

**CHOBE DISTRICT COUNCIL (CONTROL OF LIVESTOCK AND OTHER ANIMALS)
(MODEL BYE-LAWS) (ADOPTION) BYE-LAWS**

(section 38(2))

(19th December, 2008)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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Schedule

S.I. 107, 2008.

1. Citation

These Bye-Laws may be cited as the Chobe District Council (Control of Livestock and Other Animals) (Model Bye-Laws) (Adoption) Bye-Laws.

2. Interpretation

In these Bye-Laws, unless the context otherwise requires—

"authorised officer" means a person authorised by the Council, in writing, for the purpose of giving effect to or enforcing these Bye-Laws;

"Council" means the Chobe District Council or any committee appointed by the Council for the purposes of controlling livestock and other animals;

"herdsman" means an employee of the Council so authorised to drive stray or reported animals and detain them into the Council kraals;

"livestock" means any domestic bovine animal, goat, sheep, swine, horse, donkey, or mule;

"other animals" includes canines, felines, monkeys and other carnivores;

"owner" means, in relation to any animal, in addition to its ordinary meaning, any person having the charge, custody or control of any animal and the occupier of any premises where any animal is kept or permitted to remain;

"poultry" means any fowl, turkey, goose or duck;

"stable" includes a kraal, cowshed, stall, pen and sty and shall include any site or enclosure which is used for the purposes of keeping domestic animals or poultry;

"veterinary official" means a veterinary officer, livestock officer, or stock inspector employed in the service of the Government, and includes a veterinary surgeon as defined under the Veterinary Surgeons Act; and

"village area" means any village within the jurisdiction of the Council.

3. Keeping of livestock

The Council may prohibit the use, for the keeping of livestock, of any stable which in the opinion of the Council is unfit, undesirable or objectionable by reason of its locality, construction, condition or manner of use.

4. Troublesome, dangerous or infected animals

No person shall allow any troublesome, wild, ferocious or dangerous animal to be out of the confines of the premises on which such animal is normally kept unless under the proper control of its owner.

5. Bees, pigeons and poultry

No person shall keep any bees, pigeons or poultry in such a manner that will disturb the comfort and peace of the inhabitants of the village area.

6. Establishment of livestock stables

The Council may by resolution establish a stable as a holding ground for any domestic animal, livestock or poultry found at large or otherwise in contravention of these Bye-Laws.

7. Claiming of livestock, animals, etc.

(1) The owner of any animal or livestock placed in any stable established in accordance with these Bye-Laws may, upon production of certified documents and payment of a fine prescribed under the Schedule, claim and take possession of such animal or livestock.

(2) Any person who removes or attempts to remove any animal or livestock detained without payment of the prescribed fine in accordance with sub-bye-law (1) commits an offence.

8. Enforcement

The Council may by resolution request the assistance of any person or organisation for the better carrying out of the provisions of these Bye-Laws.

9. Offences and penalties

(1) Any person who—

- (a) obstructs or hinders an authorised officer in the exercise of such officer's functions under the provisions of these Bye-Laws; or

- (b) fails to comply with bye-laws 4, 5, or 6 commits an offence and shall be liable on conviction to a fine not exceeding P50 or in default of payment thereof, to a term of imprisonment not exceeding one month, and on a second or subsequent conviction to a fine not exceeding P100 or in default of payment thereof, to a term of imprisonment not exceeding two months.

(2) Any person who commits an offence under these Bye-Laws for which no specific penalty is prescribed, shall be liable on conviction to a fine not exceeding P500, or to a term of imprisonment not exceeding two months, or to both, and for a second or subsequent conviction to a fine not exceeding P1,000, or to a term not exceeding six months, or to both.

10. Period of detention of livestock

Any livestock detained under these Bye-Laws shall, if not claimed within a period of seven days be handed over to a matimela kraal as defined under the Matimela Act.

11. Destruction of certain animals

It shall be lawful for the Council to destroy any impounded animal suffering from a contagious disease or likely to prove dangerous to human life or destructive to other animals, on detention, without any compensation to the owner:

Provided that the Council may only destroy such animal upon the written report of a veterinary officer to the effect that such animal has a contagious disease, or may be dangerous to human life or destructive to other animals.

SCHEDULE FEES

(bye-law 7 (1))

<i>LIVE STOCK AND OTHER ANIMALS</i>	<i>AMOUNT (per day)</i>
(a) Sheep, goats and pigs	P5 per head
(b) Cattle, donkeys, mules and horses	P10 per head
(c) Other animals	P2 per head