

GOVERNMENT NOTICE NO. 114 published on 7/5/99

THE LOCAL GOVERNMENT (URBAN AUTHORITIES) ACT,
1982

BY LAWS

(Made under section 80)

THE MOSHI MUNICIPAL COUNCIL (ANIMAL IN URBAN AREA) BY-LAWS 1999

1. These By-laws may be cited as the Moshi Municipal Council (Animals in Urban area) By-laws, 1999 and shall apply throughout the area of jurisdiction of Moshi Municipal Council.

Short
title

Moshi Municipal Council (Animal in Urban Area)

G.N. No. 114 (contd.)

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| Interpretation | 2. In these By-laws unless the context otherwise requires:- "animal" means cattle, donkey, goat, horse, pig and sheep but does not include a dog. "Pounds" means the animals pound maintained by the Council. "Authorised Officer," means Health Officer, Municipal Inspector or Senior Officer of the Council. "Director" means the Municipal Director of the Moshi Municipal Council and includes his Deputy. "Council" means the Moshi Municipal Council. "Medical Officer of Health" means the Medical Officer of Health of Council. "Urban Area" means the area lying within the jurisdiction of the Moshi Municipal Council as may from time to time be instituted. "specified areas" means those areas within the area in which animals can be kept and allowed to move |
| Specified areas | 3. The Council shall earmark certain areas to be known as "specified areas" within the Urban area for the purpose of keeping animals as set out in Schedule "A" and "shall establish routes within the urban area along which to move an animal or animals and permits shall be issued by the Council in respect of animals authorised in the Urban area. |
| Person to obey the directions of Municipal Director | 4. All person using specified areas and routes shall obey all due and delinquent directions of the Municipal Director for the purpose of avoiding overstocking and preserving order and regularity in the specified areas by ensuring that the animals do not move to the lands adjoining the specified areas. |
| Building to be approved by the Council. | 5. Subject to any permit issued under these by-laws allowing animals to be moved, all animals within the urban area shall be kept in a building, structure or enclosure approved and maintained to the satisfaction of the Council. |
| Removal of manure, refuse etc. | 6. The Medical Officer or any other authorised Officer may require any person keeping animals in the urban area to make arrangement for the removal of manure, liquid filth and refuse as he shall consider necessary. |
| Right of officers to inspect premises. | 7. The medical Officer or any authorised Officer may at any reasonable time enter upon any area premises in which animals, are kept, or in which he has a good reason to believe that animals are being kept, for the purpose of inspecting such premises and any person obstructing such Officer or hindering him or giving him false information shall be guilty of an offence. |

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8. No animals shall be kept in building or part of such building that is used for human habitation in any surveyed and developed Area. Animals not to be kept in a dwelling place.
9. No animal shall be moved through any part of the urban area other than the specified areas and routes set out in Schedule "A" and "D" hereto unless as set out in Schedule "B": Provided that no permit shall be necessary for the movement of animals in a motor vehicle. No animal to be moved without permit.
10. All animals being moved to any abattoir shall follow the established routes in Schedule 'D' hereto but shall not graze on the way to the abattoir. Animals to follow established routes
11. Any Police Officer or any authorised Officer may take or cause to be taken to the pound any animal being kept within the urban area in non specified area or being moved through an unauthorized route. Animal may be taken to the pound
12. The owner of any animal impounded under these By-laws shall be required to pay pound fees as set out in Schedule "C" hereto. Pound fees
- 13.-(1) No animal impounded under these By-laws shall be released until the pound fees have been paid in the case of first offender. Animal to be kept in pound till the required fees are paid
- (2) The Council shall not be held responsible for the disappearance of any animal so impounded.
- (3) The proceed of sale of the animal so impounded and disposed off shall after deduction of any sum due to the Council-
- (a) in the case of any unclaimed animal be retained by the Council in a deposit account for a period of six months after which time it shall if still unclaimed be paid into the general revenue of the Council.
- (b) in the case of an animal retained for non-payment of pound fees be paid to the owner.
14. The court may in case of second and habitual offender order that the animals forming the subject matter of the criminal proceeding be forfeited. Person with criminal record of the same type of offence.
15. It shall be lawful where an order of confiscation has been made under By-law 15 for the Council to take possession of the animal or animals and consequently become the owner thereof. The Council to take ownership of the confiscated animals
16. Any person who shall contravene or fail to comply with any of the provisions of these By-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Tshs fifty Penalty

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thousand (50,000/=) or twelve months imprisonment or to both such fine and imprisonment or addition the court may order any permit issued to him under these By-laws be cancelled.

Repeals GN. No. 536 of 1986

17. The Moshi Municipal Council (Animal in Urban Area) By-laws, 1986 are hereby revoked.

SCHEDULE "A"

PERMIT TO KEEP ANIMALS

THE MOSHI MUNICIPAL COUNCIL (ANIMAL IN URBAN AREA)
BY-LAWS, 1999

Name.....

Address.....

Has been permitted to keep Cattle/Goats/Sheep/Camel/Horse and other animals in

The number permitted is.....

For a period of.....

Starting from.....

Fees.....

Receipt No.....

Date.....

SCHEDULE "B"

Municipal Director

THE MOSHI MUNICIPAL COUNCIL (ANIMAL IN URBAN AREA)
BY-LAWS, 1999

PERMIT TO MOVE ANIMAL

Name.....

Address.....

Has been permitted to move cattle/goats/pigs/camel Horse/donkey and other animals during day times for a period of.....

Through the following routes:.....

Date:.....

Municipal Director
Moshi Municipal Council

Moshi Municipal Council (Animal in Urban Area)

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SCHEDULE "C"

THE MOSHI MUNICIPAL COUNCIL (ANIMAL IN URBAN AREA)
BY-LAWS, 1999

| | |
|---|------------------------|
| One cattle per year..... | Sh. 1,000.00 |
| One Camel per year..... | Sh. 1,000.00 |
| One Horse per year..... | Sh. 1,000.00 |
| One goat per year..... | Sh. 500.00 |
| One sheep per year..... | Sh. 500.00 |
| One pig per year..... | Sh. 1,000.00 |
| Pounding charges cattle, camel horse, donkey..... | Shs. 10,000.00 per day |
| Goat, sheep per day..... | 5,000.00 per day |
| Chicken/Ducks/Rabbits - 100 to 500 | Sh. 1,000.00 per day |
| =501 and above..... | Sh. 2,000.00 per day |