

LOBATSE TOWN COUNCIL (PUBLIC STANDPIPES) BYE-LAWS

(under regulations 34 and 35)

(3rd June, 1983)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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S.I. 67, 1983.

1. Citation

These Bye-laws may be cited as the Lobatse Town Council (Public Standpipes) Bye-laws.

2. Interpretation

In these Bye-laws-

"authorized officer" means the Town Clerk or a person authorized by him under bye-law 3;

"designated area" means an area within the township which has been allocated to persons for occupation in respect of which a certificate of rights or a temporary occupancy permit has been issued;

"public standpipe" means a water supply point in a designated area intended for use by persons residing in that area;

"Town Clerk" means the Town Clerk of the town council;

"town council" means the Lobatse Town Council;

"unauthorized connection or attachment" means a connection or attachment made without the written permission of the town council.

3. Supervision of public standpipes

The Town Clerk may, in writing, from time to time authorize any officer or employee of the town council to inspect and supervise the use of public standpipes.

4. Supply of public standpipe water to residents, etc.

(1) No person shall draw water or cause water to be drawn from a public standpipe unless he resides within the designated area in which the standpipe is located or has the written authority of the Town Clerk to draw from the standpipe.

(2) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine not exceeding P50 or in default of payment to imprisonment for a term not exceeding one month.

5. Supply of public standpipe water to other persons

(1) Notwithstanding bye-law 4, a person who is not resident or authorized as therein provided may draw water or cause water to be drawn from a public standpipe but shall not, within any one period of 24 hours, draw water or cause water to be drawn-

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

(2) No person shall supply water drawn from a public standpipe to another person who is forbidden by bye-law 4 from himself drawing water from that standpipe except-

- (a) for consumption by that other person; or
- (b) with the written permission of the Town Clerk.

(3) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine not exceeding P50 or in default of payment to imprisonment for a term not exceeding one month.

6. Restrictions on use of public standpipe water

(1) No person shall, without the written permission of the Town Clerk, draw water or cause water to be drawn from a public standpipe or supply water so drawn to another person for use or use water so drawn outside the designated area in which the standpipe is located.

(2) No person shall use water drawn from a public standpipe for any purpose other than a domestic purpose or for a purpose specified in a written permit issued to him by the Town Clerk.

(3) The town council may from time to time-

- (a) limit the quantity of water which may be drawn from a particular public standpipe;

- (b) by notice published by public exhibition at its principal office and at the principal post office within the township, prohibit the drawing of water from a particular public standpipe for any purpose specified in the notice; or
- (c) by written notice served on any person, prohibit the use by that person and by any other persons subject to his control of water drawn from a public standpipe for any purpose specified in the notice.

(4) No person shall draw water or cause water to be drawn from a public standpipe or use water so drawn in contravention of the terms of any prohibition imposed by the town council under this bye-law.

(5) Any person who contravenes this bye-law shall be guilty of an offence and liable to a fine not exceeding P10 or in default of payment to imprisonment for a term not exceeding one week.

(6) No fine or sentence of imprisonment imposed in respect of an offence under this bye-law shall prejudice the right of the town council to recover the appropriate charge for any water unlawfully drawn from a public standpipe.

7. Extinguishing fires

Notwithstanding the other provisions of these Bye-laws, any person may draw water or cause water to be drawn from any public standpipe or supply water so drawn to any other person or use water so drawn anywhere for the purpose of extinguishing a fire.

8. Power to withhold supply of public standpipe water

Without prejudice to its right to recover any amount due to it, the town council may turn off or curtail the supply of public standpipe water to any designated area where-

- (a) the persons resident therein or some of them have failed to pay any service levy or to comply with these Bye-laws,
- (b) any repair, maintenance or extension of the water system is required; or
- (c) a general water shortage occurs in the township.

9. Inspection of public standpipes

(1) The Town Clerk shall ensure that every public standpipe is regularly inspected by an authorized officer for-

- (a) unauthorized connections or attachments thereto; and
- (b) any waste or misuse of water.

(2) It shall be the duty of authorized officers generally to supervise the proper use of public standpipes.

(3) No person shall make any unauthorized connection or attachment to a public standpipe, an authorized officer shall, if it is-

- (a) a first transgression, remove the connection or attachment and return it forthwith to

the person responsible therefor together with a written warning;

(b) a second transgression-

- (i) remove the connection or attachment and cause it to be placed in the temporary custody of the town council;
- (ii) issue a written warning to the person responsible for the connection or attachment within three days of its removal and permit it to be released to him; and
- (iii) require the person responsible for the connection or attachment to sign a written acknowledgement to the effect that a further transgression will constitute an offence and require confiscation of the connection or attachment in question; or

(c) a third transgression, confiscate the connection or attachment and the person responsible therefor shall be guilty of an offence and liable to a fine not exceeding P50 or in default of payment to imprisonment for a term not exceeding one month.

(4) Any person who hinders or obstructs or uses abusive or insulting language to an authorized officer in the performance of his duties under this bye-law shall be guilty of an offence and liable to a fine not exceeding P100 or in default of payment to imprisonment for a term not exceeding three months.

10. Waste or misuse of public standpipe water

Any person who wilfully or negligently wastes or misuses or causes or allows to be wasted or misused any water drawn from a public standpipe shall be guilty of an offence and liable to a fine not exceeding P10 or in default of payment to imprisonment for a term not exceeding one week.

11. Damage to public standpipes

(1) Any person who tampers with or wilfully or negligently causes damage to a public standpipe or to any appliance or equipment in connection therewith shall be guilty of an offence and liable to a fine not exceeding P100 or in default of payment to imprisonment for a term not exceeding three months.

(2) No fine or sentence of imprisonment imposed in respect of an offence under this bye-law shall prejudice the right of the town council to recover the cost of effecting any repair or replacement arising from damage to a public standpipe.

12. Prohibition of pollution

Any person who pollutes or causes the pollution of public standpipe water or allows any foul liquid, gas or other noxious matter to enter any pipe or fitting connected with a public standpipe shall be guilty of an offence and liable to a fine not exceeding P50 or in default of payment to imprisonment for a term not exceeding one month.