consumption date, expiry date) means the date which signifies the end of the estimated period under the stated storage conditions, after which the product probably will not have the quality attributes normally expected by the consumers and after which date the food should not be regarded as marketable.

“Village” settlements of people clustered around a central point.

“Vehicle” means a train, trolley, wagon, cart, bicycle, truck, boat, and includes any other craft, vehicle or conveyance used in the handling or transport of food;

“Vicinity” the area as seen in the context of the problem which could range from adjacent premises up to an entire neighborhood.

“Wild animal” means an animal of a species that is not generally domesticated and without limitation includes all animals indigenous to South Africa other than domesticated guinea- fowls

“Water” means water for domestic and commercial use, which complies with SANS 241:2015 and any standards set in terms of national and provincial legislation.

1.2. PURPOSE

The District Municipality being aware of the constitutional rights of every person to an environment that is not harmful to his or her health or well – being, and the principles that underlines the National Health Act, 2003 (Act 61 of 2003 as amended) and the National Environmental Management Act, 1998 (Act 107 of 1998 as amended), adopts this By-laws with the purpose that these By-laws will enable the District Municipality

to set minimum environmental health standards to prevent diseases, prolong life, protect and promote the long term health and well- being of people in the District area by:

- (a) providing, in conjunction with other applicable laws, an effective legal and administrative framework within which the District Municipality can develop and manage its Municipal Health Services obligations by:
 - (i) managing and regulating activities that have the potential to impact adversely on public health; and
 - (ii) requiring premises to be properly maintained and managed; and
- (b) defining the rights and obligations of the District Municipality and the public in relation to this purpose.

CHAPTER 2

2. PUBLIC HEALTH

2.1 Part 1: Public health principles

Principles

- (1) Every person has a constitutional right to an environment that is not harmful to his or her health or well-being and to have access to sufficient water and the district has a constitutional duty to strive, within its financial and administrative capacity, to promote a safe and healthy environment as per Section 24 and 27 of the Republic of South Africa Constitution 1996 (Act 108 of 1996)
- (2) The risk of a public health hazard occurring, continuing or recurring must be eliminated wherever reasonably possible, and if it is not reasonably possible to do so, it must be reduced to a level acceptable to the District Municipality.
- (3) Any person who owns or occupies premises in the district area must ensure that it is used for and maintained in a manner that ensures that no public health hazard or public health nuisance occurs on the premises.
- (4) Any person who wishes to undertake an activity which creates a risk to public health that is more than trivial or insignificant must -
 - (a) take all reasonable measures to eliminate that risk, and if that is not reasonably possible, to reduce the risk to a level acceptable to the District; and
 - (b) bear the costs of taking those measures and of any reasonable costs incurred by the District in ensuring that the risk is eliminated or reduced to an acceptable level.
- (5) The District Municipality must regulate all activities and administer all matters for which it is legally responsible in a manner that -
 - (a) avoids creating a public health hazard or a public health nuisance;
 - (b) does not make it easier for any human or animal disease to spread;
 - (c) does not give rise to unsanitary or unhygienic conditions;
 - (d) prevents unsafe food or drink from being consumed;
 - (e) avoids creating conditions favorable for infestation by vectors; or

- (f) wherever reasonably possible, improves public health in the district area.
- (6) In dealing with matters affecting public health the District Municipality must -
 - (a) adopt a cautious and risk averse approach;
 - (b) prioritize the collective interest of the people of the district municipal
 - (i) area, and of South Africa, over the interests of any interest
 - (ii) group or sector of society;
 - (c) take account of historic inequalities in the management and regulation of activities that may have an adverse impact on public health and redress these inequalities in an equitable and non-discriminatory manner;
 - (d) adopt a long-term perspective that takes account of the interests of future generations; and
 - (e) take account of, and wherever possible without compromising public health, minimize any adverse effects on other living organisms and ecosystems.

Application of principles

The public health principles set out in section 3 must be considered and applied by any person -

- (a) exercising a power or function or performing a duty under these By-laws;
- (b) formulating or implementing any policy that is likely to have a significant effect on, or which concerns the carrying on of activities likely to impact on, public health in the district area; or
- (c) Exercising a public power or function or performing a public duty in the district area which is likely to have a significant effect on public health in that area.

2.2 Part 2: Public health hazard and public health nuisances

Prohibition on causing public health hazards

- (1) No person may create a public health hazard or allow to be caused, anywhere in the district municipal area.
- (2) Every owner or occupier of premises must ensure that a public health hazard does not occur on those premises
- (3) An owner or occupier of premises creates a public health hazard if:
 - (a) the premises are infested with disease vector/s;
 - (b) there are conditions on the premises which are conducive to the spread of a communicable disease or which may cause a non-communicable disease.
 - (c) there is any unsanitary condition in any part of the premises; or
 - (d) any water supply for domestic consumption on the premise unsafe for human consumption.
 - (e) A sanitation facility and/or drainage facilities on the premises is kept in a manner that may result in a health hazard or nuisance;
 - (f) Waste is stored, collected or disposed of in a manner that may create a health nuisance or hazard.

Duty to report public health hazards

The owner or occupier of premises who knows of a public health hazard on those premises, must within 24 hours of becoming aware of its existence -

- (a) eliminate the public health hazard; or
- (b) if the owner or occupier is unable to comply with paragraph (a), take reasonable steps to reduce the risk to public health and forthwith report the existence of the public health hazard to the District Municipal Health Services in writing.

Prohibition on causing a public health nuisance

- (1) No person may cause a public health nuisance anywhere in the district municipal area.
- (2) Every owner or occupier of premises must ensure that a public health nuisance does not arise on those premises.

CHAPTER 3

3. POTENTIALLY HAZARDOUS USES OF PREMISES AND ENFORCEMENT

3.1 Part 1: Potentially hazardous uses

3.1.1 Duty to list potentially hazardous uses

If the District Municipality reasonably believes that any premises have been, or are likely to be used for a purpose or in a manner that has caused, or is likely to cause, a public health hazard or to create a public health nuisance unless reasonable measures are taken to avoid the risk or to reduce it to an acceptable level, the District Municipality must list the activity concerned in Schedule 2 and must prescribe measures that must be taken to avoid the risk or reduce it to a level acceptable to the District Municipality.

3.1.2 Scheduled uses

- (1) Any person who uses premises in a manner or for a purpose listed in Schedule 2 must comply with every provision specified in the Chapter of these By-laws relating to that use, unless that person has been granted an exemption in terms of section 3.1.3 from complying with any such provision.
- (2) Any person who uses premises in a manner or for a purpose that is listed in Part A of Schedule 2, must obtain a permit in terms of section 3.1.4 before commencing that use and must comply with the terms and conditions of that permit.

3.1.3 Exemption Certificates

- (1) Any person who wants to undertake a scheduled use on any premises but wishes to be exempted from complying with any requirement of these By-laws relating to the use concerned, may apply to the Municipal Health Services unit in accordance with Section 3.1.6 for an exemption certificate.

(2) The District Municipality may grant an exemption certificate, subject to such condition as it may impose, if an Environmental Health Practitioner is satisfied that -

- (a) the measures taken to avoid or reduce the risk to public health arising from the scheduled use are equivalent to or better than the measures required by the relevant requirement of these By-laws; and
- (b) the scheduled use in respect of which the exemption is required, is not likely to cause a public health hazard or a public health nuisance.

3.1.4 Public health permits

(1) Any person who wants to undertake a scheduled use that is listed in Part A of Schedule 2, must apply to the District Municipal Health Services in accordance with this section.

(2) The District may issue a public health permit to the owner or occupier of any premises, if an Environmental Health Practitioner is satisfied that the use for which the permit is required is not likely to cause a public health hazard or a public health nuisance.

A public health permit -

- (a) must be issued subject to conditions aimed at reducing the risk to public health created by the scheduled use, to a level acceptable to the District Municipality.
- (b) may exempt the permit holder from complying with any relevant provision of these By-laws, if the District reasonably believes that the permit requires the permit holder to take measures to avoid or reduce the risk to public health arising from the activity that are equivalent to, or better than, the measures required by the relevant provision of these By-laws; and
- (c) may approve any measure or material in connection with the activity authorized by the permit that must be approved in terms of these By-laws.

3.1.5 Approval of measures, objects and materials

(1) The District Municipality may approve, provided that the said approval is not in conflict with any other legal requirement, any object or material used, or any measure taken, in specified circumstances as being adequate to eliminate the risk of any public health hazard or public health nuisance occurring, continuing or recurring, or to reduce that risk to a level acceptable to the District Municipality as contained in a:

- (a) a public health permit; or
- (b) guidelines prescribed by the District Municipality in terms of subsection (2)

(2) The District Municipality may publish guidelines in the Provincial Gazette which describe

- (a) appropriate measures that can be taken and objects and materials that can be used, to eliminate the risk of any public health hazard or public health nuisance occurring, continuing or recurring, or to reduce that risk to a level acceptable to the District Municipality; and
- (b) the circumstances in which taking these measure or using these objects or materials are acceptable to the District Municipality.

3.1.6 Application Procedure

(1) Any person who wants to obtain an exemption certificate or a permit must apply to the District Municipal Health Services in writing on a form prior to undertaking the scheduled use concerned.

(2) When the District Municipality receives an application contemplated in subsection (1), it must ensure that the relevant premises concerned are inspected by an Environmental Health Practitioner within fourteen (14) days.

(3) Before deciding whether or not to approve an application contemplated in subsection (1), the District Municipality -

- (a) must ensure that any persons in the vicinity of the premises whose health or well-being may be affected if the premises are used for the scheduled use concerned, have been consulted and have had an opportunity to make representation; and
- (b) may require the applicant to provide any further information which the District considers relevant to enable it to make an informed decision.

(4) In deciding whether or not to issue an exemption certificate or a permit, and what terms and conditions, if any, to include in it, the District Municipality must apply the public health principles set out in section 2.1.

3.1.7 General terms applicable to certificates and permits

(1) An exemption certificate or a permit -

- (a) is not transferable from one person to another; and
- (b) applies only to the premises specified in that certificate or permit.

(2) Every exemption certificate or permit must -

- (a) specify the address and other relevant details regarding the location of the premises concerned;
- (b) describe the premises concerned;
- (c) describe the activity concerned;
- (d) specify terms and conditions imposed, if any, and
- (e) indicate the expiry date

(3) An applicant must pay a prescribed fee, if determined by the District Municipality, in respect of an application for a permit or exemption certificate and such fee must accompany the application.

(4) The District Municipality may refuse to consider an application until it has been provided with the information that it reasonably requires to make an informed decision and until the prescribed fees have been paid.

3.1.8 Suspension, cancellation and amendment of exemption certificates and permits

(1) An Environmental Health Practitioner may by written notice to the holder of an exemption certificate or permit, suspend, amend or cancel the certificate or permit, after having informed such holder of the reasons for such an exemption certificate or permit being cancelled or suspended.

(2) An Environmental Health Practitioner may suspend or cancel an exemption certificate or permit with immediate effect -

- (a) If the Environmental Health Practitioner reasonably believes that it is urgently necessary to do so to eliminate or to reduce a significant risk to public health posed by a public health hazard or a public health nuisance, or
- (b) If the holder of such certificate or permit fails to comply with a compliance or prohibition notice as contemplated in these bylaws which is stated that such certificate or permit may be suspended or cancelled without further notice if the holder fails to comply with that notice, and
- (c) in terms of The Municipal Systems Act 32 of 2000, Chapter 3, 8(2) of this Act

(3) An Environmental Health Practitioner may suspend or cancel an exemption certificate or permit after having given the holder thereof a reasonable opportunity of making representations as to why the permit or exemption certificate should not be suspended or cancelled if –

- (a) The Environmental Health Practitioner reasonably believes that it is desirable to do so to eliminate or reduce the risk to public health posed by a public health hazard or a public health nuisance; or
- (b) The holder of such certificate or permit contravenes or fail to comply with any relevant provision of these By-laws.

(4) An Environmental Health Practitioner may amend an exemption certificate or permit by endorsing such certificate or permit or by written notice to the holder thereof, if the Environmental Health Practitioner reasonably believes that it is necessary to do so to protect public health or to take account of changed circumstances since the exemption certificate or permit concerned was issued.

CHAPTER 4

4. SANITARY SERVICES

4.1. Compulsory connection to municipal sewage system

Every owner of premises to which a municipal sewage service is available, must ensure that all waste drainage pipes from any bath, wash hand basin, toilet, shower, kitchen sink, washing machines and dish washers are connected to the Local Municipal sewer in an approved manner.

4.2. Prohibition against obstruction of sanitary service

No person may prevent, obstruct or interfere with any sanitary service provided by the relevant Local Municipality.

4.3. Requirements in respect of toilet facilities

Every owner of premises must ensure that the number of toilets provided on those premises comply with the provisions of the National Building Regulations and Building Standard Act or any other applicable legislation.

4.4. Toilets for workers

(1) Every contractor must provide his or her workers with toilet facilities as prescribed by the National

Building Regulations and Building Standards Act or any other applicable legislation

(2) No temporary toilet may be erected or placed on any pavement or other public place without the written approval of the Local and District Municipality.

4.5 Prohibition against use of a non-water borne toilet under the same roof as a dwelling

No person may provide, erect, retain or use any bucket or non- waterborne toilet inside, or under the same roof, as a dwelling.

4.6. Condition of toilets, urinals, backyards and refuse areas

Every owner or occupier of any premises must keep every backyard; refuse area, toilet facility, and urinal in a sanitary condition and good state of repair at all times.

4.7. Separate storage of urine

(1) Any owner or occupier required by the District Municipality to provide for the separate storage of urine, due to the size, extent of occupation or use of any premises, must comply with any notice issued by the District Municipality calling on him or her to provide an adequate urine tank or an adequate number of urine buckets on the premises.

(2) Every owner or occupier referred to in subsection (1) must use the urine tank or urine bucket exclusively for the reception of urine.

4.8. Provision of tank for waste liquids in areas without sewers

(1) Any owner of premises not connected to a public sewer or not provided with other adequate measures for the disposal of waste liquid, must provide the premises with a tank big enough to contain the slops, bath water or other waste water produced on the premises during a period of at least 48 hours.

(2) Subject to the provisions of subsection (3), premises referred to in subsection (1), must be equipped either with -

- (a) an overhead tank placed in a way that its contents can be gravity fed into the Local Municipality's or other approved waste removal vehicle, or
- (b) an adequate filter, pump and indicator, with outlet pipes constructed and placed in a way that the tank may be easy emptied and cleansed.

(3) The provisions of subsection (2) do not apply if -

- (a) adequate arrangements have been made for dispersing waste water produced on the premises, other than urine, over land associated with the premises concerned; and
- (b) the waste water is dispersed in a way that will not create a public health nuisance.

4.9. Pumping of contents of underground tank to surface tank

Any owner or occupier of premises on which both underground and overhead tanks are provided for the

storage of waste water, must pump the contents of the underground tank to the overhead tank immediately prior to the overhead tank being emptied by the Local Municipality or Certified Service Provider.

4.10. Blocked or defective outlet pipes

Every owner or occupier of premises must keep any drainage system free from obstruction and in a good state of repair.

4.11. Prohibition against urine in slops tanks

No person may discharge or allow any urine or excrement to be discharged into a slops tank situated on any premises.

CHAPTER 5

5. PRIVATE SEWAGE WORKS

5.1. Permit for provision of service for the removal of human excrement or urine

No person may provide any service for the removal or disposal of human excrement and urine on any premises except in terms of a permit authorizing that service. Such a permitted person may only dispose human excrement or urine only at permitted site.

5.2. Permit for installation of sewage works

No person may, on any private premises, install, alter, re-site, operate or maintain any septic tank, filter installation or other works for the disposal of sewage, except in terms of a permit authorizing that activity.

5.3. Maintenance of sewage works

Any person operating a sewage works must ensure that it is maintained in a sanitary condition and good state of repair at all times.

5.4 Disposal of sewage, sewage effluent and wastewater without causing a public health nuisance and/or hazard

No person may dispose of sewage or waste water from any bath, wash hand basin, toilet, shower, kitchen sink, swimming pool, washing machines, dish washers and refuse receptacles in a way or in a location that may-

- (a) cause dampness in or on any premises;
- (b) endanger the quality of any water supply, surface water, stream or river, or
- (c) create a public health nuisance and/or hazard.

5.5. Compulsory use of Local Municipality's sewage removal service

Every occupier of premises must use the sewage removal service prescribed by the Local Municipality for those premises.

CHAPTER 6

6. WATER

In this Chapter, unless the context otherwise indicates -

6.1. Pollution of sources of water supply

No person may pollute or contaminate any catchment area, river, canal, well, reservoir, filter bed, water purification or pumping works, tank, cistern or other source of water supply or storage in a way that creates a public health nuisance or a public health hazard.

6.2. Dangerous wells, boreholes and excavations

Every owner or occupier of premises must ensure that any well, borehole or other excavation located on his or her premises -

- (a) is fenced, filled in or covered over in a way that adequately safeguards it from creating a public health nuisance or public health hazard; and
- (b) is not filled in a way, or with material, that may cause any adjacent well, borehole or underground water source to be polluted or contaminated to an extent that may create a public health nuisance or a public health hazard.

6.3. Provision of adequate potable water supply

(a) Every owner of premises must provide every resident on the premises with an adequate and readily available potable water supply at all times.

6.4. Use of water from source other than the municipal supply

No person may use, or permit to be used; any water obtained from a source other than the municipal water supply for domestic consumption, unless the water concerned has been approved for that purpose and complies with standards of potable water.

6.5. Furnishing of particulars of the source of water

(1) Any owner or occupier of premises on which well, borehole, spring, dam, river or other water source is located, the water of which is used for domestic consumption, must within 14 days of receiving a notice from the District Municipality calling on him or her to do so, provided the District Municipality with all particulars of the water source reasonably available to the owner or occupier.

(2) An owner or occupier of premises contemplated in subsection (1), must, if requested to do so by the District Municipality, and at his or her own cost, furnish to the District Municipality a certificate of chemical analysis and bacteriological investigation issued by an analyst, as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) as amended, in respect of any water supply on that premises used for domestic consumption.

(3) If water from a borehole is used for domestic consumption, a certificate of analysis as contemplated in subsection (2) must be submitted to the District Municipality annually or at any time on request of an Environmental Health Practitioner.

(4) If water from a borehole is to be transported a permit should be requested from the water tanker including a certificate of chemical analysis and bacteriological investigation issued by an analyst, as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972 as amended) to the District Municipality.

6.6. Notice of the sinking or digging of boreholes or wells

(1) No person may sink or dig, or cause or permit to be sunk or dug, a well or borehole, to obtain water, unless -

- (a) it is done so in accordance with any relevant law; and
- (b) he or she has given the Local Municipality at least 14 days' written notice of his or her intention to do so.

(2) The notice referred to in subsection (1)(b), must state the proposed location and the purpose for which the water is to be used.

6.7. Storm water runoff from premises which may impact on public health

(1) Every owner or occupier of premises must erect adequately designed, constructed and maintained hydraulic and hydrological structures on those premises -

- (a) to divert the maximum storm water runoff, which could be expected within a period of 24 hours with an average frequency of recurrence of once in 100 years, from any part of the premises on which any waste, likely to create a public health nuisance, is or was handled, produce, stored, dumped or spilled
- (b) to collect all polluted runoff water from any part of the premises on which waste, likely to create a public health nuisance is or was handled, produced, stored, dumped or spilled, for reuse, treatment or purification;
- (c) to separate all effluent from storm water systems;
- (d) to prevent the erosion or leaching of material from any
 - (i) slimes dam, ash dam and any dump or stock-pile on the
 - (ii) premises, and to contain any eroded or leached material in the area where it originated;
- (e) to prevent any waste or waste water from entering any borehole, well, spring, lake or water course; and
- (f) to prevent any adverse impact on the quality of surface and ground water occurring, due to the location of any dump, stock-pile, dam, drain, canal, conduit, sewer or any other structure on the premises.

(2) An owner or occupier of premises -

- (a) must keep all water passages open and free of obstruction from matter which may impede the flow of water or effluent;
- (b) may not locate any dump within the one-hundred-year flood line of any water resource;

- (c) may not use coal, coal discard, carbonaceous material or any other material for the construction of any slurry, evaporation, or catchment dam, or any embankment, road or railway in a way likely to create a public health nuisance;
- (d) must construct bund walls around any tank, or group of tanks, containing any substance that can create a public health nuisance, of a size that is capable of containing the volume of the largest tank plus an additional 10% in the event of any unlawful or accidental discharge from the tank or group of tanks; and
- (e) must clean any industrial surface area so as to prevent the pollution of storm water which may result in adverse impact on the quality of any surface or ground water.

6.8. Containment of waste water

Any dam, conduit or channel used for the containment of waste water must have a free board of at least 0.5 m above the highest level of precipitation which could be expected within a period of 24 hours with an average frequency of recurrence of one in 100 years.

CHAPTER 7

7. FOOD SAFETY AND CONTROL

7.1. Food preparation facilities

If meals are served on the premises:

All facilities used in connection with the handling, preparation, storage and serving of foodstuffs must comply with the relevant Regulations, published in terms of the Foodstuffs, Cosmetic and Disinfectants Act 1972, (Act No. 54 of 1972), as amended: Attached as Annexure A

CHAPTER 8

8. ENVIRONMENTAL POLLUTION CONTROL

8.1. Noise pollution control

Prohibition of Disturbing Noise

(1) No person may make, produce or cause a disturbing noise, or allow it to be made, produced or caused by any person, animal, machine, device or apparatus or any combination thereof.

- (a) Any person intending to host an event shall consult with neighbours who are likely to be affected by an event to seek their consent in writing before any event is staged, such written consent shall detail the time, date and type of event; the application form;
- (b) Application for traditional and religious ceremonies, promotions and marketing events shall be submitted to the District Municipality seven (7) days before the event takes place, such an application must be accompanied by the written consent as outlined above in subsection 1(a);

(2) General powers of the District Municipality.

The district municipality may –

- (a) for the purpose of applying these regulations, at any reasonable time enter a premises –
 - (i) to conduct any examination, inquiry or inspection thereon as it may deem expedient; and
 - (ii) to take any steps it may deem necessary;
- (b) if a noise emanating from a building premises, vehicle, recreational vehicle, animal or street is a disturbing noise or noise nuisance, instruct in writing the person causing such noise or who is responsible therefore, or the owner or occupant of such building, premises, vehicle, recreational vehicle or street, or all such persons, to discontinue or cause to be discontinued such noise or to take steps to lower the level of such noise to a level conforming to the requirements of these regulations within the period stipulated in the instruction: Provided that the provisions of the paragraph shall not apply in respect of a disturbing noise or noise nuisance caused by rail vehicles, air traffic or by vehicles that are not used as recreational vehicles on a public road;
- (c) if the owner or person in charge of an animal making a fails to comply with an instruction referred to in subsection (b), subject to the applicable provisions of any other law, impound or cause to be impounded such animal;
- (d) impose such conditions as it deems fit when granting any permission or exemption in terms of these regulations, including the specification of times and days when activities that may cause noise are permitted or prohibited;
- (e) subject to the applicable provisions of any other law, place or cause to be placed measuring instruments or similar devices, road traffic signs or notices at any place within its area of jurisdiction for the enforcement of the provisions of these regulations: Provided that road traffic signs and notices shall be placed on private property only with the permission of the owner.

(3) Exemptions

The provision of these regulations shall not apply, if –

- (a) the emission of sound is necessary for the purpose of warning people of a dangerous situation; or
- (b) the emission of sound takes place during an emergency.

(4) General prohibition

No person may –

- (a) fail to comply with a written condition, instruction, notice, requirement or demand issued by a District Municipality in terms of these regulations;
- (b) tamper with, remove, put out of action, damage or impair the functioning of a noise monitoring system, noise limiter, noise measuring instrument, acoustic device, road traffic sign or notice placed

in a position by or on behalf of a district;

(c) for the purposes of these regulations, in respect of a duly authorized employee of a district–

- (i) fail or refuse to grant admission to such employee to enter and to inspect a premises;
- (ii) fail or refuse to give information which may lawfully be required of him or her to such employee;
- (iii) hinder or obstruct such employee in the execution of his or her duties; or
- (iv) give false or misleading information to such employee knowing that it is false or misleading.

8.2. Land and soil pollution control

No person;

- (a) is allowed to dispose of any chemical toilets contents, pesticide contents and containers or any other waste in any area unless permitted by the district;
- (b) to may dispose of oil or any hazardous waste on any soil;
- (c) is allowed to dump any building rubble in any area unless permitted by the local municipality;
- (d) may litter or dump any waste on any private or public land not designated for that purpose.

8.3. Water pollution control

No person:

- (a) may pollute any water source;
- (b) is allowed to dispose of any chemical toilets contents or pesticides contents and containers or any waste into water sources;

CHAPTER 9

9. HEALTH CARE WASTE

In this Chapter, unless the context otherwise indicates –

9.1. Separation at source and marking:

(1) Health care waste generators, transporters, treaters and disposers have a general duty of care in terms of these By-laws and any other relevant provincial and national legislation, to separate all health care risk waste at source and to handle, package, store and dispose of health care risk waste in a safe manner that poses no threat to human health or to the environment.

(2) Without limiting the generality of the duty in subsection (1), generators must:

- (a) ensure that the generation of health care risk waste is minimized as far as possible at source
- (b) separate health care waste into health care risk waste and health care general waste at point at which it is generated:
- (c) store health care risk waste in purpose manufactured, leak-proof, sealable containers and must ensure that such containers used to store sharps, razors, blades, needles and any other instrument which can cause cuts, punctures or injections, are rigid and puncture resistant;
- (d) ensure that the radioactive waste for which he/she is responsible, treated in accordance with the Hazardous Substances Act 1973, (Act No. 15 of 1973 as amended);
- (e) ensure that health care waste is properly labelled to identify point of origin;
- (f) ensure that all the employees in their employ are adequately trained in the identification, collection, separation, handling, storing of health care risk waste;
- (g) take appropriate steps to ensure the health and safety of all the employees in their employ in terms of the Occupational Health & Safety Act 1993, (Act 85 of 1993 as amended);
- (h) label all health care risk waste containers clearly in large, legible lettering with indelible ink with the following information:
 - (i) the name, address and contact telephone number of the generator
 - (ii) the words: DANGER – HEALTH CARE RISK WASTE; GEVAAR – GESONDHEIDSAFVAL, and INGOZI: INKUNKUMA YEZAMAYEZA and the international bio-hazard logo, and
 - (iii) the date on which the health care risk waste is removed from the premises of the generator.
- (i) Prevent public access to health care risk waste containers which are in use;
- (j) Store full health care risk waste containers in controlled, secure areas which are reserved for the storage of health care risk waste;
- (k) Make arrangements for the removal of health care risk waste from their premises and for the transportation of health care risk waste by a person who is registered in terms of Section 9.2 of these By-laws as a transporter of health care risk waste;
- (l) Make arrangements for the disposal of the health care risk waste by a person/institution permitted to dispose of health care risk waste in terms of these By-laws of the District Municipality or any other applicable legislation.

(3) Generators may apply to the relevant authority for permission to handle, store and otherwise deal with health care risk waste in a manner which does not comply with the requirements as set out in subsection (2)

above

(4) The relevant authority may in writing grant the permission referred to in subsection (3) subject to certain conditions.

(5) Generators may transport and dispose of health care risk waste generated on their premises, provided they do so in terms of this By-law;

(6) Generators must:

(a) Maintain an up-to-date written record of all health care risk waste generated and removed from their premises in a format from time to time prescribed by District Municipality;

(b) Obtain written notification from the disposer of the health care risk waste that the health care risk has been disposed of and upon receiving such notification; indicate in their written record that the health care risk waste has been disposed of by mentioning the name of the disposer and the date of disposal;

(c) Provide copies of the record referred to in subsection (a) and the information in subsection (b) to District Municipality on a six-monthly basis or at any other frequency as may from time to time be prescribed by District Municipality.

9.2. Duty of transporters

(1) Transporters must remove health care risk waste from the premises of the generator, transport, store and deliver such health care risk waste to an approved site at which it will be disposed of a manner which poses no threat to human health or the environment.

(2) Without limiting the generality of the duty referred to in subsection (1), transporters must:

(a) not remove the health care risk waste from the containers in which the generator placed it;

(b) transport and store the health care risk waste in such way that no member of the public can gain access to the health care risk waste or the containers in which it is stored;

(c) transport the health care risk waste in vehicles which:

(i) comply with all applicable legislation as from time to time promulgated by National and Provincial Government or in the absence of such legislation

(ii) are capable of containing the health care risk waste;

(iii) are designed to prevent spillage;

(iv) are constructed of materials which are easy to clean and to disinfect;

(v) are capable of being secured in order to prevent unauthorized access.

(d) deliver health care risk waste only to a person and site permitted to dispose of health care

risk waste in terms of section 9.3.

(3) Transporters may apply to the relevant authority for permission to remove, transport, store and deliver health care risk waste in a manner which does not comply with the requirements as set out in subsection (2) above

(4) The relevant authority may in writing grant the permission referred to in subsection (3) subject to certain conditions.

(5) Transporters may dispose of health care risk waste provided they do so in terms of these By-laws

(6) Transporters must maintain a written record in respect of each collection and delivery of health care risk waste, which they must update simultaneously with each collection and delivery. The record must be in the format as prescribed from time to time by the relevant authority and must be kept for a period of three years from date on which the health care risk waste is delivered to the disposal site. Transporters must keep a copy of the said record in the vehicle used for the transportation of the health care risk waste.

9.3. Disposal of Health Care Risk Waste

(1) Health care risk waste may only be disposed of by a person

(a) Who holds a permit to operate a hazardous waste site in terms of section 20 of the National Environmental Management Act 1998 (Act 107 of 1998 as amended),

(b) Who complies to all the terms and conditions attached to such a permit.

(2) A person permitted in terms of subsection (1) to dispose of health care risk waste must do so at the site at which the permit permits him or her to dispose of health care risk waste and may not dispose of health care risk waste at any other place.

(3) Persons who dispose of health care risk waste must:

(a) maintain an up to date written record as required in terms of the National Waste Information System and any additional information as may from time to time be required by the District of all health care risk waste received and disposed of at the site;

(b) keep such records for a period of three years or for such a period as may be prescribed in terms of the guidelines provided for compliance to the National Waste Information System, whichever the shortest.

9.4. Duty to register

(1) Every generator must register with the relevant authority within six (6) months of the coming into effect of these By-laws by completing and submitting a written notification to relevant authority in the format prescribed from time to time.

(2) Every transporter must register with the relevant authority within 6 months of the coming into effect of these By-laws by completing and submitting a written notification to the relevant authority in the format

prescribed from time to time.

(3) Generators and transporters must notify the District of any changes to the information provided in terms of subsection (1) and (2) as soon as such changes take place.

9.5. Power of Environmental Health Practitioners

(1) Any Environmental Health Practitioner in the employ of the District Municipality may:

- (a) Enter sites and premises on which health care waste is being generated, handled, treated, stored or disposed of, or on which he or she suspects health care waste is being generated, handled, stored or disposed of,
- (b) Gain access to vehicles on which health care waste is being contained or transported, or on which he or she suspects health care waste is being contained or transported.

(2) Where an Environmental Health Practitioner enters premises or a site or gain access to a vehicle in terms of subsection (1), he or she may, for the purpose of administering these By-laws, undertake any inspection or enquiry, including but not limited to:

- (a) inspecting premises, site or vehicle for the presence of health care risk waste;
- (b) inspecting the manner in which health care risk waste is being, handled, stored, transported, treated or disposed of;
- (c) requesting information regarding the health care risk waste from the person who is in charge of the health care risk waste or from the person in charge of the health care risk waste or from the person in charge of the premises, site or vehicle;
- (d) examine extract or make copies of any health care risk waste records and request an explanation from the person in charge of the record, or from the person in charge of the site, premise or vehicle.

CHAPTER 10

10. HAZARDOUS WASTE

10.1 Applicable legislation

The District Municipality, taking cognizance of the provisions of the National Environmental Management Act 1998, (Act 107 of 1998 as amended) the Hazardous Substances Act, 1973 (Act 15 of 1973 as amended), the National Health Act 2003, (Act 61 of 2003 as amended), and the regulations made under these Acts, adopts the provisions in this Chapter.

10.2 Storage of hazardous waste

(1) An empty container in which hazardous waste such as, but not limited to, pesticides was stored is to be treated as hazardous waste, and –

- (a) must be stored in such a manner that –
 - (i) no pollution of the environment occurs at any time;
 - (ii) no health nuisance is created at any time;
- (b) while being stored on site, must be clearly marked or labelled with the words “Hazardous Waste”;
- (c) the owner or occupier of the land must fence off the storage area to prevent unauthorized access; and
- (d) shall be dealt with as Class 6 waste as described in the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste (Second Edition, 1998) as published by the Department of Water Affairs and Forestry and as amended from time to time.

CHAPTER 11

11. OFFENSIVE TRADES

In this Chapter, unless the context otherwise indicates offensive trade involves the activities listed below–

- (a) Panel beating or spray painting;
- (b) operating a hazardous waste recycling plant including oil and petroleum product recycling;
- (c) scrap yard or scrap metal dealing;
- (d) blood boiling, bone boiling, tallow melting, fat melting or fat extracting, soap boiling, tripe boiling or cleaning, skin storing, bone storing, hide boiling, skin curing, blood drying, gut scraping, leather dressing, tanning or glue or size making,
- (e) charcoal burning, brick burning, lime burning;
- (f) manure making or storing or compost making;
- (g) parchment making;
- (h) manufacturing malt or yeast;
- (i) cement works, coke-ovens or salt glazing works;
- (j) sintering of sulfurous materials;
- (k) viscose works;
- (l) ore or mineral smelting, calcining, puddling or rolling of iron or other metal, conversion of pig iron into cast iron, reheating, tempering, hardening, forging, conversion or compounding of carbon with iron or other metal
- (m) Work of a knacker
- (n) Slaughtering of animals
- (o) Fish mongering and fish frying
- (p) Manufacture of flock and rags.
- (q) Animal bristle and hair storing and sterilizing.
- (r) Manufacture of chemicals.
- (s) Fell-mongering
- (t) Storage of rags.

- (u) Wood saw-dust.
- (v) Iodoform.
- (w) works for the production of carbon bisulfide, cellulose, lacquer, cyan or its compounds, hot pitch or bitumen, pulverized fuel, pyridine, liquid or gaseous sulfur chlorides;
- (x) works for the production of amly acetate, aromatic ethers, butyric acid, caramel, enameled wire, compounds, sulfurous paints, ultramarine, zinc chloride or zinc oxide; or
- (y) the refining or processing of petrol, oil or their products;
- (z) Any other work or trade of an offensive nature which, with the sanction of the

11.1 Health Permit requirement

No person may conduct an offensive trade in or any premises, except in terms of a permit, issued by the district municipality authorizing such trade.

11.2 Requirements for premises

No person may conduct an offensive trade in or on any premises unless -

- (a) the floors of the premises are constructed of cement concrete or a similar impervious material, brought to a smooth finish;
- (b) the floors of the premises are adequately graded and drained for the disposal of effluent to an approved disposal system;
- (c) the inside walls, except where glazed or glass brick or glazed tiles are used, are plastered, brought to a smooth finish and painted with a light-coloured, washable paint;
- (d) the surface of any backyard or open space is paved with concrete or similar impervious material, brought to a smooth finish;
- (e) the premises are provided with adequate illumination and ventilation as prescribed in the National Building Regulations and Building Standards Act;
- (f) an adequate supply of running potable water is provided;
- (g) an adequate number of portable containers constructed of iron or another non-absorbent material, equipped with closely fitting lids, are provided for the removal of all waste and waste water from the premises;
- (h) adequate means are provided for the disposal of all effluent arising from the manufacturing or other process performed on the premises;
- (i) adequate accommodation is provided for the storage of all finished products, articles or materials which are used in the manufacturing or other process and which may –
 - (i) discharge offensive or injurious effluent or liquid, or
 - (ii) decompose in the course of the work or trade;

- (j) adequate means are provided to control the discharge in the open air of any noxious, injurious or offensive gas, fume, vapour or dust produced during any handling, preparation, drying, melting, rendering, boiling, roasting, grilling, sandblasting or grinding process or storage of material,
- (k) adequate sanitary fixtures are provided as prescribed in the National Building Regulation and Building Standards Act;
- (l) a perimeter wall made of brick or some other impervious material, with a minimum height of 2 m, is constructed around the premises.
- (m) all gates to the premises are of solid construction with a minimum height of 2 m;
- (n) all perimeter walls and gates adequately screen activities on the premises from public view;
- (o) all materials are stacked or stored on the premises below the height of the perimeter screening;
- (p) adequate separate change-rooms for male and female employees must be provided containing -
 - (i) an adequate metal locker for every employee;
 - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
 - (iii) an adequate supply of soap and disposable towels at every wash- hand basin;
- (q) if no change-room has been provided in terms of paragraph (p) –
 - (i) a wash hand basin with a supply of running hot and cold potable water, must be provided in an accessible position, and
 - (ii) an adequate metal locker must be provided for every employee in the work area.
- (r) An approved wash bay must be provided for the washing of vehicles and containers.

11.3 Duties of offensive traders

Every offensive trader must –

- (a) have permission of both traditional authority and/or local municipality in terms of the use of land/stands
- (b) maintain the premises in a clean, hygienic and good condition at all times;
- (c) maintain all walls and floors of the premises in a manner and condition that prevents the absorption of any waste or waste water;'
- (c) maintain all machinery, plant, apparatus, furniture, fitting, tools, implements, vessels, containers, receptacles and vehicles in a clean, hygienic and good condition at all times;
- (d) prevent any waste accumulating on the premises and provide proof when required of safe disposal of recycled or hazardous related waste materials,
- (e) prevent the emission of noxious, injurious or offensive gases, fumes, vapours or dust generated during any handling, preparation, drying,
- (f) melting, rendering, boiling or grinding process or storage of any material on the premises; and
- (g) provide and maintain effective measures to preclude the open attraction of pest and to prevent the breeding thereof.

11.4 Liquid waste from bone and tripe boiling

- (1) Every bone boiler and every tripe boiler must adequately cool all waste water before it is discharge

into any sewer or other receptacle.

(2) The cooling process referred to in subsection (1), must take place in a manner that prevents the generations of any noxious and injurious effluent.

11.5 Liquids, tanks and tubs in leather making

Every fell-monger, leather dresser or tanner must -

- (a) renew and dispose of the liquid from every tank or other receptacle used on the premises to wash or soak any skin or hide, other than a lime pit, at adequate intervals and in an adequate manner,
- (b) clean the entire tank or other receptacle every time it is emptied;
- (c) clean every tub or other receptacle used to contain a solution of the material known as “puer”

11.6 Storage of rags, bones and waste

No trader in rags, bones or waste may place or store, or cause or permit to be stored, rags, bones or waste in any part of the premises concerned which is -

- (a) inhabited by people; or
- (b) not adequately ventilated.

CHAPTER 12

12. SECOND-HAND GOODS

In this Chapter, unless context otherwise indicates –

12.1 Requirements for premises

No person may operate a second-hand goods business in or on any premises which do not comply with the following requirements:

- (a) any section of the premises where second-hand goods are stored and handled must be enclosed by walls constructed of brick, rock or concrete, with a minimum height of 2 m;
- (b) all gates to the premises must be of solid construction with a minimum height of 2 m;
- (c) all materials must be stacked or stored below the height of the perimeter screening;
- (d) adequate illumination and ventilation, as prescribed in the National Building Regulations and Building Standards Act must be provided;
- (e) all storage areas must be paved with cement, concrete or other approved impervious material;
- (f) all backyard surface and open spaces of the premises must be graded and drained to allow for the effective run-off of all precipitation;
- (g) adequate sanitary fixtures for both sexes employed on the premises must be provided, as prescribed in the National Building Regulations and Building Standard Act;
- (h) an adequate number of waste containers must be provided.

- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing -
 - (i) an adequate metal locker for every employee;
 - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
 - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-rooms has been provided in terms of paragraph (i)
 - (i) a wash hand basin with a supply of running hot and cold potable water, must be provided in accessible position; and
 - (ii) an adequate metal locker must be provided for every employee in the work area.

12.2. Duties of second-hand goods traders

Any person who conducts a second-hand goods business must -

- (a) apply for a permit for trade from the Municipal Health Services;
- (b) store second-hand goods in a backyard, building or open space that is constructed of an approved material in such a manner as to prevent the harbourage of rodents or other vermin and vectors;
- (c) ensure that no water accumulates in any article stored on the premises;
- (d) ensure that goods are stored in such a manner as to prevent the pollution of the surrounding environment which includes but is not limited to air, water or soil.
- (e) keep the premises in a clean, neat and sanitary condition at all times;
- (f) immediately on receipt, disinfect all furniture, soft furnishings, clothing, bedding or other fabrics in an adequate manner;
- (g) keep any other articles separate from articles which have been disinfected; and
- (h) label all articles which have been disinfected in a conspicuous place on each side

CHAPTER 13

13. HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICE

In this Chapter, unless the context otherwise indicates -

13.1 Health certificate requirement

No person may operate a salon without a valid Health Certificate, issued by an Environmental Health Practitioner

13.2. Requirement for premises

No person may operate a salon on any premises which do not comply with the following requirements:

- (a) adequate illumination and ventilation, as prescribed in the National Building Regulations and

Buildings Standards Act, must be provided;

- (b) all shelves, fixtures and table tops on which instruments are placed must be constructed of an approved material that is durable, non-absorbent, and easy to clean;
- (c) water and toilet facilities must be provided as prescribed in the National Building Regulations and Building Standards Act;
- (d) adequate, separate facilities, with a supply of running potable water, must be available for the washing of hair and hands;
- (e) an approved system for the disposal of waste water must be provided;
- (f) adequate storage facilities must be provided;
- (g) the walls and floors must be constructed of a material that is easy to clean and which prevents cut hair from being dispersed, and
- (h) the premises may not be used for the storage and preparation of food or for sleeping unless any area for that purpose is clearly separated by an impervious wall.
- (i) adequate separate change-rooms for males and females, where five or more persons of the same sex are employed, must be provided containing –
 - (i) an adequate metal locker for every employee;
 - (ii) a wash-hand basin provided with a supply of running hot and cold potable water; and
 - (iii) an adequate supply of soap and disposable towels at every wash-hand basin;
- (j) if no change-rooms has been provided in terms of subsection (i) –
 - (i) wash hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
 - (ii) an adequate metal locker must be provided for every employee in the work area.

13.3. Duties of salon operators

Any person operating a salon must -

- (a) maintain the premises, tools, equipment and clothing in a hygienic and good condition at all times;
- (b) equip the premises with an adequate means to disinfect and sterilize instruments and equipment that may come into direct contact with any customer's hair or skin;
- (c) provide employees on the premises with approved protective clothing and equipment;
- (d) collect all hair clippings and other waste in an approved container after every service;
- (e) store or dispose of waste in an approved manner;
- (f) adequately train any person working on the premises on health and hygiene matters;
- (g) not permit any animal on the premises unless it is guide dog accompanying a blind person, and
- (h) ensure that any employee working with the public with an open wound on their hands or with a communicable skin condition to take the necessary precautions.
- (i) ensure that every person working in the salon complies with the requirements of this section and section 13.4.

13.4 Required minimum health standards for the operation of a salon

Any person operating or employed in, a salon must take the following measures:

- (a) adequately wash and disinfect all the instrument after each use;
- (b) adequately sterilize the following instruments after each use;
 - (i) any instrument used for body piercing or tattooing
 - (ii) any instrument which has come in contact with blood or any other body fluid;
- (c) wash and clean all plastic and cloth towels after each use;
- (d) dispose of all disposable gloves or other disposable material after each use;
- (e) wash all aprons and caps daily;
- (f) wash his or her hands with soap and water or disinfectant before and after rendering each service to a client;
- (g) wear disposable gloves when providing one of the following salon services:
 - (i) any chemical services;
 - (ii) any hair implant;
 - (iii) body piercing; and
 - (iv) tattooing;
- (h) wash all walls, floors, chairs and other surfaces in the premises at least once a day with a disinfectant or household detergent;
- (i) dispose of all waste water, sharp instruments, bloodied and otherwise contaminated towels and toweling paper in approved containers for infectious waste; as per health risk waste standards.
- (j) store used razors, blades, needles and other sharp instruments separately in an infectious waste container;
- (k) adequately treat any injury or wound which may occur on the premises
- (l) clean and disinfect all surface that have been contaminated by blood after each service;
- (m) keep an approved first aid kit on the premises at all times as prescribed by the Occupational Health and Safety Act 1993 (Act 85 of 1993 as amended);
- (n) All tubes and needles must be stored in single service, sterile, sealed autoclave bags that must be opened in the present of the client.

Only professional tattooing and body piercing machines designed and assembled in a manner which prevents contamination of sterilized needle sets may be used for applying permanent tattoo's or body piercing

13.5. Prohibition against the use of salon premises for other purposes

- (1) Any person operating a salon must ensure that the premises are used exclusively for that purpose.
- (2) Any person who wants to prepare any beverage for customers on the premises of a salon, must provide a separate area, equipped with a facility for cleaning crockery and utensils, for that purpose.

CHAPTER 14

14. DRY-CLEANING AND LAUNDRY ESTABLISHMENTS

In this Chapter, unless the context otherwise indicates –

14.1 Premises for dry-cleaning or laundry business

No person may conduct a dry-cleaning or laundry business without a Health Certificate.

No person may conduct a dry-cleaning or laundry business on premises which do not comply with the following requirements:

- (a) work-room or area used for housing dry-cleaning machines, washing- machines, ironing boards, presses and other fixed or movable equipment, with a minimum unobstructed floor area of 2,5 m² per person employed on the premises, must be provided;
- (b) adequate separate areas for marking clean and dirty articles must be provided with:
 - (i) tables with an impervious surface;
 - (ii) adequate washable containers for dirty articles; and
 - (iii) hanging rails and shelves constructed of an impervious material in the area for marking clean articles;
- (c) a separate room or area with separate designated counters, with impervious surface, must be provided for the receipt and dispatch of articles; and
 - (i) a store-room or facility for the storage of packing material and other articles must be provided and equipped with adequate packing shelves of which the lowest shelf must be at least 250 mm above floor level; adequate separate change rooms for males and females, where five or more persons of the same sex are employed, must be provided containing –an adequate metal locker for every employee;
 - (ii) a wash hand basin provided with a supply of running hot and cold potable water, and
 - (iii) an adequate supply of soap and disposable towels at every wash hand basin,
- (d) if no change rooms have been provided in terms of paragraph (e) -

- (i) a wash hand basin with a supply of running hot and cold potable water, must be provided in an accessible position; and
- (ii) an adequate metal locker must be provided for every employee in the work area;
- (e) adequate separate change rooms for males and females, where five (5) or more persons of the same sex are employed, must be provided containing,
 - (i) an adequate metal locker for every employee,
 - (ii) a hand wash basin provided with the supply of running hot and cold potable water, and
 - (iii) an adequate supply of soap and disposable towels at every hand wash basin.
- (f) a tea kitchen with a single-basin stainless steel sink, with a supply of running hot and cold potable water, must be provided;
- (g) separate toilets 1:20 for males and females must be provided which comply with the provisions of the National Building Regulations and Building Standards Act 1977;
- (g) every toilet and change-room must be clearly gender designated;
- (h) all internal walls must be constructed of an impervious material, brought to a smooth finish and painted with a light-colored washable paint;
- (i) all ceilings must be dust-proof, smoothly finished, and painted with a light- colored washable paint;
- (j) all floor surfaces must be constructed of cement or some other adequate impervious material, brought to a smooth finish and property drained;
- (k) the minimum height from floor to ceiling of any room or area must be 2,4 m;
- (l) adequate illumination and ventilation, as prescribed by the National Building Regulations and Building Standards Act 1977 must be provided;
- (m) all machinery and equipment must be equipped with adequate suction fans to remove any noxious gas, steam and hot air from any room and to release it in the open air in an adequate manner;
- (n) all machinery and equipment must be placed so that there is free access to all areas around and underneath each machine or item of equipment, to enable those areas to be adequately cleansed; and
- (o) a separate pre-rinsing area must be provided on any premises where nappies are laundered.

14.2. Premises for dry-cleaning or laundry receiving depots

No person may operate a dry-cleaning or laundry receiving depot on premises which do not comply with the following requirements:

- (a) A separate room or area with a minimum width of 2m must be provided for the receipt and dispatch of articles;
- (b) 50% of the floor space of the room referred to in paragraph (a) must be unobstructed;

- (c) a wash-hand basin with a supply of running potable water must be provided;
- (d) an adequate supply of soap and disposable towels must be provided at every wash-hand basin;
- (e) all internal wall and ceiling surface must be constructed of an impervious material, brought to a smooth finish and painted with a light-colored washable paint;
- (f) all floor surfaces must be constructed of cement or other impervious material, brought to a smooth finish;
- (g) illumination and cross-ventilation, as prescribed by the National Building Regulations and Building Standards Act 1977, must be provided;
- (h) adequate washable containers for storing dirty articles must be provided;
- (i) adequate quantities of hanging rails or impervious shelves for the storage of clean articles must be provided;
- (j) adequate designated counters, with impervious surfaces, must be provided separately for the receipt and dispatch of dirty and clean articles; and
- (k) an adequate metal locker must be provided for every person employed in the receiving depot.

14.3 Premises for coin-operated laundries

No person may operate a coin-operated laundry on premises which do not comply with the following requirements:

- (a) separate toilet and hand washing facilities for the different sexes, as prescribed in the National Building Regulations and Building Standards Act 1977, must be provided;
- (b) an adequate area must be provided where ironing is done on the premises; and
- (c) any machine on the premises must be installed in accordance with any applicable law.

14.4 General requirements for dry-cleaning and laundry business

Any person conducting a dry-cleaning or laundry business on which dry-cleaning, laundry or receiving depot exists, must -

- (a) keep the premises, all fittings, equipment, appliances, machinery, containers and business vehicles in a clean, hygienic and good condition at all times;
- (b) separate dirty articles from clean articles at all time, including when in transit;
- (c) use a change room solely for changing;
- (d) ensure that every person who handles clean or dirty articles wears adequate protective clothing at all times
- (e) keep protective clothing in a clean and sound condition at all times;
- (f) store protective clothing in a locker when it is not being worn;

- (g) affix the name and business address, in clear lettering, to the outside of any business vehicles;
- (h) ensure that the premises are not directly connected to any food premises to include, new clothing shop, hairdresser or any other area from which contamination might occur;
- (i) comply with the requirements of the following legislation at all times:
 - (i) the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993 as amended);
 - (ii) the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004 as amended);
 - (iii) the Bojanala Platinum District Municipality Air Quality By-Laws;
- (j) place all piping in the building, not chased into the walls, at least 100 mm away from all walls or floors and comply with the provisions of the National Building Regulation and Building Standards Act 1977;
- (k) insulate all steam piping with an adequate material, and
- (l) dispose of all waste water in an approve manner.

CHAPTER 15

15. SWIMMING POOLS AND SPA-BATHS

In this Chapter, unless the context otherwise indicates –

15.1 Requirements for premises

No person may operate a swimming pool or spa bath in or on any premises which do not comply with the following requirements:

- (a) without a valid Health Certificate;
- (b) readily accessible change-rooms, showers and toilet facilities must be provided separate for each sex in compliance with the National Building Regulations and Building Standards Act 1977;
- (c) every swimming-pool must be surrounded by a wall or fence as prescribed by the National Building Regulations and Building Standards Act or be covered with a SABS approved pool net;
- (d) the surface of the floor area surrounding any spa-bath or swimming –pool must be constructed of an impervious, non-slip material;
- (e) an approved chemical gas mask must be provided at the chlorinator installation;
- (f) if so instructed in writing by an Environmental Health Practitioner, an oxygen or air breathing apparatus must be provided, and
- (g) an adequate number of waste receptacles must be provided on the premises.

15.2 Duties of spa-bath keepers

Every spa-bath keeper must -

- (a) keep the premises in a safe, clean and sanitary condition and in good repair at all times;
- (b) provide a properly maintained approved first-aid kit in a prominent, easily accessible and protected position;
- (c) purify, treat and maintain the spa-bath water to an adequate quality level at all times;
- (d) provide and maintain, in good working order, equipment for testing the quality of the spa-bath water
- (e) be capable of undertaking routine tests on the water quality in the spa-bath and interpreting the test results; and
- (f) maintain a daily record of the spa-bath water quality.

15.3 Duties of swimming pool keepers

Every swimming pool keeper must -

- (a) keep the premises in a safe, clean and sanitary condition at all times;
- (b) provide a properly maintained approved first-aid kit in a prominent, easily accessible and protected position;
- (c) be qualified and proficient in life saving, rendering first aid, use of a resuscitation appliance, the operation of the swimming pool and testing and maintaining the safety of swimming pool water;
- (d) ensure that the swimming pool water is purified, treated and maintained to an adequate quality at all times;
- (e) provide and maintain, in proper working order, equipment for testing the quality of the swimming pool water;
- (f) be capable of undertaking routine tests on the water quality in the swimming pool and interpreting the tests results, and
- (g) maintain a daily record of the swimming pool water quality.

15.4 Water supply

- (1) Unless the prior written approval of an Environmental Health Practitioner has been obtained, no person operating a spa-bath or swimming pool may use water from a source other than a municipal supply to clean, fill or maintain the water level in a swimming pool or spa-bath.
- (2) An Environmental Health Practitioner must -
 - (a) take samples of a swimming pool or spa-bath water, at intervals which he or she considers appropriate for the purpose of a chemical analysis or bacteriological examination of that water;
 - (b) submit the samples to an analyst authorized in terms of Section 12 of the Foodstuffs, Cosmetics and Disinfectants Act 1972, (Act 54 of 1972 as amended) to conduct an analysis.

15.5 Safety of water

Every spa-bath keeper and swimming pool keeper must ensure that the water in the spa-bath or swimming pool complies with the following requirements:

- (a) it must be free from floating, suspended or settled debris or swimming organisms and the walls, floor, access ladders or steps and gutters must be free from slime and algae;

- (b) the pH value of the water must be not less than 7 and not greater than 8;
- (c) where chlorine based disinfectants are used, a minimum free available chlorine residual of 0,5 mg/l, with a maximum free available chlorine residual of 3 mg/l, must be maintained,
- (d) if a disinfectant other than chlorine is used, the residual level must be equivalent in effect to the requirements of paragraph (c);
- (e) the total viable bacteriological count of any sample submitted for analysis, must not exceed 100 organisms per ml of water; and
- (f) *Escherichia coli* type 1 bacteria must not be present in any 100 ml of water.

15.6 Order and behavior

No person may -

- (a) interfere with a spa-bath keeper or swimming pool keeper in the execution of his or her duties;
- (b) allow any dog or other pet belonging to him or her or under his or her care to enter or to remain within the premises of a spa-bath or swimming pool, unless it is a guide dog accompanying a blind person;
- (c) enter or remain in any premises of a spa-bath or swimming pool if he or she knows or suspects that he or she may be suffering from any communicable or contagious disease; and urinate, defecate, spit or blow his or her nose in a spa-bath or swimming pool.

CHAPTER 16

16. ACCOMMODATION ESTABLISHMENTS

In this Chapter, unless the context otherwise indicates –

16.1 Permit requirement

No person may operate an accommodation establishment without a valid permit authorizing that activity.

16.2 Requirements for accommodation establishments' premises

No person may operate accommodation establishments on premises which do not comply with the following requirements:

- (a) No room wholly or partly used by persons for sleeping in may be occupied by a greater number of persons that will allow-
 - (i) less than 11,3 m³ of free air space and 3,7 m² of floor space for each person over the age of 10 years; and
 - (ii) less than 5,7 m³ of free air space and 1,9 m² of floor space for each person under the age of 10 years;
- (b) No latrine, passage, staircase, landing, bathroom, cupboard, out building, garage, stable, tent, storeroom, lean-to, shed, kitchen, dining room, food preparation area, cellar or loft may be used as sleeping accommodation;

(c) If a dormitory is provided on the premises –

- (i) a single bed, manufactured of metal or some other durable material and equipped with a mattress, must be provided for every person housed in the dormitory;
- (ii) a separate locker must be provided for every person making use of the dormitory for safeguarding the person's clothing and other possessions;
- (iii) every bed in a dormitory must be so placed that its sides are at least one meter away from any part of any other bed;

(d) An accommodation establishment must be provided with -

- (i) an area of the preparation and cooking of food, adequate for the use of and easily accessible to any occupier residing in the accommodation establishments;
- (ii) adequate separate wash-up facilities; and
- (iii) where meals are provided to persons housed in the accommodation establishment, a dining-room or adequate dining area with tables and chairs or benches and unobstructed floor area, including the area occupied by tables, chairs and benches, of at least 1,2 m for every seat provided for dining purposes; (such establishment to comply with the provisions of R638 of the Regulations for a food premise).
- (iv) an accommodation establishment must be provided with one or more showers, each suitably placed in a separate compartment, easily accessible to every occupier, and fitted with waste pipes which comply with the provisions of the National Building Regulations and Building Standards Act 1977.

(e) A bath fitted with a waste pipe may be substituted for each shower referred to in subparagraph (i)

the facilities referred to in subparagraphs (i) and (ii) must be designated for the different sexes;

(f) An accommodation establishment must be provided with sanitary fixtures as prescribed in the National Building Regulations and Building Standards Act 1977 and such fixtures must be designated for the different sexes;

(g) An accommodation establishment must be provided with an adequate supply of hot and cold running potable water;

(h) All rooms and passages must be provided with adequate ventilation and illumination as prescribed in the National Building Regulations and Building Standards Act 1977;

(i) Openings such as doors, windows or fanlights may not be obstructed in a manner that interferes with the illumination or cross ventilation they provide;

(j) A separate room with approved containers must be provided for the storage of dirty articles used in connection with an accommodation establishment, pending removal to be laundered; and

(k) If articles used in connection with an accommodation establishment are laundered on the premises, a separate approved washing, drying and ironing areas equipped with the necessary facilities for

this purpose must be provided.

(l) A store-room for the storage of furniture and equipment and a separate linen room with cupboards or shelves for the storage of clean bed and other linen, towels, blankets, pillows and other articles used in connection with an accommodation establishment, must be provided;

(m) All walls and ceilings must have a smooth finish and be painted with a light coloured washable paint, or have some other approved finish;

(n) The floor surface of every kitchen, scullery, laundry, bathroom, shower, ablution room, toilet and sluice room must be constructed of concrete or some other durable, impervious material brought to a smooth finish;

(o) The floor surface of every habitable room must be constructed of an approved material;

(m) The following facilities must be provided for people who are employed and also reside on the premises:

(i) Sleeping quarters equipped with a bed, mattress and locker which comply with the provisions of paragraphs (a), (b) and (c) for each employee; and

(ii) if employees are not provided with meals in the accommodation establishment, food preparation and dining facilities that comply with the provisions of paragraph (d).

(n) adequate changing facilities must be provided for nonresident employees;

(o) adequate ablution and sanitary facilities, which comply with the provisions of paragraphs (e) and (f), must be provided for resident and non-resident employees;

(p) an adequate waste holding area must be provided and an approved refuse removal system must be maintained,

(q) all walls, floors and roofs must be constructed in a manner which prevents wind or rain entering an accommodation establishment or dampness entering the interior surfaces of any wall or floor;

(r) all accesses to an accommodation establishment must have a door which when closed, prevents the wind or rain entering the premises; and

(s) all windows must be constructed in a manner that prevents rain entering the accommodation establishment when the windows are closed.

(t) all premises are to comply with smoking regulations that prohibits smoking inside a premise.

16.3 Duties of operators of accommodation establishments

Every person who conducts an accommodations establishment must -

(a) keep the premises and all furniture, fittings, appliances, equipment, containers, curtains, covers, hanging and other soft furnishings, table linen, bed linen, and other bedding, towels and cloths of

whatever nature used in connection with the accommodation establishment, in a clean, hygienic and good condition at all times;

(b) clean and wash any bed linen, towel, bath mat or face cloth after each use by a different person;

(c) take adequate measures to eradicate vector on the premises;

(d) provide a container made of a durable and impervious material, equipped with a close-fitting lid, in every toilet used by females;

(e) provide towel rails or hooks in every bathroom and in every room in which there is a wash hand basin or shower;

(f) store all dirty linen, blankets, clothing, curtains and other articles used in connection with an accommodation establishment in the manner provided in section 16.2(j);

(g) store all clean linen, towels, blankets, pillows and other articles used in connection with the accommodation establishment in the manner provided in section 16.2(k);

(h) keep all sanitary, ablution and water supply fittings in good working order;

(i) keep every wall, surface and ceiling, unless constructed of materials not intended to be painted, painted at the intervals to ensure that the area painted, remains clean and in a good state of repair; and

(j) handle waste in the manner that is in compliance to Regulations under FCD for food premises.

(k) must ensure compliance with Regulations under FCD for food premises is provided to the occupants.

CHAPTER 17

17. CHILD-CARE SERVICES

In this Chapter, unless the context otherwise indicates –

17.1 Application

The Head of Municipal Health Services or an Environmental Health Practitioner when implementing these by laws shall apply the principle of best available method.

17.2 Health Certificate

(a) No person or body of persons shall conduct a pre-school institution unless such person or body of persons is in possession of a Health Certificate to the effect that the premises, general health facilities and services to which such Health Certificate relates, comply with these By-laws, such certificate shall state:

(i) the number and both minimum and maximum age of the children permitted to be kept on such premises.

(b) Environmental Health Practitioner shall issue the Health Certificate contemplated in paragraph (a) if he/she

is satisfied that these By-laws are complied with.

(i) that health certificate must be displayed (a) On the premises to which it relates; and (b) In such manner as to be clearly visible at all times to any member of the public entering the premises.

(c) A Health Certificate issued is not transferable.

17.3. Requirements of Premises for Accommodation of Children between three and seven years

(1) General

(a) (i) The location and layout of the pre-school must be suitable for its purpose with regards to the design and construction and finished in such condition that children can be cared for hygienically and can be adequately protected against possible public health hazards and nuisances.

(ii) A building structure used as an indoor play area must be compliant with the requirements of the National Building Regulations and Building Standards Act 1977, Act No 108 of 1977.

(b) (i) A room adequate in size to be used for the purpose of isolating a sick child must be provided.

(ii) Such room must have a minimum area of 6 m² and where more than 50 children are cared for this room must be a minimum of 12 m² to be used as an office as well.

(iii) Such room be provided with a wash hand basin and at least one 25 L closed container with potable water.

(iv) An approved first aid kit must be provided

(v) A bed or stretcher or other approved sleeping equipment must be provided.

(c) Adequate storage facilities for food, stretchers, sleeping mats, bedding, linen, indoor and outdoor play equipment must be provided.

(d) Separate storage facilities for the personal belongings of each child and staff member must be provided.

(e) Sanitary and ablution facilities for children shall have: -

(i) Ready access between the outdoor play area and the toilet facilities.

(ii) one toilet for every twenty (20) and/or one approved pottie for every five (5) children which must be provided with a lid to be kept closed at all times except for the time it is being used and must be emptied and sanitized after each use thereof..

(iii) an approved toilet into which potties can be emptied.

(iv) hand washing facilities with water next to the toilets or pottie.

(v) one wash hand basin for every 20 (twenty) children.

- (vi) wash hand basin and pottie for the toilets that are of a suitable size and height for the children.
 - (vii) a toilet or pottie placed in such a way as to be enclosed and screened from the public.
 - (viii) an adequate number of bins with self-closing lids for disposal of paper, towels, tissues and other waste articles must be provided.
 - (ix) a minimum of one towel for each child's individual use unless the Environmental Health Practitioner permits the use of disposable paper towels or wipes.
 - (x) Individuals pegs or nodes for each child's towel which shall be placed 225 mm apart and within child's reach and marked in such a manner as to be easily recognized by each child.
 - (xi) a reasonable supply of toilet paper, tissue and soap available to the children.
 - (xii) a supply of about 25 Liter of potable water in the toilet and at wash hand basins.
- (f) Sanitary and ablution facilities for staff:
- (i) Shall have one toilet and one wash hand basin for every 15 persons or part thereof.
 - (ii) Shall have 25 Liter of water supply soap, toilet paper and disposable towel.
 - (iii) Shall have a bin with self-closing lid or other approved disposal unit installed in each water closet intended to be used by females.
- (g) Separate approved laundry facilities on the premises; unless laundering is done on other approved premises must be provided.
- (h) Indoor Play Area Child care premises on which children under school going age are cared for, must be provide with an indoor play area as follows: -
- (i) The building or structure may be of wood and iron and be constructed to be securely placed and be able to provide protection from the weather such as strong winds, rain and other conditions.
 - (ii) The interior walls must be brought to a smooth finish and insulated with approved material.
 - (iii) No plastic or cardboard may be used in the construction of the structure.
 - (iv) The floor surface must be constructed of an impervious material such as concrete and brought to a smooth finish.
 - (v) The structure must be rodent proof.
 - (vi) The windows and doors must be positioned to be able to provide cross ventilation and natural illumination.
 - (vii) The windows of all playrooms and isolation areas shall be so designed and installed as not more than 750 mm from the ground.

(viii) The indoor play area shall provide at least 1,5 m of free floor space per child.

(ix) separate indoor play areas shall be provided for the following age groups: under 3 years, 3-7 years and after school children.

(x) The interior part of the roof must be provided with insulating material.

(i) Outdoor Play Area

(i) must be free of any excavations, projection, levels or any surface which is dangerous or may constitute a safety hazard.

(ii) must have a minimum area of 2 m² per child.

(iii) If no outdoor area is available an approved area of 3 m² per child shall be provided in the indoor play area.

(iv) Separate outdoor play area should be provided for the following different age groups: Under 3 years, 3-7 years and after school children.

(j) The premises shall have an approved fence and lockable gates to prevent a child leaving the premises on its own and to prevent the entrance of animals or unauthorized person.

17.4 Requirements of premises for Children under two years

(a) Indoor area shall have: -

(i) A nursery for playing eating and sleeping purposes where a minimum indoor area of 2 m² per child is provided.

(ii) Cots shall be arranged so that there shall be a minimum space of 500 mm between cots

(iii) Adequate heating facilities to be provide in the indoor area.

(iv) If children aged two years and over are accommodated, then a separate indoor area must be provided for this group that is able to provide 1,5 m² per child of available floor space.

(b) Outdoor area shall have: -

(i) a minimum of 2 m² per child for the use of perambulators play pens and outdoor activities.

(c) If a nursery school which has been registered is conducted on the same premises as a pre-school institution for ages 3-7 years, the nursery and the pre-school institution must be separated.

(d) An after school care center shall not be permitted on the same premises as a pre-school institution, unless in completely separate facilities or unless conducted at different times.

(e) Kitchen

(I) In addition to the requirement for the kitchen referred to in Regulations R638 of the Food, Cosmetics, Drug and Disinfectant Act, 1972 (Act 54 of 1972 as amended) if bottles and teats are used for feeding of children the kitchen shall be increased in size, if in the opinion of the Environmental Health Practitioner it is necessary to have a separate area for milk kitchen purpose.

(ii) The milk kitchen shall have the following: -

a) Approved containers for washing bottles and the other for rinsing with adequate, potable water.

b) A separate cooling facility for the storage of milk and milk bottles.

(iii) There must be adequate storage facilities for food line perambulators and other equipment

(iv) Separate storage facilities for the personal belongings of each child and staff members.

(f) (i) Sanitary ablution facilities for children under two years shall have the following: -

(a) Ready access to the Nursery school or indoor play area of the nursery.

(b) A separate sluice area with a minimum size of 3 m and which shall have a container with a tight fitting lid for soiled nappies.

(ii) The sluice area must have a hand washing facility provided with water in a 25 L container

(iii) Approved pottie which can be emptied in an approved toilet must be provided which are accessible and suitable for use by children.

(iv) There must be one pottie for every five (1:5) children.

(v) Disposable and approved material for cleaning of children wearing nappies must be provided.

(vi) A minimum of one towel and one face cloth for each child's use must be provided.

(vii) Individual pegs or hooks placed at 225 mm apart individually marked must be provided for each child.

(viii) There must be an adequate number of bins with self-closing lids for disposal of paper, paper towels, tissues and other waste.

17.5 After school care facilities

An after school care center shall not be permitted on the same premises as a pre- school institution, unless in completely separate facilities or unless conducted at different times.

17.6. General duties and liabilities for compliance

The Health Certificate holder shall ensure that the children are at all times properly cared for and supervised and shall:

(a) maintain every part of the child care service, including any outdoor area and all structure and

equipment in good repair and in a clean and hygienic condition at all times.

(b) ensure that all persons on or in the premises are clean in person and clothing and are in good state of health.

(c) ensure that no person shall smoke or use any tobacco product in the presence of children.

(d) ensure toys, books and other indoor play materials intended for day to day use are available in the indoor play areas and suitably stored so as to be within easy reach of the children.

(e) ensure that the children are at all times under the direct supervision of the specified number of adults in the following ratio:

(i) one adult supervisor for every 6 babies between 0-18 months.

(ii) one adult supervisor for every 12 children between 18 months and 3 years

(iii) one adult supervisor for every 20 children between 3 and 5 years

(iv) one adult supervisor for every 30 children between 5 and 6 years

(v) one adult supervisor for every 35 children of school going age

(f) If transport to or from a child care service is provided – the person in charge of the facility shall ensure that:

(i) the children are supervised by at least one adult apart from the driver during transport.

(ii) the doors of the vehicle are lockable and cannot be opened from the inside by the children.

(iii) no children are transported in the front seat of the vehicle

(iv) no babies are placed under the seat of a vehicle

(v) the vehicle is not overloaded in terms of any applicable law.

(vi) the transport of children are not allowed in the boot of any vehicle.

(vii) the driver of the vehicle is licensed to transport passengers as stipulated in the National Road Traffic Act 1996, (Act 93 of 1996)

(viii) the vehicle is licensed and is in a road worthy condition

(ix) that when children are transported in the back of an enclosed light commercial vehicle, care shall be taken to ensure that no exhaust fumes enter the enclosed area, and that the said enclosed area is sufficiently ventilated.

(g) ensure that meals are provided and an approved two weekly menu is displayed at place visible to the parents.

(h) ensure that meals provided shall be nutritionally balanced and of adequate volume to satisfy the energy needs of the children in each age group.

(i) ensure that all perishable foodstuffs, other than unfrozen fruit and vegetables are stored in cooling facilities able to maintain 0 °C or 7 °C for milk.

17.7 Resting and Play Equipment

Suitable juvenile seating accommodation and tables shall be provided for each child:

(i) adequate and approved individual resting or sleeping equipment shall be provided for the separate use of each child

(ii) an approved blanket for the individual use of each child shall be provided.

(iii) adequate, approved and safe indoor and outdoor play equipment shall be provided for the children's use.

17.8 Medical care for children

(1) The parent or guardian of the child who becomes ill or has suffered an injury requiring medical attention shall be notified as soon as possible.

(2) Whenever a child becomes ill or has suffered an injury requiring medical attention, medical assistance shall be summoned for which purpose a telephone shall be easily available.

(3) Any child who falls ill or has suffered any injury shall receive the necessary care and treatment in the sick bay area, so designated.

(4) In the event of a communicable diseases, the District shall be notified immediately.

(5) The child-care provider shall ensure that all children have completed basic immunization schedules as deemed necessary.

(6) The provisions of the Regulations R2438 of 20 October 1987 as amended by R.485 of 23/4/1999, promulgated under the National Health Act, 2003 (Act no 61 of 2003 as amended), regarding communicable diseases and notification of notifiable medical conditions shall apply to childcare services.

(7) All child-care service providers shall be trained in basic first aid and shall be retrained every five years.

17.9. Safety Measures

The following measures shall be taken on premises on which child-care services are conducted -

(a) Children shall be adequately protected against fires, hot water installations electrical fitting and appliances, heating appliances and any other article or substances which may be dangerous or cause harm to any child.

(b) Any slats or rails forming part of an enclosure, security gate, play pen, bed, cot or any other object or

structure whatsoever, shall not be more than 75 mm apart and shall be suitably installed and maintained in a good state of repair and if painted only non-toxic paint shall be used.

(c) All approved medicines, pesticides, detergents and other harmful substances shall be stored so as not to be accessible to any child and be under lock and key at all times.

(d) No noxious or poisonous or dangerous plant or shrub shall be permitted on the premises and no animals or birds be kept on the premises without the approval of the Environmental Health Practitioner.

(e) No person known or suspected to be suffering from infections or contagious disease and no person so suffering, shall be allowed on the premises while in the opinion of the Environmental Health Practitioner or medically trained person, such person is capable of communicating such infections or contagious disease.

(f) No padding pool, swimming pool or other structure shall be permitted in any child-care service without an approved fencing and safety net.

(g) The sandpit shall be covered with an approved covering material when not in use.

(h) The provisions of the Regulation regarding the exclusion of children from day-care services on account of infectious diseases made in terms of the National Health Act 2003, (Act 61 of 2003 as amended) shall apply to all child-care services.

(i) Any other reasonable measures that may in the opinion of the Environmental Health Practitioner be necessary to protect the children from any physical danger shall be taken by the child-care service on instruction of the Environmental Health Practitioner.

(j) The premises must comply with fire regulations by providing at least two doors on opposite sides.

17.10 Application for admission

(1) The Health Certificate holder shall ensure that an application form containing the following information is completed by the parent or guardian of a child on admission to child care service.

(a) The child's name and date of birth

(b) Name, address and telephone number of the parent or guardian

(c) Place of employment and telephone number of the parent or guardian

(d) Name address and telephone number of a responsible person other than the parent or guardian who may be consulted in emergencies

(e) Name, address and telephone number of the child referred to, in such form, shall be entered thereon relevant date of admission and discharge of the child's doctor and

(2) The permission to consult him.

(3) All application forms shall be retained for a minimum of 3 years.

17.11 Registers

- (1) An admission and discharge register of all children admitted to and discharged from the child care service shall be kept
- (2) A register of attendance shall be kept in which the presence or absence of children shall be noted daily
- (3) Such attendance register shall include the children's respective dates of birth

17.12 Medical Report

A report containing the following health data shall be obtained from the parent or guardian in respect of each child admitted and cared for:

- (a) Information concerning the child's general state of health and physical condition.
- (b) Operations, illness and any communicable disease which the child has suffered and the relevant dates.
- (c) Details of required immunizations
- (d) Details of allergies and any medical treatment such child may be undergoing.

17.13 Food Preparation

- (1) An area adequate in size and separate from indoor play area where food is to be handled, prepared, stored or provided to children or for any other purpose shall be provided.
- (2) Such area shall comply with the provisions of Regulations R638 promulgated in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972 as amended) and be provided.

17.14 Right of entry and inspection of premises and records

An Environmental Health Practitioner may for any purpose connected with the application of these By-laws at all reasonable times and without notice, enter any premises upon which a pre-school institution is conducted or upon which such officer has reasonable grounds for suspecting the existence of such pre-school and make such examination, enquiry and inspection thereon as he may deem necessary.

17.15. Journal

Any person who provides a child-care service must keep a journal, in which any important or outstanding event, including any accident on the premises or during transportation of children, and any explanations is recorded.

17.16. Suspension or termination of operations

The Health Certificate holder shall notify the District Municipality of the suspension or termination of the

operations of the pre-school institution to which such Health Certificates relates.

17.17 Withdrawal of Health Certificate

The District Municipality may at its discretion withdraw a Health Certificate issued in terms of these By-laws, should such Health Certificate holder be convicted of a breach of the provisions of the By-laws.

CHAPTER 18

18. NURSING HOMES/OLD AGE HOME

18.1 Requirements

No person may be allowed to operate a nursing home or an Old age home without a valid Health Certificate issued by an Environmental Health Practitioner;

- (a) a health certificate must be displayed (i) On the premises to which it relates; and (ii) In such manner as to be clearly visible at all times to any member of the public entering the premises.
- (b) The nursing home may either be used for maternity purposes or general practice;
- (c) General requirements for premises apply to these premises as referred to in the National Building Regulations and Building Standards Act (Act No.103 of 1977 as amended)
- (d) Separate facilities for patients and staff must be provided;
- (e) Adequate storage facilities must be provided;
- (f) Temporary provision for the handling of the dead must be made at the discretion of the Environmental Health Practitioner;
- (g) The operator must enter into a contract with an approved service provider for the removal of all health care risk waste;
- (h) Provision must be made for electricity supply in case of an emergency;
- (i) Adequate equipment for sterilization or preparation of instruments, dressings and other equipment must be made;
- (j) Milk kitchen must be provided;
- (k) Adequate sluice room must be provided with a floor area of 7.5 m² with a minimum width of 2,5 m²;
- (l) 7,5 m² must be provided for each bed;
- (m) Doors sufficiently wide to accommodate beds and trolleys
- (n) Non slippery floors

- (o) Ward signage's must be provided;
- (p) adequate laundry facilities must be provided;
- (q) The operator must provide staff accommodation;

CHAPTER 19

19. CARAVAN PARKS AND CAMPING GROUNDS

For the purposes of this chapter, unless the context otherwise indicates

19.1. Camping Permit

No person shall be without a written permit from the relevant local district, to occupy or permit to be occupied for human habitation, a caravan, camp, park home or other shelter of any description on un-serviced land except on an authorized camping or caravan site.

19.2 Requirements for Premises

- (1) Approved direction signs, indicating the water closets, urinals, ablution and other facilities required in the caravan park or camping ground in terms of these By-laws, shall be placed at approved points.
- (2) The entrance to the caravan park or camping ground, paths, water closets, urinals, ablution and other facilities, and firefighting and first aid points, shall be adequately illuminated during the hours of darkness.
- (3) An adequate and constant supply of potable water, shall be available and one permanent stand pipe shall be provided in a convenient position for every four caravan or camp sites, and under every stand pipe tap there shall be a gully trap set in a dished and properly rendered surround and connected to an approved drainage system.
- (4) All bath, showers and wash hand basins shall be provided with an adequate and constant supply of hot and cold running water and shall be fitted with waste pipes suitably trapped and discharging over and into an external gully connected to an approved drainage system.
- (5) Every bathroom or shower cubicle shall have a door which is lockable from the inside and shall be provided with a built-in soap dish. In addition, every bathroom shall be provided with a seat and a wall hook or towel rail of at least 600 mm and every shower cubicle with a disrobing area suitably screened from the shower, a seat and a wall hook or towel rail of at least 600 mm.

19.3 Sanitary Facilities

The following separate water closet and urinal accommodation shall be provided.

- (1) *Males*: A minimum of one water closet and 750 mm of urinal space for every eight caravans or camp sites or part thereof. The channel of the urinal shall be of stainless steel or other approved material.

(2) *Females*: A minimum of two water closets and thereafter an additional water closet for every six caravan or camp sites or part thereof in excess of twelve sites. A bin with a self-closing lid shall be provided in each water closet.

(3) the internal wall surface of all bathrooms, shower cubicles and water closets shall be painted with a light-coloured oil paint or shall be provided with a wall covering of an approved material.

(4) All water closets, urinals, ablution and other facilities shall be suitably designated and the entrances in the water closets, urinals and ablution facilities shall be screened from public view.

(5) An approved slop sink unit with an adequate and constant supply of cold running water shall be provided for caravanners and campers where chemical toilets receptacles shall be emptied and cleaned. The unit shall be installed within a separate compartment adjacent to an ablution block with access thereto for both sexes. The floor of such compartment shall be graded and drained to an approved drainage system.

(6) For every twenty caravan or camp sites or part thereof for the uses of caravanners or campers, a screened or enclosed drying yard and a laundry room equipped with a double bowl stainless steel laundry trough and an ironing board or table shall be provided. The laundry trough shall be provided with an adequate and constant supply of hot and cold running water and fitted with waste pipes suitably trapped and discharging over and into an external gully connected in an approved drainage system. An earthed 15 ampere socket outlet for a three-pin plug shall be fitted in the laundry room.

(7) For every twenty caravan sites or part thereof and for every ten camp sites or part thereof, there shall be provided under a roofed area, on an approved impervious floor, which shall be graded and drained to an approved drainage system, a double compartment wash-up sink unit for the washing of caravanners or camper's culinary utensils.

CHAPTER 20

20. KEEPING OF ANIMALS

In this Chapter, unless the context otherwise indicates –

20.1 Part 1: General provisions relating to the keeping of animals

Application of chapter

(1). The provisions of this Chapter do not apply to

- (a) any agricultural show where animals are kept on a temporary basis; and
- (b) any laboratory where animals are kept for research purposes.

(2) No person may, subject to the provision of section 20, keep or allow to be kept, any animal other than an approved pet on an ERF in a proclaimed township, provided the keeping of such pet does not create or constitute a nuisance

(3) If at any time it appears to an Environmental Health Practitioner that the keeping of poultry or rabbits on an ERF or agricultural holding, in respect of which a permit has been granted, is likely to constitute a nuisance or danger to the public health, that official may -

(a) cancel the permit; or

(b) Prohibit the keeping of such poultry or rabbits.

(4) An Environmental Health Practitioner must serve a notice on the permit holder or the owner of the ERF or agricultural holding concerned, informing him or her of a decision in terms of subsection (1) and instruct the owner to comply with the requirements within the period stated in such notice, which must be at least 48 hours.

(5) An Environmental Health Practitioner must as soon as a permit has been cancelled, notify the permit holder of that fact in writing.

(6) An Environmental Health Practitioner may, subject to the foregoing provisions of this section, issue a new permit if he is satisfied that the reason for the cancellation no longer exists or that there is no reason why a new permit should not be issued.

20.2 Part 2: Keeping of cattle, horses, mules and donkeys

No person may keep any cattle, horse, mule or donkey on a residential premises and villages but only in stables on agricultural premises.

20.2.1 Requirements for premises

(a) Every wall and partition of the stable must be constructed of brick, stone, concrete or other durable material;

(b) the internal wall surfaces of the stable must be constructed of smooth brick or other durable surface brought to a smooth finish;

(c) the height of the walls to the wall plates of the stable must –

(i) if the roof is a pitched roof be 2,4 m;

(ii) if the roof is a flat roof be 2,7 m;

(iii) if the roof is a lean to roof be a mean height of 3 m with a minimum of 2,4 m on the lowest side;

(iv) in the case of a stable which has an opening along the entire length of one of its long sides be not less than 2 m;

(d) the stable must have a floor area of at least 9 m² for each head of cattle, horse, mule or donkey accommodated in it;

- (e) illumination and ventilation must be provided by openings or glazed opening windows or louvers totaling at least 0,3 m for each animal to be accommodated in it except in the case of a stable open along the entire length of one of its long sides;
- (e) the lowest point of every opening, window or louvers must be at least 1,8 m, above floor level;
- (f) the floor of the stable must be constructed of concrete or other durable and impervious material brought to a smooth finish graded to a channel and drained in terms of section 128;
- (g) an enclosure must have an area of at least 10m for each head of cattle, horse, mule or donkey accommodated in it and the fencing must be strong enough to prevent the animals from breaking out;
- (i) no enclosure or stable may be situated within –
 - (i) 15 m of the boundary of any land, property, dwelling or other structure used for human habitation; or
 - (ii) 50m of any water resource or water supply intended or used for human consumption; and
 - (iii) there must be a water supply adequate for drinking and cleaning purposes next to every stable or enclosure.

20.2.2. Duties of keeper of cattle, horses, mules and or donkeys must –

Any person who keeps any cattle, horse, mule or donkey on agricultural holdings and farming areas must -

- (a) maintain the premises, and any equipment, apparatus, container or receptacle used in connection with keeping the animal, in a clean and sanitary condition and in good repair,
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform constructed of concrete or other durable and impervious material near the stable or enclosure;
- (d) if there is so much manure and bedding that storage receptacles are impractical, provide a manure container or area complying with the following requirements:
 - (i) The manure container or area must be roofed and enclosed by three walls constructed of brick, concrete or other durable material plastered to a smooth finish, and
 - (ii) the floor must be of smoothly finished concrete that is inclined so that it drains to a water channel along the full length of the open side, which is at least 150mm in a diameter and is kept filled with water
- (e) remove all the manure from the stable and enclosure at least once every 24 hours and place it in the manure storage receptacles or manure container or area until it is removed from the premises;

- (f) remove the contents of the manure storage receptacles or manure container or area from the premises at least one every second day and dispose of the manure in a way which will not create a public health nuisance;
- (g) remove all bedding from the stable at least once a week and store it in the manure receptacles or manure container or area until it is removed from the premises;
- (h) store all saddles, bridles, harnesses and other equipment or articles use in connection with the keeping of the animals, in a storeroom or other adequate storage facility;
- (i) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids; and
- (j) Take adequate measures to keep the premises free of vector and to prevent offensive odours arising from the keeping of cattle, horses, mules and donkeys.

20.3. Part 3: Keeping of goats and sheep

20.3.1. Application

The provision of section 20.3.2 also apply to the temporary keeping of a goat on any premises for the provision of milk for medical reasons

20.3.2. Requirements for premises

(1) No person may keep goats or sheep in a residential area except in an Agricultural holding or land demarcated for that purpose which complies with the following requirements:

- (i) the minimum overall floor area must be 30 m²;
- (ii) every wall must be constructed of brick, stone, concrete or other durable material;
- (iii) every wall must be at least 2 m in height and have a smooth internal finish;
- (iv) the floor must be constructed of concrete or other durable and impervious material brought to a smooth finish and graded to a channel drained in terms of section 20.13.1;
- (v) at least 1, 5 m² of floor space must be provided for every goat or sheep accommodated in it with an overall minimum floor area of 6 m²; and
- (vi) illumination and ventilation opening totaling at least 0.15 m per goat or sheep must be provided.

(2) No person may keep goats or sheep in an enclosure or stable within -

- (a) 15 m of any boundary of any land, dwelling, building or other structure used for human habitation; or
- (b) 50m of any water resources or water supply intended or used for human consumption.

(3) Every person must provide a water supply adequate for drinking and cleaning purposes situated next to or in every enclosure or stable used to accommodate goats or sheep.

20.3.3. Duties of keeper of goats and sheep

Any person who keeps goats or sheep on agricultural holdings and farming areas must –

- (a) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the animal in a clean and sanitary condition and in good state of repair;
- (b) provide portable manure storage receptacles of an impervious material and with close fitting lids;
- (c) keep every manure storage receptacle on a platform that enables the surface underneath the receptacle to be cleaned;
- (d) remove all manure from the enclosure or stable at least once every seven days and place it in the manure storage receptacles;
- (e) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way that will not create a public health nuisance; and
- (f) store all feed in a rodent-proof storeroom and all loose feed in rodent-proof receptacles with close fitting lids in the storeroom.
- (g) Take adequate measures to keep the premises free of vectors and to prevent offensive odours arising from the keeping of goats and sheep.

20.4 Part 4: Keeping of poultry

20.4.1. Application

The provisions of sections 20.4.3(d), (e), (f) and (g), do not apply to any person keeping ten or less poultry.

20.4.2 Permit requirement

No person is permitted to keep more than 10 poultry on an ERF/ residential area in a proclaimed township or 100 poultry on premises zoned for agricultural purposes except in terms of a permit authorizing that activity.

20.4.3 Requirement for premises

No person may keep poultry in premises which do not comply with the following requirements:

(a) In relation to a poultry house -

- (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
- (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish;

- (iii) the upper floor of a two or more story structure must be constructed of an impervious and easily cleanable material;
 - (iv) the minimum floor area must be - (aa) 0,20 m² for each grown fowl, duck, muscovite duck or guinea fowl; (bb) 0,5 m² for each grown goose, turkey or peacock; and (cc) 0,14 m² for each grown pigeon; and
 - (v) the minimum aggregate floor area must be 4 m²;
- (b) a poultry run, if provided, must be enclosed with wire mesh or other durable material;
- (c) in relation to a building or structure housing a battery system –
- (i) every wall, if provided, must be at least 2,4 m high, must be constructed of concrete, stone, brick or other impervious material and must have a smooth internal surface;
 - (ii) If walls are provided, the building must be ventilated and lighted by means of mechanical ventilation and artificial illumination or by obtaining natural ventilation and light through openings or opening windows of an area not less than 15% of the floor area of the building or structure;
 - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and if required by an Environmental Health Practitioner, the floor surface must be graded and drained by means of a channel drained in terms of section 20.13.1;
 - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its edges;
 - (v) the cages of the battery system must be made of an impervious material; and
 - (vi) if required by an Environmental Health Practitioner, a tray of an impervious material must be fitted under every cage for the collection of manure;
- (d) a water supply adequate for drinking and cleaning must be provided in or next to every poultry house and poultry run and in or next to a building or structure housing a battery system;
- (e) no poultry house, poultry run, or building or structure housing a battery system, may be constructed within 3 m of –
- (i) any dwelling or other building or structure used for human habitation; and
 - (ii) any place where foodstuffs are stored or prepared for human consumption; or
 - (iii) the nearest boundary of any land;
- (f) feed must be stored in an adequate rodent-proof storeroom;
- (g) adequate washing facilities must be provided for the cleaning of the cages;
- (h) If required by an Environmental Health Practitioner, due to the amount of manure stored on the premises

awaiting removal, a storage area complying with the following requirements must be provided:

- (i) A roofed platform constructed of concrete or other impervious material;
- (ii) the platform's outside edges must have a minimum curb of 100 mm high;
- (iii) the platform must be graded and drained in terms of section 128 and
- (iv) the roof of the platform must extend a minimum of 1 meter beyond the edges of the base of the platform.

20.4.4 Duties of keeper of poultry

Any person who keeps poultry must-

- (a) ensure that all poultry is kept within a poultry run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the poultry, in a clean, sanitary condition and in good repair;
- (c) maintain the premises and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from vectors;
- (d) ensure that the poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (e) provide portable manure storage receptacles of an impervious material and with close fitting lids and keep the manure storage receptacles on a platform;
- (f) remove all manure and other waste from a poultry house and poultry run at least once every 48 hours and once every four days from a building or structure housing a battery system;
- (g) place the manure and other waste matter in manure storage receptacles;
- (h) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way which will not create a public health nuisance; and
- (i) take adequate measure to keep the premises free of flies, cockroaches and rodents and to prevent offensive odors arising from the keeping of poultry on the premises.

20. 5. Part 5: Keeping of rabbits

20.5.1 Application

The provisions of section 20.5.3(b), (c), (d), (f) and (g), do not apply to any person keeping ten or less rabbits

20.5.2 Permit requirement

No person may keep more than 5 rabbits on an ERF in a residential area or more than 20 rabbits on premises

zoned for agricultural purposes, except in terms of a permit authorizing that activity.

20.5.3. Requirements for the premises

No person may keep rabbits in premises which do not comply with the following requirements:

(a) In relation to a rabbit hutch -

(i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;

(ii) the floor surface must be –

(aa) constructed of concrete or other impervious material brought to a smooth finish;

(bb) situated at least 150 mm above ground level, and

(cc) graded to a channel drained in terms of section 20.13.1, if required by an Environmental Health Practitioner,

(iii) adequate ventilation must be provided; and

(iv) the rabbit hutch must be adequate in size to allow free unobstructed movement of animals kept therein.

(b) any rabbit run must be enclosed with wire mesh or other durable material and constructed in a way that prevents the escape of rabbits from the run;

(c) in relation to a building or structure housing a battery system –

(i) every wall must –

(aa) be at least 2,4 m high;

(bb) be constructed of concrete, stone, brick or other durable material; and

(cc) must have a smooth internal surface;

(ii) if walls are provided, the building or structure must be ventilated and lighted by means of natural openings or windows of an area not less than 15% of the floor area of the building or structure;

(iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish, and if required by an Environmental Health Practitioner, the floor surface must be graded to a channel drained in terms of section 20.13.1;

(iv) if no walls are provided, or walls are made of metal, the floor must be provided with curb at least 150 mm high around its outside edges; and

(v) every cage must be constructed of an impervious material and fitted with trays of an impervious material for the reception of manure;

(d) a water supply adequate for drinking and cleaning purposes must be provided in or next to every rabbit hutch or building or structure housing battery system;

(e) no person may erect a rabbit hutch, rabbit run or building or structure housing a battery system within 5 m of -

(i) any dwelling, building or other structure used for human habitation;

(ii) any place where foodstuffs are stored or prepared for human consumption; or

(iii) the nearest boundary of any land;

(f) an adequate rodent-proof storeroom must be provided for the storage of feed, and

(g) adequate washing facilities must be provided for the cleaning of cages.

20.5.4. Duties of keepers of rabbits

Any person who keeps rabbits must -

(a) keep all rabbits within the rabbit hutch, rabbit run or building or structure housing a battery system;

(b) maintain the premises and any equipment, apparatus, containers or receptacles used in connection with keeping rabbits, in a clean, sanitary condition and in good repair;

(c) maintain the premises free from offensive odors and every rabbit hutch, rabbit run or building or structure housing a battery system and all cages clean and free from vectors,

(d) provide portable manure storage receptacles of an impervious material with close-fitting lids which receptacles must be kept on a platform;

(e) remove all manure and any other waste matter from the rabbit hutch, rabbit run or building or structure housing a battery system, at least once every 48 hours;

(f) keep the manure and waste in manure storage receptacles until it is removed from the premise; and

(g) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the contents in a way which will not create public health nuisance.

(h) take adequate measures to keep the premises free of vectors.

20.6. Part 6: Keeping of birds other than poultry

20.6.1 Requirements for the premises

No person may keep any bird, other than poultry, in an aviary which does not comply with the following requirement:

(a) the aviary must be constructed of durable rodent-proof material;

- (b) adequate access must be provided for cleaning purpose;
- (c) if the aviary is constructed above ground level, its base must be constructed of an impervious and durable material and must be situated a minimum of 300 mm above ground level;
- (d) the aviary may not be situated within 3 m of any building or structure, boundary fence or boundary wall; and
- (e) a water supply adequate for drinking and cleaning purposes must be situated in or next to every aviary.

20.6.2 Duties of keepers of aviaries

Any person who keeps birds in an aviary must -

- (a) ensure that the aviary and the premises are kept in a clean condition and free from vectors;
- (b) provide and use rodent-proof facilities for the storage of bird food; and
- (c) ensure that the birds do not disturb the comfort, convenience, peace or quiet of the public.

20.7. Part 7: Dogs, Kennels and catteries

20.7.1 Requirements for premises

No person may use premises as kennels or cattery except in terms of a permit authorizing that activity in compliance with the following requirements:

- (a) every dog or cat must be kept in an enclosure which complies with the following requirements:
 - (i) the enclosure must be constructed of impervious materials and must provide adequate access for cleaning purposes;
 - (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and graded to a channel 100 mm wide, extending the full width of the floor, which channel must be graded and drained into a gully connected to the relevant local municipal sewer by means of a pipe 100 mm in diameter; and
 - (iii) a curb 150 mm high must be provided along the edge of the channel, referred to in subparagraph (ii), to prevent any storm water runoff entering the channel; and
 - (iv) the enclosure must be adequate in size to allow free unobstructed movement of animals kept therein.
- (b) subject to the provisions of paragraph (c) every enclosure referred to in paragraph (a), must be provided with an adequate roofed shelter that complies with the following requirements:
 - (i) every wall must be made of brick, stone, concrete or other impervious material;
 - (ii) every wall must have a smooth internal surface;

- (iii) the floor must be made of concrete or other impervious material brought to a smooth finish; and
 - (iv) every shelter must have adequate access for cleaning and eliminating vectors;
- (c) a dog kennel which complies with the following requirements may be provided instead of the shelter contemplated in paragraph (b):
- (i) the kennel must be constructed of an approved weatherproof and insulating material or other similar material;
 - (ii) the kennel must be movable;
 - (iii) the kennel must be placed on a base constructed of concrete or other impervious material with an easily cleanable finish; and
 - (iv) a sleeping board, which will enable the dog to keep dry, must be provided in any kennel that does not have a waterproof base;
- (d) a concrete apron extending at least one-meter-wide around the edges of the enclosure must be provided;
- (e) the apron must be graded and drained in a way that drains storm water away for the enclosure;
- (f) a water supply, adequate for drinking and cleaning purposes, must be provided in or adjacent to the enclosure;
- (g) any cage in which cats are kept must be constructed of durable impervious material and in a manner that it may be easily cleaned; and
- (h) no shelter, enclosure or kennel may be situated within 5 m of any –
- (i) dwelling or other building or structure used for human habitation;
 - (ii) place where food is stored and prepared for human consumption; or
 - (iii) the boundary of the premises.

20.7.2. Food preparation areas

Any keeper of kennels or cattery must provide a separate room or roofed area for the preparation of food which complies with the following requirements:

- (a) The floor of the room or roofed area must be constructed of concrete or other impervious material brought to a smooth finish;
- (b) the internal wall surfaces of the room or roofed area must be smooth and easily cleanable;
- (c) adequate washing facilities for food bowls and utensils must be provided; and
- (d) a rodent-proof storeroom must be provided for the storage of food.

20.7.3 Duties of a keepers of kennels or catteries

Any person operating kennels or a cattery must -

- (a) maintain the premises, equipment and every vessel, receptacle or container and sleeping board used in connection with the kennels or cattery in a clean, sanitary condition and in good repair;
- (b) provide portable storage receptacles, of an impervious material with close fitting lids, for the storage of dog and cat faeces;
- (c) remove all faeces and other waste matter from the enclosure and shelter at least once every 24 hours and place it in the receptacles referred to in paragraph (b);
- (d) remove the contents of the storage receptacles from the premises at least twice every seven days and dispose of it in a manner that will not create a public health nuisance;
- (e) store all loose food in receptacles, with close fitting lids, in the food store;
- (f) provide adequate refrigeration facilities to store perishable foods on the premises;
- (g) provide adequate separate refuse receptacles, with close fitting lids, on the premises for waste other than faeces;
- (h) keep any sick dog or cat isolated from any other animals; and
- (i) maintain the premises free from offensive odours and every enclosure, shelter, kennel, cage or food store clean and free from vectors.
- (j) ensure that no dog or cat disturbs the comfort, convenience, peace and quiet of the public.

20.8. Part 8: Pet shops and pet parlours

20.8.1. Requirements for premises

No person may operate a pet shop or pet parlour in or on any premises which do not comply with the following requirements:

- (a) Any wall and partition must -
 - (i) be constructed of brick, concrete or other impervious material;
 - (ii) have a smooth and easily cleanable internal surface; and
 - (iii) be painted with a washable paint or other adequate finish:
- (b) all floors surface must be constructed of concrete or other impervious material brought to a smooth finish;
- (c) all ceilings must be dust proof and easily cleanable;

- (d) at least one wash hand basin, with a supply of running hot and cold potable water must be provided for employees and the ratio of wash hand basins to persons employed on the premises must not be less than 1:15
- (e) the wash hand basins, referred to in subparagraph (d), must be drained in terms of section 20.13.1;
- (f) adequate storage facilities must be provided;
- (g) facilities for the washing of cages, trays and other equipment must be provided in the form of either –
 - (i) a curbed and roofed over platform with a minimum surface area 1,5 m² , raised at least 100 mm above the floor and constructed of concrete or other impervious material brought to a smooth finish, which platform must be provided with a supply of running potable water; or
 - (ii) a stainless steel sink or trough of adequate size with a drainage board and provided with a supply of running potable water;
- (h) the platform, sink or trough referred to in paragraph (g) must be drained in terms of section 20.13.1
- (i) any wall surface within 0,5 m of the platform, sink or trough referred to in paragraph (g), must be permanently covered with waterproof material to minimum height of 1,4 m above the floor;
- (j) a clearly designated change room must be provided if more than six persons are employed on the premises and every change room must –
 - (i) have a floor area providing at least 0,5 m² for each employee;
 - (ii) have a minimum overall floor area of 6 m² and width of 2 m; and
 - (iii) be equipped with an adequate metal locker for each employee;
- (k) if no change room is required in terms of paragraph (j) each employee must be provided with an adequate metal locker;
- (l) for the purposes of washing, clipping or grooming of pets –
 - (i) a bathroom fitted with a bath, or similar fitting, and a wash hand basin supplied with running potable water must be provided;
 - (ii) a clipping and grooming room fitted with impervious topped tables and an adequate number of portable storage receptacles of an impervious durable material with close fitting lids, for the storage of cut hair pending removal, must be provided;
 - (iii) at least 50 % of the floor area of the rooms referred to in subparagraphs (i) and (ii), must be unobstructed; and
 - (iv) the floors of the rooms referred to in subparagraphs (i) and (ii), must be graded to a channel drained in terms of section 20.13.1;

- (m) all buildings, including storage areas, must be rodent-proof; and
- (n) the premises may not have direct internal access with any room or place –
 - (i) used for human habitation;
 - (ii) where clothing is stored or sold; or
 - (iii) where food is prepared, stored or sold for human consumption

20 8.2. Duties of pet shop or pet parlour keepers

Any keeper of a pet shop or pet parlour must -

- (a) provide cages for housing the pets which comply with the following requirements:
 - (i) the cages must be constructed of metal or other impervious material and fitted with a removable metal floor-tray to facilitate cleaning;
 - (ii) the exterior cavity of any tubular or hollow material used to construct a cage must be sealed;
 - (iii) the cages must be able to be moved easily;
 - (iv) where rabbits are kept in a cage, the metal floor –tray referred to in subparagraph (i), must be drained to a removable receptacle;
 - (v) the cages must be fitted with a drinking vessel filled with water;
 - (vi) the distance from any cage to the nearest wall must be a minimum of 150 mm;
 - (vii) the cages must be kept a minimum of 450 mm above floor level, and
 - (viii) the space below every cage must be unobstructed;
- (b) provide rodent-proof receptacles, of an impervious material and with close fitting lids, for the storage of all loose pet food in the storage facilities required in terms of section 20.7.2(d)
- (c) provide adequate refrigeration facilities to store all perishable pet food on the premises;
- (d) ensure that in any room in which the pets are kept –
 - (i) 50% of the floor space is unobstructed; and
 - (ii) the cages are placed a minimum of 800 mm from one another;
- (e) maintain the premises and every cage, tray, container, receptacle, basket and all apparatus, equipment or appliances used in connection with the pet shop or pet parlour, in a clean and sanitary condition, free from vector and in good repair;
- (f) provide overalls or other protective clothing for employees and ensure that the employees wear them when

on duty;

(g) provide isolation facilities in which every pet which is, or appears to be, sick must be kept while on the premises;

(h) provide an adequate supply of potable water for drinking and cleaning purposes;

(i) provide adequate ventilation to ensure the comfort and survival of the pets; and to ensure that the number of pets contained in each cage does not impede their free movement.

20.9. Part 9: Keeping of pets

20.9.1. Duties of keepers of pets

Any person who keeps pets must -

(a) maintain the premises in a clean and sanitary condition at all times;

(b) clean all manure and food scraps from any premises at adequate intervals;

(c) prevent the soil beneath or around any premises from becoming saturated with urine or polluted by any other matter or liquid

20.10 Part 10: Keeping of wild animals

20.10.1. Requirements for the premises

No person may, without the approval of the relevant nature conservation authorities, keep wild animals on premises which do not comply with the following requirements:

(a) every wild animal must be kept in an enclosure and/or housing constructed and equipped as follows:

(i) the enclosure and/or housing must satisfy the needs of the specific animal as specified by the relevant nature conservation authorities;

(ii) the enclosure and/or housing may not be situated within 50 m of –(aa) any boundary of the premises; (bb) any dwelling, building or structure used for human habitation; (cc) any dwelling, building or structure where food is stored, handled or prepared for human consumption; or (dd) any water resource intended for domestic consumption;

(iii) an adequate supply of potable water for drinking and cleaning purposes must be provided; and

(iv) the enclosure and/or housing must be graded and drained in a way that does not pollute any water resource or create a public health nuisance,

(b) a separate room, equipped with a preparation table and wash-up sink, supplied with running potable water and drained in accordance with section 20.13.1, must be provided for the preparation of food;

(c) adequate facilities must be provided for washing any cages, trays, crate, waste receptacles and food containers in the form of either –

(i) a curbed platform constructed of concrete or other impervious material brought to a smooth finish; or

(ii) a stainless steel sink or trough adequate in size to accommodate the equipment to be washed;

(d) both facilities referred to in paragraph (c) must be provided with a supply of running water adequate for drinking and cleaning and be drained in accordance with section 20.13.1;

(e) any area and room in which fodder and food are stored must be rodent-proof; and

(f) the enclosure and/or housing must be adequate in size to allow free unobstructed movement of animals kept therein.

20.10.2. Duties of keepers of wild animals

Any person who keeps wild animals must -

(a) maintain the premises in a clean and sanitary condition at all times;

(b) clean all manure and food scraps from any enclosure and/or housing at adequate intervals;

(c) prevent the soil beneath or around any enclosure and/or housing from becoming saturated with urine or polluted by any other matter or liquid; and

(d) remove all bedding from any housing at least once every seven days and store it in a manure receptacle or manure container or area, until it is removed from the premises.

20.11. Part 11: Keeping of pigs

20.11.1. Requirements for premises

No person may keep pigs in residential areas except in an Agricultural holding or land demarcated for that purpose which complies with the following requirements:

(a) Every wall must –

(i) be constructed of brick, stone, concrete or other durable material;

(ii) have a minimum height of 1,5 m; and

(iii) have a smooth, impervious internal surface;

(b) the floor area must provide at least 3 m² for each pig accommodated in the pigsty, with an overall minimum floor area of 6m²;

- (c) the roof over any portion of a pigsty must have a minimum height of 1,5 m;
- (d) except in the case of a roofed structure having one of its long sides completely open, the illumination and ventilation openings must –
 - (i) be situated opposite one another in the external walls, and
 - (ii) provide a minimum of 0,15 m² for each pig;
- (e) the floor must be –
 - (i) at least 150 mm above the surrounding ground level;
 - (ii) constructed of concrete or other durable and impervious material brought to a smooth finish; and
 - (iii) graded for the run-off liquids into an open channel outside the pigsty;
- (f) the open channel referred to in paragraph (e)(iii) must -
 - (i) be constructed of concrete or other durable and impervious material;
 - (ii) be a minimum of 100 mm in diameter; and
 - (iii) be drained in terms of section 20.13.1;
- (g) the pigsty must be strong enough to prevent the pigs breaking out,
- (h) the pigsty may not be situated within 100 m of –
 - (i) the boundary of the premises;
 - (ii) any dwelling, building or structure used for human habitation;
 - (iii) any place where foodstuffs are stored or prepared for human consumption; or
 - (iv) any water resource intended for domestic consumption;
- (i) a roofed over concrete platform must be provided for -
 - (i) the storage of all swill in containers; and
 - (ii) the preparation of pig feed;
- (j) the platform referred to in paragraph (i) must comply with the provisions of paragraph (e) and in addition, must have a curbing of a minimum height of 100 mm on each edge; and
- (k) a water supply, adequate for drinking and cleaning purpose, must be provided in or adjacent to the pigsty.

20.11.2. Duties of keepers of pigs

Every person keeping pigs must -

- (a) ensure that every pig is kept within a pigsty;
- (b) maintain the premises and any equipment, apparatus, containers and receptacles concerned in a clean and sanitary condition and in good repair;
- (c) provide portable storage receptacles, of impervious material and with close fitting lids, to store manure;
- (d) keep all manure storage receptacles on a platform that complies with the provisions of section 20.11.1(e);
- (e) remove all manure from the pigsty at least once every 24 hours and place it in the manure storage receptacles;
- (f) remove the contents of the manure storage receptacles from the premises at least once every second day and dispose of the manure in a manner that will not create a public health nuisance;
- (g) provide a rodent-proof store-room of adequate size in which all feed, other than swill, must be stored; and
- (h) provide rodent-proof receptacles, with close fitting lids, in which to store all loose feed.

20.12. Part 12: Keeping of bees

20.12.1. Requirements for keeping of bees

(1) No person may keep bees on any premises except permitted by the relevant authority authorizing that activity and complies with the following requirements:

(a) every bee hive is situated –

- (i) a minimum of 5 m from any boundary of the premises; and
- (ii) a minimum of 20 m from any public place or building used for human habitation or from any place used for the keeping of animals, poultry and birds;

(c) the bees are kept in an approved bee hive, and (d) the bee hive is –

- (i) kept in an area inaccessible to children and animals;
- (ii) kept in the shade at all times; and
- (iii) supplied with a source of drinking water within 5 m of the hive.

(2) No person may dump or deposit any waste material, compost, grass cuttings or manure within 5 m of any bee hive.

20.13 Part 13: General provisions

20.13.1. Drainage

Any person keeping animals must ensure that all sinks, wash hand basins, baths, shower-baths, troughs, floor surfaces, channels and washing platforms required to be drained in terms of this Chapter, are drained in accordance with the provisions of the National Building Regulations and Building Standards

CHAPTER 21

20. RITUAL SLAUGHTER

Keeping of and slaughtering animals for religious and ceremonial and own consumption purposes

21.1. Requirements

(1) A person intending to slaughter an animal in any place other than in recognizes abattoir must

(a) notify the district municipal health services in writing, fourteen days prior to the event to issue a permit with requirements for ritual slaughter; and funerals are excluded from the minimum of 14 days notification period, a reasonable prior notification must be submitted to the District Municipality and;

(b) submit prior written permission from the owner, tenant or person in control of the land where such a slaughtering will occur if the person who performs the slaughtering is not the owner, tenant or person in control of the relevant land; if the applicant is the owner, proof of ownership must be submitted with the application.

(c) obtain a permit from District Municipality to conduct such a slaughtering.

(d) slaughter the animal in a position where the slaughtering cannot be observed by any person on neighbouring premises or any member of the public;

(e) use the meat derived from the slaughtered animal solely for the purpose of the religious or ceremonial feast;

(f) handle the meat in a hygienic manner at all times;

(g) dispose of any portions, faecal deposits and blood of the animal which are not used or consumed, in a manner which will not become a public health hazard or public health nuisance; and

(h) not keep such animal on the premises prior to slaughtering for a period in excess of 24 hours;

(i) ensure that the animal does not cause a noise nuisance or disturbing noise whilst being kept for slaughter or being slaughtered.

(j) take care not to soil the carcass with the bowl contents. Any part of the carcass soiled in this way may have to be discarded.

- (k) Ensure an animal to be slaughtered must be securely held or tied up properly so that the slaughtering can be done quickly and without subjecting the animal to excessive pain and suffering.
 - (l) Ensure that the knife used for the slaughter should be sharp and clean and hot water provided for washing it.
 - (m) Ensure that the slaughtered animal should be hung by its hind legs to drain of all the blood and the offal intestines, head, trotters, lungs, heart, tripe as well as other internal organs should be removed.
 - (n) Be informed that keeping of privately slaughtered meat in a butchery or any food establishment without the permission of the Environmental Health Practitioner concerned is not allowed.
 - (o) Ensure that if the carcass/offal or part thereof is found to be diseased or soiled it must be disposed of in a manner agreed to by the Environmental Health Practitioner concerned.
- (2) A person intending to slaughter an animal for religious and/or ceremonial purposes may require the service of an Environmental Health Practitioner for post-mortem examination of the slaughtered animal at a cost determined by the District Municipality from time to time.
- (3) The permission of the SAPS may be required if it is the intention to use a firearm or similar device for slaughtering the animal.
- (4) An application to conduct ritual slaughter must be made in terms of Meat Safety Act 2000, (Act no.40 of 2000 as amended) relating to exemptions of persons who slaughter animals under the exemption of Section 3(1) of the Act. A permit must be issued by the District Municipality prior to the slaughtering on the premises.

CHAPTER 22

22. OPERATION AND MANAGEMENT OF INITIATION SCHOOLS

CHAPTER 23

23. DISPOSAL OF THE DEAD

23.1. STANDARDS FOR FUNERAL UNDERTAKERS', MORTUARIES, CREMATORIUM PREMISES

- (a) Mortuaries, funeral undertaker's premises and crematorium premises must comply with requirements of the Regulations Relating to the Management of Human Remains as published in terms of the National Health Act, 2003 (Act No. 61 of 2003): Attached as Annexure B

CHAPTER 24

24. DISEASE SURVEILLANCE

In this chapter, unless the context otherwise indicated

24.1. Infectious diseases and quarantine.

(1) If any person: -

(a) While suffering from any infectious disease willfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop, store, hotel, boarding or lodging house, place of refreshment, entertainment, or assembly, or any place used in common by any person other than members of the family or household to which such infected person belongs; or

(b) Being in charge of a person suffering from any infectious disease, willfully exposes such sufferer without proper precautions against spreading the said disease in any street, public place, shop, store, hotel, boarding or lodging house, place of refreshment, entertainment, or assembly, or any place used in common by any person other than members of the family or household to which such infected person belongs; or

(c) Knowingly gives, lends, sells, pawns, transmits, removes, or exposes any bedding, clothing, or other articles which have been exposed to infection from any infectious disease without previous disinfection to the satisfaction of the Environmental Health Practitioner.

(d) Permits any person to assemble or congregate in any house, room, or place over which he has control in which there shall be the body of any person who has died of any infectious disease;

(e) After receiving a written or printed notice to this effect, deposits, or causes or permits to be deposited any waste, or matter has been exposed to infection, without previous disinfection, in any sewer or drain, or any receptacle or elsewhere than in a receptacle specially provided by the Environmental Health Practitioner or other person employed under him, to receive and contain such filth, rubbish, or matter; He shall be liable to a penalty for a breach of these By-laws: Provided, however, that any person transmitting with proper precautions any bedding, clothing, or other articles for the purpose of having the same disinfected shall not be liable to any penalty hereunder.

(2) Every parent or person having care or charge of a child who is or has been suffering from any infectious disease, or resides in a house where such disease exists, or has existed within a period of three months, who shall knowingly or negligently permit such child to attend school without procuring and producing to the teacher or other person in charge of such school a certificate from a medical officer, that such child has become free from disease and infection, and that the house and everything therein exposed to infection has been disinfected to serve as proof to the Environmental Health Practitioner

24.2. Unburied bodies.

No person shall, without the authorization of the Environmental Health Practitioner, in writing, retain unburied elsewhere than in a public mortuary, for more than twenty-four hours the body of any person who has died from any infectious disease.

24.3. Persons dying from infectious diseases.

If any person dies from any infectious disease in a hospital or place of temporary accommodation for the sick the corpse shall not be removed from such hospital or place except for the purpose of being forthwith buried, and it shall not be lawful for any person to remove such body except for that purpose; and the body when

taken out of such hospital or place shall be forthwith taken direct to the place of burial and there buried. Nothing in this section shall prevent the removal of a corpse from a hospital or place of temporary accommodation to a public mortuary, and such mortuary shall for the purpose of this By-law be deemed part of such hospital or place as aforesaid

24.4. By-laws as to disposal of body.

If the corpse of any person who has died from an infectious disease is retained or kept in any house, building, or other place so as to be, in the opinion of the Environmental Health Practitioner, dangerous to health, he may order that the body shall be removed, or he may order that such body shall be removed to a burial place and there buried within a time to be specified in such order, and in the event of such order not being complied with in all respects, the Environmental Health Practitioner may cause the body to be removed and buried, and any person who shall retain or keep any such corpse in any house, building, or other place contrary to any order as aforesaid, served on or received by him shall be liable to be prosecuted for contravening this By-law.

24.5. Vehicles

If any owner or person in charge of a vehicle knowingly convey therein, or any other person knowingly place therein, a person suffering from any infectious disease, or if a person suffering from any such disease enter any authorised vehicle, he shall be deemed to have contravened this By-law.

24.6. Disinfection of vehicles.

The owner or person in charge of any public vehicle in which a person suffering from any infectious disease has been conveyed, or been placed, or has entered shall forthwith inform the Environmental Health Practitioner and shall send such vehicle to such place as the Environmental Health Practitioner shall then appoint to be disinfected by such practitioner and any owner or person as aforesaid failing to comply with the provisions hereof shall be deemed to have contravened this By-law.

24.7. Transportation of body through the district

Any person who shall transport through the district the body of any person who has died from any infectious disease unless and until the Environmental Health Practitioner shall be satisfied that every precaution necessary for the public safety has been taken shall be deemed to have contravened this By-law.

24.8. Driver or owner of vehicle to be notified.

Any person who hires or uses a public vehicle other than a hearse for the conveyance of the body of a person who has died from any infectious disease, without previously notifying to the owner or driver of such public vehicle that the person whose body is intended to be conveyed has died from such disease, and any owner or driver or puller of a public vehicle, other than a hearse, which had to the knowledge of such owner or driver has been used for conveying the body of a person who has died from any infectious disease, who shall not

immediately provide for the disinfection of such vehicle, shall be deemed to have contravened this By-law.

24.9. Knowingly letting infected house.

Any person who knowingly lets for hire any house, or part of a house, in which any person has been suffering from any infectious disease without having such house, or part of a house, and all articles therein liable to retain infection disinfected to the satisfaction of the Environmental Health Practitioner, shall be deemed to have contravened this By-law.

24.10. Entry by Environmental Health Practitioner on suspected premises.

(1) The Environmental Health Practitioner, may enter upon any premises in which infectious disease has been reported or is suspected to exist, and may make such inquiries and investigation of premises as may be necessary, and the Environmental Health Practitioner may further, for the purpose of discovering infectious disease, inspect such persons as he may deem it necessary to inspect, and any person who directly or indirectly willfully hinders, obstructs, or resists such entry, enquiry, or investigation, or refuses to answer or knowingly makes false answers to any such inquiry, shall be deemed to have contravened this By-law.

(2) Any person:

- (a) Who, having been ordered to remain in quarantine, shall not escape from quarantine, or depart without being released from the operation of such quarantine by authority in writing of the Environmental Health Practitioner, or
- (b) Who shall disobey or disregard any proper instruction or order given by an official, or person appointed for the establishing or carrying out of quarantine, shall be guilty of an offence.

24.11. Relating to Diseases (such as typhus)

(1) If it shall appear to the Environmental Health Practitioner that any premises are, owing to their condition or that of the neighbourhood, or to the condition of their occupation, or for any other reasons, likely to be a source of danger to the public health or to favour the spread of infectious disease, it shall be lawful for the Environmental Health Practitioner, on the authority of the Manager of Municipal Health Services, to order that any house or building on such premises shall be closed and the inmates removed until such time the Environmental Health Practitioner advise that such house or building may be safely reoccupied. If such order be not complied with within the time specified by the Environmental Health Practitioner he/she may instruct any person to remove the inmates there from and close up such premises, and any person neglecting to comply with the provisions hereof shall be deemed to have contravened this By-law.

(2) Any employer or medical practitioner as hereinbefore mentioned who shall fail to comply with any of the provisions herein contained shall be deemed to have contravened this By-law therefore be guilty of an offence.

CHAPTER 25

25. STANDARDS FOR CONSTRUCTION SITES AND INDUSTRIAL PREMISES

Construction sites must comply with the following standards:

(1) Water supply and sanitation facilities:

- (a) Adequate toilet facilities should be provided for use by construction workers. At least 1 (one) toilet and one hand wash basin is provided for every 20 employees on the premises (ratio 1:20). In addition at least one urinal should be provided for every 40 males on site (ratio 1:40). If more than 200 employees are employed on the site, at least 1 (one) toilet and 1 (one) urinal must be provided for at least every 50 workers (ratio 1:50);
- (b) Wash-up facilities equipped with potable water should be provided for employees, especially employees engaged in the application of paints, coating, pesticides etc.
- (c) Toilet and washing facilities should always be maintained in a sanitary condition.

(2) Physical facilities:

- a) Whenever food is prepared and served on the premises, the facilities used for the preparation, handling, storage and serving of foodstuffs must comply with the requirements of the Regulations in terms Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act No 54 of 1972 as Amended)

(3) Waste management and waste water:

- (a) Private sewage disposal works or refuse (landfill) disposal sites managed must be operated effectively in accordance with prescribed legislation and permit conditions for operation of landfills and sewage works.
- (b) Evaluations/monitoring must be included in the waste/pollution management plans and must be implemented per plans.
- (c) Final effluent or sludge emanating from the sewage disposal works should be utilized in accordance with prescribed national guidelines to prevent soil and water pollution.
- (d) The sewage drainage system must be maintained effectively to prevent blockages and spills that could give rise to environmental pollution.
- (e) Staff responsible for the operation of boilers and waste disposal works or facilities should be well trained to operate the facilities effectively and pollution free.
- (f) All necessary information concerning boiler and incinerator operations, as required by permit conditions and legislation should be recorded.
- (g) Results of final sewage effluent of a sewage disposal sites should be recorded.

- (h) Waste material and debris should be removed to a disposal area and re -usable material should be sorted and moved to a storage area at least once daily to prevent a hazardous condition arising.
- (i) Waste generated should be disposed of at an approved landfill site and in accordance with the relevant by-laws of a Local Authority concerned.
- (j) Rubbish, debris and other waste material from the demolition or construction of projects should be temporarily disposed of in a designated area on site and access to the area should be strictly controlled and disposed of at an approved waste facility

CHAPTER 26

26. STANDARDS FOR PUBLIC GATHERING PLACES

Public gathering places must comply with the following Environmental Health Standards:

(a) Waste management:

- (i) The management of waste on the premises should comply with the relevant by-laws of a specific Local Authority and be regulated by the local authority
- (ii) Refuse bins should be provided at strategic points throughout the premises for collection of litter.
- (iii) On-site management of waste should be available on the premises during events, for management of spillages and littering, to prevent a nuisance from occurring.
- (iv) Arrangements should be in place between the event manager and the Local Authority, with regards to waste management during and after an event.

(b) Drinking water supply:

- (i) In the case of events, water points should be available at strategic points throughout the premises.
- (ii) If water tankers are used during events, must comply with SANS 241

(c) Sanitation facilities:

- (i) Adequate toilet and hand washing facilities should be provided for staff and for the public at the ratios depicted in Table 1 below:

Table of sanitary facilities to be provided for a population of up to:

	MALES	FEMALES
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	WC Pans	Urinals	Washbasins	WC Pans	Washbasins
50	1	1	1	2	1
100	1	2	1	3	2
150	1	3	1	5	3
250	2	4	2	7	4
500	3	7	3	12	6
1000	3	12	4	16	7
1500	4	15	5	20	8

- (i) For a population, more than 1500 add 2 WC pans for every 500 persons or portion thereof
- (ii) For a population, more than 1500 add 1 Urinal for every 500 persons or portion thereof
- (iii) For a population, more than 1500 add 1 washbasin for every 500 persons or portion thereof
- (iv) For a population, more than 1500 add 1 WC pans for every 150 persons or portion thereof
- (v) For a population, more than 1500 add 1 washbasin for every 500 persons or portion thereof
- (vi) National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977)
- (vii) Suitable, effective drainage and sewage disposal system should be in place on the premises

(d) For short term events:

- (i) If chemical closet toilets are used, an on-site maintenance team should be available on the premises for the duration of the event to ensure the prevention of blockages and leakages from creating a nuisance and health hazard from occurring; and
- (ii) A site plan detailing the location and type of sanitary facilities to be used during events should be submitted to the Environmental Health Practitioner

CHAPTER 27

27. MISCELLANEOUS

27.1 Duties of District Municipality:

(1) In addition to any other duty of District Municipality in terms of this By-laws or any other applicable legislation, the District Municipality must within its area of jurisdiction:

- (a) enforce the relevant portions of this By-law

- (b) carry out water quality monitoring at all domestic, industrial and commercial water sources;
- (c) perform food safety and control
- (d) monitor waste management;
- (e) undertake health surveillance of premises
- (f) undertake surveillance and prevention of communicable diseases, excluding immunizations;
- (g) undertake effective vector control measures:
- (h) prevent environmental pollution;
- (i) monitor activities related to the disposal of the dead, and
- (j) ensure chemical safety,

27.2. Appointment and identification of Environmental Health Practitioner

The mayor of the District may appoint an Environmental Health Practitioner or any person in the employ of the District in terms of 80(1) of the National Health Act 2003 (Act 61 of 2003 as amended) and Foodstuffs, Cosmetics and Disinfectants Act 1972 (Act 54 of 1972 as amended) as a health officer for the District Municipality to exercise the provision of these by laws according to their professional practice and qualification as stipulated in 83 (5) of the National Health Amendment Act, 2013 (Act 12 of 2013 as amended). An Environmental Health Practitioner can also be appointed as an inspector in terms of Food, Cosmetics and Disinfectants Act 1972, (Act 54 of 1972 as amended).

(1) The District Municipality must issue an identification card to each Environmental Health Practitioner in terms of Section 80(3) of the National Health Act 2003 (Act 61 of 2003 as amended).

(2) The identification card must -

- (a) contain a recent photograph of the Environmental Health Practitioner;
- (b) the identity number of the Environmental Health Practitioner must also reflect on the card
- (c) be signed by the Environmental Health Practitioner; and
- (d) identify the person as an Environmental Health Practitioner.
- (e) contain an HI number of the Environmental Health Practitioner

(3) The Environmental Health Practitioner must display his or her identification card so that it is clearly visible or produce it at the request of any person in relation to whom the Environmental Health Practitioner is exercising a power under these By-laws.

(a) In the event of a conflict within any other By-law which directly or indirectly regulates Municipal Health Services the provisions of this By-law shall prevail.

(b) This law is binding on the State and the District Municipality.

27.3 General powers of an Environmental Health Practitioner

(1) An Environmental Health Practitioner may, for the purposes of implementing or administering any power or duty under these By-laws -

- (a) exercise any power afforded to such officer in terms of these By-laws or any other applicable legislation;
- (b) issue a compliance notice in terms of section 27.4 requiring any person to comply with the provisions of these By-laws;
- (c) issue a prohibition notice in terms of 27.5 prohibiting any person from conducting an activity;
- (d) undertake measures in terms of section 27.9(b) to remove, reduce and/or minimize any public health nuisance;
- (e) cancel, suspend or amend any permit or exemption certificate in terms of chapter 3, section 3.1.8 or
- (f) enter and inspect premises and for this purpose may-

(I) question any person on the premises;

(ii) take any sample that the Environmental Health Practitioner considers necessary for examination or analysis;

(iii) monitor and take readings or make measurements; and

(iv) take photos or make audio-visual recordings of anything or any person, process, action or condition on or regarding any premises.

(2) An Environmental Health Practitioner who removes anything from any premises being inspected must -

- (a) issue a receipt for it to the owner, occupier or person apparently in control of the premises; and
- (b) return it as soon as practicable after achieving the purpose for which it was removed.

27.4. Compliance Notices

(1) If an Environmental Health Practitioner, after inspecting premises, reasonably believes that a public health hazard or public health nuisance exists on the premises or that the premises are being used in a manner or for a purpose listed in the Schedule to these By-laws without a permit, the Environmental Health Practitioner may serve a compliance notice on one or more of the following persons:

- (a) the owner of the premises;
- (b) the occupier of the premises; or

(c) any person apparently in charge of the premises.

(2) A compliance notice must state -

(a) why the Environmental Health Practitioner believes that these By-laws is being contravened;

(b) the measures that must be taken -

(i) to ensure compliance with these By-laws or;

(ii) to eliminate or minimize any public health nuisance

(c) the time period within which the measures must be taken

(d) the possible consequences of failing to comply with the notice; and

(e) how to appeal against the notice.

(3) If a person fails to comply with a compliance notice that requires a particular action be taken, the District may,

(a) take the required action specified in the compliance notice; and

(b) recover, as a debt, from the person to whom the notice was given, the costs and expenses reasonably incurred in taking the required action.

27.5. Prohibition notice

(1) An Environmental Health Practitioner may, after inspecting premises, serve a prohibition notice prohibiting the premises from being used for specified purposes and requiring measures to be taken to ensure that this occurs, on one or more of the following persons:

(a) the owner of the premises;

(b) the occupier of the premises; or

(c) any person apparently in charge of the premises. If the Environmental Health Practitioner reasonably believes that that person has not complied with the terms of a compliance notice

(2) The Environmental Health Practitioner must give the person on whom he or she intends serving a prohibition notice a reasonable opportunity to make representations before serving the notice unless the Environmental Health Practitioner reasonably believes that the delay in doing so would significantly compromise public health, in which case the person on whom a prohibition notice is served must be given reasonable opportunity to make representations why it should be withdrawn.

(3) A prohibition notice must state -

- (a) the reasons for serving the notice;
- (b) whether or not the District will withdraw the notice if certain measures are taken, and if so, the measures that must be taken;
- (c) the possible consequences of failing to comply with the notice; and
- (d) how to appeal against the notice.

(4) The Environmental Health Practitioner must as soon as possible affix a copy of the notice in a conspicuous position on the premises.

(5) No defect in the notice shall invalidate any action taken by virtue of such notice or order, or found any legal proceedings following upon such notice or order, if such notice or order substantially sets out the requirements thereof

27.6. Withdrawal of prohibition notice

(1) An Environmental Health Practitioner must, within 48 hours of receiving a written request for the withdrawal of a prohibition contained in a prohibition notice, carry out an investigation of the premises.

(2) After completing the investigation the Environmental Health Practitioner must inform the person on whom the prohibition notice was served or that person's agent in writing, whether or not the prohibition has been removed or the prohibition order withdrawn.

(3) The District may charge the owner or occupier of any premises where an investigation is carried out in terms of section 27.10, a prescribed fee for undertaking the investigation.

27.7. Service of notices or other documents:

(1) Service of Compliance notices, Prohibition Notices, Withdrawal of Prohibition Notices or any other documents by the District Municipality, Authorized Official or Municipal Manager is served

(a) on any person, it shall be deemed to be duly and sufficiently served if it is sent by registered post to that person at his last known address or it is left with him personally or with some adult inmate thereof

(b) on an owner or occupier of any land or premises and the address of such owner or occupier of such land is unknown, it shall be deemed to be duly and sufficiently served if it is posted in some conspicuous place on such land or premises

(2) It shall not be necessary in any notice in subsection 1 above to an owner or occupier of land or premises to name him, if the notice describes him as the owner or the occupier of the land or premises in question

(3) A notice in terms of sub section (1) may be served:

- (a) upon the owner of any premises, by delivering it to the owner, or if the owner cannot be traced or lives abroad to his/her agent
- (b) transmitting it by post to the owners last known address, or the last known address of the agent
- (c) delivering it to the address where the premises are situated, if the owners address and his agent's address are both unknown upon the occupier of the premises by:
 - (i) delivering it to the occupier
 - (ii) transmitting it by registered post to the occupier at the address at which the premises are situated

27.8. Demolition orders

- (1) If the District Municipality believes that a public health hazard would be eliminated or a public health nuisance would be significantly reduced by demolishing a building or other structure, it may, subject to the provisions of any other law, apply to any court having jurisdiction for an order directing any person to demolish the building or structure or authorizing the District to do so and to recover the costs of doing so from the owner or the occupier of the premises concerned, or from both.
- (2) The District Municipality may not apply to court in terms of subsection (1) unless it has given the owner and the occupier of the premises not less than 14 days' notice in writing of its intention to make the application and has considered any representations made within that period.

27.9. Municipal remedial work

- (1) The Environmental Health Practitioner may enter any premises if he/she reasonably considers necessary:
 -
 - (a) to ensure compliance with these By-laws or with any compliance notice or prohibition notice;
 - (b) to reduce, remove or minimize any public health nuisance; or
 - (c) to reduce, remove or minimize any significant public health hazard.
 - (d) Any expenses borne in providing such services shall be recovered from the owner of the premises.

27.10. Cost orders

- (1) The District may recover any costs reasonably incurred by it in taking measures contemplated in section 27.9 from any person who was under a legal obligation to take those measures, including –
 - (a) a person on whom a compliance notice referred to in section 27.4 that required those steps to be taken, was served;
 - (b) the owner or occupier of the premises concerned; or

(c) any person responsible for creating a public health hazard or a public health nuisance.

(2) The municipal manager or delegated official may issue a cost order requiring a person who is liable to pay costs incurred by the District in terms of subsection (1), to pay those costs by a date specified in the order and such order constitutes prima facie evidence of the amount due.

27.11. Appeals

(1) A person whose rights are affected by the decision taken by any authorized official under these By-laws, may appeal against the decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision

(2) The Municipal Manager must promptly submit the appeal to the appropriate appeal authority as stipulated in this section of the By-law.

(3) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

(4) When the appeal is against a decision taken by -

(a) a staff member other than the Municipal Manager, the Municipal Manager is the appeal authority; or

(b) the Municipal Manager, the Executive Mayor is the appeal authority.

(5) An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable period.

27.12. OFFENCES

(1) Any person who -

(a) contravenes or fails to comply with any provisions of these By-laws; or

(b) fails to comply with any notice issued in terms of or for the purpose of these By-laws; or

(c) fails to comply with any lawful instruction given in terms of or for the purpose of these By-laws;
or

(d) obstructs or hinders any authorized official in the execution of his or her duties under these By-laws shall be guilty of an offence and shall be liable on conviction to a fine or imprisonment

CHAPTER 28

28.1. SCHEDULE 1 PUBLIC HEALTH NUISANCE

28.1.2. General nuisance

An owner or occupier of premises creates a public health nuisance if he or she causes or allows-

- (a) any premises or part thereof to be of such a construction or in such a state as to be offensive, injurious or dangerous to health;
- (b) any street, stream, pool, lagoon, ditch, gutter, watercourse, sink, cistern, water-closet, earth close, pail closet, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap to be so foul or in such a state or so situated or constructed as to be offensive or to be injurious or dangerous to health;
- (c) any stable, kraal, shed, run or premises used for the keeping of animals or birds and which is so constructed, situated, used or kept as to be offensive or to be injurious or dangerous to health;
- (d) any accumulation of refuse, offal, manure or other matter which is offensive or is injurious or dangerous to health;
- (e) any public building to be so situated, constructed, used or kept as to be unsafe or to be injurious or dangerous to health;
- (f) any dwelling to be occupied without proper and sufficient supply of potable water within a reasonable distance;
- (g) any factory or industrial or business premises not to be kept in a clean state and free from offensive smells arising from any drain, water closet, earth-close, urinal or any other source, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gas, vapour, dust or other impurity generated, or so overcrowded or so badly lighted or ventilated, as to be injurious or dangerous to the health of those employed therein or thereon;
- (h) any factory or industrial or business premises to cause or give rise to any smell or effluvium which is offensive or injurious or dangerous to health;
- (i) any building, room or structure to be used wholly or partly by a greater number of persons than will allow less than 11,3 m of free air space and 3,7 m of floor space for each person aged 10 years or more and 5,7 m of free air space and 1,9 m of floor space for each person less than 10 years of age' or
- (j) the accumulation of filth, debris rubbish, glass, paper, rags, tins, lumber, disused motor vehicles and parts and the growing or presence of weeds, long grass or undergrowth

28.1.2. Vector Control

(a) which is unsightly or is likely to become a nuisance or injurious to health or cause an annoyance to the inhabitants of the neighborhood,

- (i) any other activity, condition or thing declared to be a nuisance by the Minister in terms of the National Health Act, 2003 (Act 61 of 2003 as amended) or any other relevant legislation.
- (ii) Any other condition at or on a place or premises whatever, which in the opinion of District is or can be detrimental, dangerous, inconvenient, offensive, injurious or dangerous to health, or which may

in any other way cause a risk of disease, death or injuries.

(b) An owner or occupier of premises creates a public health nuisance if –

(i) the premises are maintained in a manner that attracts or harbors rodents or other vector, or is conducive to the breeding thereof

(ii) flies are being attracted to, or can breed on, the premises, in significant numbers because –

(aa) insufficiently rotted manure or any other organic material is being kept or used; or

(bb) any other substance that attracts flies is used or kept other than for the purposes of trapping or killing flies

(iii) mosquitoes can breed in significant number on the premises because –

(aa) containers in which mosquitoes can breed, such as tyres, bottles, crockery, and tins, have been left or are kept on the premises;

(bb) tanks, barrels and similar containers in which mosquitoes can breed are not fitted with mosquito-proof covers or mosquito gauze screens in a manner that prevents mosquitoes gaining access to water contained in them;

(cc) gutters and down pipes are sagging or clogged so that stagnant water can accumulate in them; or

(iv) approved measures have not been taken to prevent mosquitoes breeding in ponds, excavations, wells, swimming pools or any other stagnant water source on the premises.

(c) The following measures are approved measures for the purposes of subsection (1)(c)(iii) -

(i) draining accumulated water at least once every seven days;

(ii) covering accumulated water with a larvicide at least once every seven days; and

(iii) in the case of well, providing a mosquito-proof cover and a pump.

28.1.3. Fouling and littering of public places and open spaces

(a) A person creates a public health nuisance if he or she throws, dumps, stores, keeps or drops waste, glass, tins, paper, car wrecks or parts of motor vehicles, dead animals, waste water of flushing water or other litter or waste, whether liquid or solid, on or in a street, road, bridge, through fare, open space, vacant stand, public place or ERF, watercourse, cause or permit it to be thrown, dumped or dropped there, or cause or permit any such liquid to flow into such place.

(b) The person who has contravened sub item (a), must remedy, to the satisfaction of the Environmental Health Practitioner, any damage to the environment which resulted from such contravention.

(4) Any condition in the opinion of an Environmental Health Practitioner causes a health nuisance or hazard

or any condition that may cause injury, harm or a risk to human health or dangerous to health.

28.1.4. APPLICATION TO THE STATE

These bylaws bind the State, including the District Municipality.

28.1.5. REPEAL

The bylaws listed in Local Authority Notice 199, Gazette No 6947 are hereby repealed.

28.1.6. SHORT TITLE

These bylaws are called the Bojanala Platinum District Municipality, Public Health By-laws for Municipal Health 2022

28.2 SCHEDULE 2 SCHEDULED USES

The activities and uses of premises listed in this Schedule are considered to pose an unacceptable risk to public health unless the measures specified in the relevant Chapter of these By-laws and where required, in a permit, are taken to avoid the risk or to reduce it to a level acceptable to the District.

28.2.1. Part A: Activities for which a permit is required:

Section	Activity
5.1	Provision of service to remove human excrement or urine
5.2	Installations of sewage works
11	Offensive trades
13	Hairdressing, beauty and cosmetology services
16	Accommodation Establishments
17	Child care services
20.4	Keeping of poultry
20.5	Keeping of rabbits
20.7	Dog,kennels and catteries
20.12	Keeping of bees

28.2.2. Part B: Scheduled Uses

Chapter	Scheduled Uses
4	Sanitary services
5	Private Sewage Works
6	Water
11	Offensive Trades
12	Second- Hand Goods
13	Hairdressing, Beauty and Cosmetology Services
14	Dry Cleaning and Laundry Establishments
15	Swimming Pools and Spa- Baths
17	Child-care Services
20	Keeping of Animals
22	Operation and Management of Initiation School

CHAPTER 29**29. FINES**

PUBLIC HEALTH HAZARDS AND PUBLIC HEALTH NUISANCES		
1.	Causing of public health hazard or nuisances	R1500.00
2.	Failure to report public health hazard	R500.00
3.	Failure to exercise vector control	R500.00
INFORMAL TRADE		
4.	Prohibition of and restriction for carrying on of business	R500.00
5.	Failure to keep place of business clean	R500.00
6.	Not in possession of a Certificate of Acceptability	R500.00
7.	Obstruct/hinders/cause/permit another person to obstruct/hinder an official to perform his/her duties	R500.00
8.	Contravenes of fails to comply with any provision of these By-laws	R300.00
SECOND HAND GOODS		
9.	Failure to comply with requirements to operate a second hand goods premises	R500.00
10.	Failure to comply with duties as second-hand goods trader	R500.00
FOOD		
11.	Operating a food handling premises without a valid certificate of acceptability	R1000.00
12.	Failure to handle and transport food in an approved manner	R500.00
13.	Failure to comply with standards and requirements for food premises	R1000.00
14.	Failure to comply with standards and requirements for food containers	R500.00
15.	Failure to comply with standards and requirements for the display, storage and temperature of food	R500.00

16.	Failure to comply with standards and requirements for protective clothing	R500.00
17.	Failure to comply with duties of a person in charge of food premises	R500.00
18.	Failure to comply with standards and requirements of milking sheds	R1000.00
19.	Failure to comply with the health status of dairy stock	R1000.00
20.	Failure to comply with requirements for milker's and handlers of milk	R1000.00
21.	Failure to comply with standards and requirements for transport of milk	R1500.00
WATER POLLUTION		
22.	Failure to comply with safeguarding dangerous wells, boreholes and excavations	R500.00
23.	Failure to comply with furnishing of particulars of the source of water	R500.00
24.	Failure to comply with storm water runoff from premises which may impact on public health	R300.00
25.	Failure to provide potable water for human consumption and use	To court
26.	Pollution of municipal council's water supply	To court
27.	Pollution of sources of water supply system	To court
SANITARY SERVICES		
28.	Failure to comply with compulsory connection to municipal sewage system	R1500.00
29.	Failure to comply with prohibition against obstruction of sanitary service	R1500.00
30.	Failure to comply with prohibition against use of a bucket toilet under the same roof as a dwelling	R1000.00
31.	Failure to comply with condition of toilets, urinals, backyards and waste areas	R1500.00
32.	Pollution of the sewerage system	To court

ACCOMMODATION ESTABLISHMENTS		
33.	Failure to acquire a permit for accommodation establishments	R2000.00
34.	Failure to comply with the requirements for premises of accommodation establishments	R2000.00
35.	Failure to carry out duties of operators of accommodation establishments	R1500.00
HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICE		
36.	Failure to acquire a permit to operate a salon	R500.00
37.	Failure to comply with the requirements for the premises of a salon	R500.00
38.	Failure to carry out the duties of salon operators	R500.00
CHILD – CARE FACILITIES		
39.	Failure to comply with the requirements for the premises of child care services	R2000.00
40.	Failure to comply with the requirements for toilet and hand wash facilities for children	R500.00
41.	Operating a facility without a Health Certificate	R1500.00
INFECTIOUS DISEASE SURVEILLANCE		
42.	Failure to comply with the requirements for infectious disease and quarantine	R2500.00
43.	Failure to notify a driver or owner of a vehicle that a body that has been conveyed has died of infectious disease	R1500.00
44.	Failure to comply with a lawful order issued by the Environmental Health Practitioner	R2500.00
DISPOSAL OF THE DEAD		
45.	Operating a funeral undertakers premises without a valid Certificate of Competence	R2000.00

CONTINUES ON PAGE 130 OF BOOK 2

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NORTH WEST NOORDWES



PROVINCIAL GAZETTE PROVINSIALE KOERANT

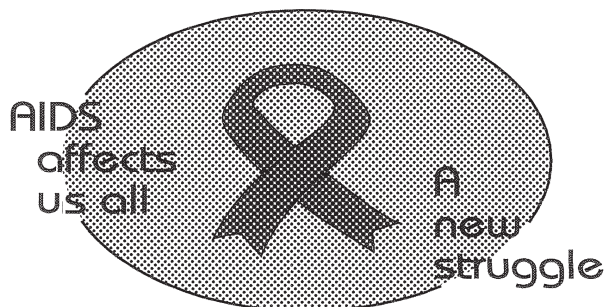
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20 September 2022
20 September 2022

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PART 2 OF 2

We all have the power to prevent AIDS



**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

Prevention is the cure

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46.	Failure to comply with requirements relating to funeral undertakers and mortuary premises	R2000.00
BURIAL SITES AND BURIALS		
47.	Failure to comply with the minimum requirements for a crematorium facility	R2500.00
48.	Failure to comply with the requirements for exhumations	To court
49.	Failure to comply with the requirements for transportation of mortal remains	R2500.00
KEEPING OF ANIMALS		
50.	Failure to comply with the requirements for premises of keeping of cattle, horses, mules and or donkeys	R500.00
51.	Failure to comply with the duties of keeper of cattle, horses, mules and or donkeys	R500.00
52.	Failure to comply with the requirements for premises of keeping of goats and sheep	R500.00
53.	Failure to comply with the duties of keeper of goats and sheep	R500.00
54.	Failure to comply with the requirements for premises of keeping of poultry	R500.00
55.	Failure to comply with the duties of keeper of poultry	R500.00
56.	Failure to comply with the requirements for premises of keeping of rabbits	R500.00
57.	Failure to comply with the duties of keeper of rabbits	R500.00
58.	Failure to comply with the requirements for premises of keeping of birds other than poultry	R500.00
59.	Failure to comply with the duties of keeper of birds other than poultry	R500.00
60.	Failure to comply with the requirements for premises of keeping of kennels and catteries	R500.00
61.	Failure to comply with the duties of keeper of kennels and catteries	R500.00

62.	Failure to comply with the requirements for premises of keeping of pet shops and pet parlours	R500.00
63.	Failure to comply with the duties of keeper of pet shops and pet parlours	R500.00
64.	Failure to comply with the requirements for premises of keeping of wild animals	R500.00
65.	Failure to comply with the duties of keeper of wild animals	R500.00
66.	Failure to comply with the requirements for premises of keeping of pigs	R500.00
67.	Failure to comply with the duties of keeper of pigs	R500.00
68.	Failure to comply with the requirements for premises of keeping of pets	R500.00
69.	Failure to comply with the duties of keeper of pets	R500.00
CARAVAN PARKS AND CAMPING GROUNDS		
70.	Failure to comply with the requirements for premises of caravan parks and camping grounds	R1500.00
71.	Failure to comply with sanitary facilities for caravan parks and camping grounds	R1000.00
SWIMMING POOLS AND SPA BATHS		
72.	Failure to comply with the requirements for premises of swimming pools and spa baths	R500.00
73.	Failure to comply with the duties of keeper of spa bath and swimming pools and spa bath	R500.00
74.	Failure to comply with the requirements for safety of water	R500.00
75.	Failure to comply with the requirements for order and behavior	R500.00
TOBACCO PRODUCTS CONTROL ACT, 23 OF 2007 (as amended)		
76.	Allow patrons to smoke in a public place	R2500.00
NATIONAL HEALTH ACT, 61 OF 2003		

77.	Obstruct or hinder an officer who is performing his/her duties	R500.00
FOODSTUFFS COSMETICS AND DISINFECTANTS ACT, 39 OF 2007 (as amended)		
78.	Operating a business without a Certificate of Acceptability	R500.00
79.	Operating in contravention of the conditions stipulated on the Certificate of Acceptability	R1000.00

CHAPTER 30

30. TARRIFS

POTENTIALLY HAZARDOUS USES OF PREMISES AND ENFORCEMENT		
1.	Public health exemption certificate	R1000.00
2.	Public health permit	R1000.00
FOOD		
3.	Service for Certificate of Acceptability for formal food premises	R500.00
4.	Service for Certificate of Acceptability for informal food premises	R250.00
5.	Inspection fee to inspect food premises over and above regular food premises inspections	R200.00
6.	Application fee for exemption certificate	R500.00
ACCOMMODATION ESTABLISHMENTS		
7.	Service for Health Certificate for accommodation establishments	R300.00
8.	Inspection fee for premises over and above regular food premises inspections	R200.00
HAIRDRESSING, BEAUTY AND COSMETOLOGY SERVICE		
9.	Service for Health Certificate	R300.00
10.	Inspection fee to inspect premises over and above regular food premises inspections	R200.00
CHILD – CARE FACILITIES		
11.	Service for Health Certificate	R300.00
DISPOSAL OF THE DEAD		
12.	Service for Certificate of Competence	R1700.00
13.	Provisional certificate of competence in respect of funeral undertakers and mortuaries	R500.00

14.	Inspection fee to inspect premises over and above regular food premises inspections	R200.00
15.	Service for Health Certificate for a crematorium	R1000.00
KEEPING OF ANIMALS		
16.	Permit for the keeping of animals and birds	R500

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